

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
100 Corps Authority & DEIS Process				
110 Land Use				
111 Engaging in Land Use Planning				
	91	37	Document looks like a land use plan in many ways than it does an EIS	<p>The Corps has never intended the EIS to dictate local land use planning. The Corps acknowledges that land use planning is a local responsibility. The maps in the EIS are intended only to assist the Corps in determining the cumulative impact of its individual permitting decisions based on the "big picture" of what the region is likely to look like in the long term. The maps are various predictions of the long-term conditions of the region, not "goals" of the Corps. The five maps in the alternatives do delineate areas of "development", "agriculture", and "preserves" based on various ideas how the land in the study area may be or should be distributed in 20+ years. These maps are used to prepare five estimates of acres of wetland fill, area of habitat lost, change in water quality, etc. The EIS recognizes that these maps represent the potential result of many individual decisions by the Corps, landowners, Counties, and others.</p> <p>The writer (comment 455) is correct that the Corps' jurisdiction is limited to waters of the United States. However, in making wetlands permitting decisions the Corps must consider all the effects of the permitting decision, including the effects on uplands. One map represents the current County Comprehensive Plans (that is, if all decisions exactly matched these plans and these plans were not amended in the next twenty years). The estimates of wetland fill, area of habitat loss, etc., disclose the cumulative effect of potential Corps decisions. For some of the issues, the size of the potential impact is such that the Corps desires to ensure relevant information in the EIS is used in future permit reviews.</p>
	213	72	Looks like a land use document. Either we have a concern on State's rights or a misunderstanding on what it is.	
	235	78	Acknowledge Corps policy is that primary responsibility for zoning is with state and local governments.	
	408	122	Corps state EIS is not land use document yet makes references to land uses that are or are not permitted.	
	410	122	Acknowledge Corps policy is that primary responsibility for zoning is with state and local governments.	
	454	144	Creating additional set of land use regulations...Eis clearly indicate an intent to regulate land uses.	
	455	145	Corps jurisdiction is limited to those development which will impact waters of the United States.	
	519	173	Object to explicit implication of project review map as a future land use map that completely ignores exist zoning.	
	582	222	Corps state EIS is not land use document yet makes references to land uses that are or are not permitted.	
	584	223	Acknowledge Corps policy is that primary responsibility for zoning is with state and local governments.	
	847	426	Project Review Criteria appear to be essentially federal land use planning.	
	957	481	Concerned such a map borders on Federal involvement in local land use decisions.	
	1033	519	The EIS clearly indicates an intent to regulate land uses within the study area.	
	1038	519	Because Corps is limited to projects where activities trigger CWA..is not equipped to provide land use plans...	
	1156	739	Proposed action exceeds the Corps Authority by engaging in land use planning	
	1191	944	EIS functionally creates additional land use regulations which conflict with existing comprehensive land use plans	
	1209	948	(neither) CWA or ESA... provide the Corps with authority to usurp land use planning by local governments	
	1240	965	There is no general permit proposed and EIS includes a map that clearly designates land use.	
	1260	973	Inappropriate to have maps with land use designations...Corps reg do not authorized planning function..	

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				Both the Draft and Final EISs include (as an appendix) Draft Permit Review Criteria to describe how the information in the EIS may be used in permit reviews. In the Draft EIS, this consisted of several lists of questions correlated to areas delineated as "development", "agriculture", and preserves. The Corps intended to identify different levels of permit review rigor but many of the public interpreted these to be designating land use. The Corps has revised the Permit Review Criteria to remove the "development", "agriculture", etc. delineations. Instead, the revised Draft Permit Review Criteria presents questions and each question will have its own map. For example, a question related to a particular wildlife species has a map showing the potential locations where the species may be found. The rigor of the review for a particular project will depend on how many of the individual maps intersect the project location.
112 Inconsistent with CZM				
	734	304	EIS is consistent with Florida CZM	
	776	323	Consistent with historic preservation laws, conditioned upon early and sufficient consultation.	
	1157	743	Proposed action is inconsistent with Florida's Coastal Zone Management Plan	The Coastal Zone Management Act requires a determination of consistency of Federal activities with approved State coastal management programs. However, the term "Federal activity" does not include the issuance of a federal license or permit to an applicant or person. See 15 CFR 930.31(c). The proposed action is a modification of existing Corps procedures for issuance of 404 wetlands permits and therefore is excluded from the definition of "Federal activity." Moreover, the proposed action in and of itself cannot affect the coastal zone unless and until a permit application is received. Nothing happens unless and until a permit application is received. Once a permit application is received, the Corps cannot process the application unless the application includes the consistency certification required by 15 CFR 930.57. Thus, no action occurs without a consistency determination.

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				If the State objects to an applicant's consistency determination, the Corps cannot issue a permit, as stated in 15 CFR 930.65. Last but not least, the Florida Department of Community Affairs, Florida Coastal Management Program, has determined on February 23, 2000, that the DEIS is consistent with the Florida Coastal Management Program (see Comments, Page 304).
113 Identify conflicts between proposed plan and Comp Plan [also 116]				
	79	35	If there are problems with the Comprehensive Plan, we need to know about it	The Corps does not play a role in zoning or land use matters.
	199	63	I would appreciate specificity (in complaints on comprehensive plan).	The revised Permit Review Criteria describes and locates those natural resource issues that have the greater potential for degradation or improvement resulting from Corps permit decisions.
	216	72	Make sure greater understanding and that we know that our comprehensive plan will not be in conflict.	
	1162	783	Does not accurately or fully identify the possible conflicts between proposed action and state&local land use plans	
	1194	944	Identify the significant national issues and explain why they are overriding importance (to not accept local decisions)	
				An overlay map is included that shows where these issues overlap areas identified for development by the Comprehensive Plans. A potential conflict may occur if a project proposed in an area deemed appropriate by the Comprehensive Plan is determined by the Corps, after its review of the the application, to have not addressed the natural resource degradation.
114 Gives undue weight to Comp Plans				
	484	153	Too much emphasis is placed on consistency with local comprehensive plans.	
	1123	668	Gives undue weight to county comprehensive plans in assessing cumulative adverse impacts of the 404 program	The proposed action is the adoption of standardized review criteria that are keyed to a Natural Resources Map. The proposed action is unrelated to the Counties' Comprehensive Plans, except to the extent that the Natural Resources Map was derived from a predicted future based, in part, upon those Plans.
				However, since even these plans can be amended and landowners are free to submit applications to the Corps that are not in compliance with the local plans, the EIS does include four other potential futures
115 Rewrite Comp Plans. Need more community involvement.				
	31	13	The community should be the ones driving these decisions. The comprehensive plans must be rewritten.	We expect the information in this EIS will be useful to persons submitting comments to the Corps on future applications. Perhaps this information will be useful to some in other forums.
	52	17	Responsible growth is the answer.	
	61	21	Quality of life and economic well-being are threatened by unlimited and unmanaged growth.	
	65	23	Citizens of this whole area have to take a much greater interest in what is happening.	
	522	180	Depending on Corps not to yield to pressure from shortsighted, development-oriented politicians.	
116 Comp Plans are only basis of regulations / represent community [also 610, 888, 627]				
	87	37	Local government better able to balance diverse needs of community. Local comp plan only basis for regulations.	
	92	37	Comprehensive Plan has got to have full integrity through this process.	

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	232	77	EIS is inconsistent with the goals, objectives and polices of the Lee and Collier County Comprehensive Plans.	
	385	115	City prefer using local comprehensive plan to identify future land use.	
	398	120	Conflicts with local comprehensive plans	
	406	122	EIS is inconsistent with the goals, objectives and policies of the Lee and Collier County Comprehensive Plans.	
	436	127	EIS maps are inconsistent with the comprehensive plans.	
	440	133	EIS maps are inconsistent with the comprehensive plans.	
	456	145	Confused regulatory issues by creating conflicts with existing comprehensive plans and federal regulations.	
	533	183	Regardless of zoning and land use decision of local government, Corps has independent duty under CWA.	
	559	195	Eliminate Project Review Map and defer to Lee Plan Future Land Use Map for designation of land uses.	
	565	197	Rely on Lee County expertise to evaluate future land use and water quality trends.	
	580	222	EIS is inconsistent with the goals, objectives and polices of the Lee and Collier County Comprehensive Plans.	
	619	233	Adoption of the project review map will circumvent future land use map of the comprehensive plan.	
	630	241	Preferred alternative should be the existing comprehensive plans. Final document should have no conflicts with.	
	725	292	EIS assumes County comprehensive plans are unchanging documents. Should recognize they are quite fluid.	
	879	448	(list of actions)...speaks to their (Collier County) lack of sincerity in claiming willing to work with the Corps...	
	908	464	Local government much better to balance the diverse needs..comprehensive plan..only legitimate planning basis..	
	955	481	Comprehensive Plan are our preferred alternative and one upon which the public bases significant reliance..	
	1035a	519	Lee Plan based on best available data..hours of public hearings..	
	1241	965	Each community should have the right to decide what it wants to look like and not have its image mandated by feds	
	1393	1100	Unconstitutional usurpation of local land use perogatives...work collaboratively with local...	
	1398	1101	Corps...either...justify its actions or abandon...in favor of initiating collaborative approach with...counties.	
	1401	1103	Landowners developing in accordance with Comp Plans face an added obstacle...	
				The Corps may not have adequately explained the proposed action in the Draft EIS. The proposed action is not a substitute for the Counties' Comprehensive Plans, but simply a standardized set of criteria for reviewing permit applications for wetlands fills within the region. The criteria are to be determined based on the presence or absence of natural resources shown on the Natural Resources Map. The Natural Resources Map is not at odds with local planning because it simply determines what criteria will be used in evaluating applications. Neither the criteria nor the map in any way pre-determine whether or what type of wetland fills will be permitted. One of the goals of this EIS is to better coordinate with local and State processes.
				For example, the Lee County Comprehensive Plan states "Permitted uses in Wetlands consist of very low density residential and recreational uses that will not adversely affect the ecological functions of wetlands" and, later, "...the county will not undertake an independent review of the impacts to wetlands..." Collier County's Area of Environmental Concern Overlay "...has no regulatory effect." Both Counties refer the landowner to state and federal permitting programs. Therefore, landowner will look to other parts of the County Plans for criteria on density, type of activity, etc., and, we hope, will be able to look at the EIS for criteria on wetlands and wetland related issues.
117	Corps and County does not take into consideration the public.			
	152	52	Three regulatory commissions have not taken in consideration the public (Corps, Lee County, Lee County Health).	Corps solicited public comments on the Draft EIS for 189 days and three public hearings in addition to meeting with local civic groups.
118	Intrudes Federal into local			
	188	61	The Draft EIS threatens comprehensive growth plans by adding unprecedented federal level of intrusion.	The proposed action does not add any further intrusion. The

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	225	76	Things should be under state and county control.	
	268	82	Federal government getting involved and is not as responsive to the local needs and local concerns.	Corps' 404 wetland permitting program has been in place for many years. The proposed action would simply standardize the review procedure and add predictability. No new requirements have been added. If a landowner desires to fill a wetland to change the land use from vacant/natural to some other use, he/she must obtain not only local building permits but also a separate permit from the Corps under Section 404 of the Clean Water Act. Corps authority based on Federal laws and is independent of local authorities
	283	85	Complicates permitting process by adding a layer of outside control at odds with comprehensive plans.	
	294	86	Call on Corps to cooperate with local government but not allow them to drive the process.	
	323	90	Most people are scared of the federal government for good reason.	
	328	91	If local government was doing a good job managing growth, need for a federal EIS would not be so great.	
	380	115	Add federal level of intrusion on local government. Maps do not coincide with those of local government.	
	971	483	Local land used decisions should remain at the local level.	
	1250	966	Corps more restrictive..other agencies more expansive..threaten ability of local govt to make land use decisions	
120 Did not analyze existing program (no action)				
	141	48	Let us look at the current permitting system.	Added an analysis of the recent number of permits, acres of authorized fill, and compensatory mitigation required.
	153	52	EIS mentions a retaining pond for water flowing to River yet Corps issues permit to build outlet to River.	Permit decisions are based on the individual circumstances of the proposed project so may not always follow suggestions in a generalized document such as this EIS.
	198	63	A lot of recent development has actually improved the environmental quality.	Noted in EIS.
	286	85	EIS not take into account that development now planned in a much more sophisticated fashion than past.	Noted in EIS.
	397	120	Corps should quantify cumulative impacts of the current 404 process using existing data. Make data available.	Analysis added.
	539	184	Should examine the effectiveness of permit conditions...include whether current process ensures no net loss.	Note that with the current state of knowledge there is no existing assessment technique that provides absolute assurance of no net loss in biological systems. Added description of review process to evaluate impacts.
	545	186	Our experience is the practicable alternatives requirement has been ignored by the Corps.	Difficult to analyze since degree of "practicable" is different for each project depending on its purpose and circumstances.
	848	427	Has not evaluated the current performance of the regulatory program (no-action).	The current performance of the Corps' regulatory program is not an issue. The proposed action is to implement standardized permit review criteria and a Natural Resources map that informs program managers where and how to apply the criteria. The "no-action" alternative is to continue current case-by-case analysis, in which program managers individually determine what criteria are important and what weight to afford them.
	1096	591	My belief that many of the permits issued by the Corps are causing violations of the CWA and ESA	Noted.
	1158	746	Did not analyze the beneficial&adverse impacts of the Corps current regulatory program & state & local programs	EIS focuses on Corps program. Looks at prospective impacts of program for next 20 years.
	1370	1081	Sect 2: Current permitting process should be described in detail..how applications reviewed for impacts..	Section rewritten.

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	1371	1081	Sec 2: Describe how alternative futures are currently determined in contrast to method proposed by this document.	Section rewritten. The other four Ensembles present various criteria for permit reviews. The evaluations suggest some of these may reduce the risk that degradation may occur.
	1394	1101	Should include detailed assessments of...the no action alternative, defined as...maintaining the existing...	Sections rewritten to clarify and expand assessments of proposed and no action.
	1395	1101	Complete accurate inventory..of wetland types, their functions and values, and cumulative gains or losses..	Expanded analysis of historic & current acreages by plant type. Wetlands have many functions and are valued for many things, these are found under the various subheadings.
	1396	1101	(gains/losses study) useful to local..officials..to revise..Comp Plans..to protect important resources.	Information learned from EIS allow preparation of Permit Review Criteria which provides natural resource maps.
121 Benefits from existing permit program (or lack of)				
	211	71	More recent developments, with better technology, better than 70s, make sure changes based on new, not old.	Added an analysis of historic (pre-Corps-permitting), recent, and the five projected changes in natural plant cover (the five Ensembles), the aspect most directly related to the Corps permits. Evaluation of Ensembles describe range of potential effects environmentally.
	264	81	I happen to agree with the Corps that they can do a better job.	
	329	91	Some who say the local government is doing a good job protection the environment. It's just not true.	
	470	148	Believe that Florida is at the breaking point environmentally...no way can withstand further assault on ecosystem.	
	1064	537	Corps is effectively protecting (natural) resources through current permitting process..	
	1396	1101	Compensatory mitigation for authorized wetland impacts...support and exceed...no net loss...	
122 Existing mitigation and regional restoration efforts				
	51	17	Please introduce into the EIS the mitigation banking concept.	Added.
	192	62	Business community is very concerned and has a vested interest in maintaining the quality of life.	Noted.
	276	84	Naples and Ft Myers are envy of world..because of the commitment to quality in the developers who are here.	Noted.
	393	116	Please see our letter commenting on the C&SF Comprehensive Review Study.	Comments on issues not related to permitting.
	401	120	Not address opportunities for both environmental and economic sustainability	Describes tradeoffs. Expanded economic.
	851	432	Failed to consider mitigation and non-regulatory conservation efforts in Lee and Collier Counties.	Added reference. Comprehensive Plans also incorporate and these incorporated as Ensemble.
	1174	801	Failed to take account of mitigation and regional restoration efforts in its evaluation of alternatives	Added reference.
	1402	1103	Failed to recognize existing programs that increase wetland acreages	Added reference.
123 Fails to assess past and on-going impacts [also 240 for wetland]				
	18	10	To know effects, must know what was once present and has been destroyed, what is going to be in future.	Added an analysis of past and recent changes from natural plant cover. This was based on comparing five existing maps characterizing land cover at five different years. The Corps based this EIS on reporting existing information and so did not pursue preparation of new studies. Permit information was reviewed and no trend was found. A high number of applications are received one year, a low number the next, then high again the following year.
	60	21	I would hope you do trend analysis of permit applications.	
	308	88	No past cumulative environmental effect analysis.	
	487	163	Historic data on wetlands coverage and water quality needs to be incorporated into the analysis.	
	648	249	Does not provide a detailed assessment of cumulative impacts of past permitted actions.	
	860	440	Dr. Larry Harris at UF might be a useful contribution to development of model (of past/ongoing/future impacts)	
	861	440	How many permit applications are submitted? How many are granted? How successful are mitigation projects?	
	862	440	Recommend Corps utilize the Airborne Laser Terrain Mapper to assess changes in land use.	
	1118	645	Fails to adequately asses past and on-going wetland impacts	
	1352	1078	Based on number&types of applications from 13May98, applications have increased...DEIS underestimates impacts	

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				The Corps tracks number of applications received and approved/denied in a year but an application received one year may be approved the next year so the statistics are useful for workload but not to compare fate of applications. Anedotal information suggests many of the larger projects the permitted quantity of fill, site design, and other aspects are different from the application so other changes are occurring as a result of permit review that are not recorded in a database. Therefore, a projection based on past permit data would be unreliable. The EIS instead uses projected changes in land cover and uses those to estimate acres of fill although this also introduces potential for error. The permit decision includes an evaluation of the risk compensatory mitigation will fail and suitable monitoring conditions are provided to address this. Some forms of compensatory mitigation no longer are used due to past failures, one of the reasons one sees, as shown in the EIS, the large proportion of restoration type of mitigation compared to the historically less-successful creation.
124	Highlight existing conditions (drainage, roads) not a pristine system			
	339	93	Highlight some of the existing conditions and constraints...roads, drainage...we are not a pristine system.	Described in existing conditions of the watersheds.
130	EIS Internally inconsistent whether is preferred alternative [also 820]			
	732	303	In essence there will not be a "preferred alternative" until review sec&cum impacts of each application completed?	The proposed action is the Corps' preferred alternative.
	827	421	Difficult to reconcile Project Review Map with Corps statements that EIS would not include preferred alternative.	
	1159	756	Is internally inconsistent about the existence of a preferred alternative.	
140	Other alternatives not analyzed			
	850	431	There are alternatives to a mapping exercise and development of criteria based on maps (listed)	The EIS section has been rewritten to clarify. The EIS essentially compares alternatives for criteria.
	1160	757	Failed to consider a range of reasonable alternatives to meet the purposes of the EIS (8 ideas listed) (17pp)	

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			(The ideas are: information repository for use by reviewers; improved interagency/intergovernmental coordination; mapping resources of federal interest under inordinant stress; improved coordination with non-regulatory programs for wetlands; use of ADG Overlay of Alternatives Map; coordinate resource planning and acquisition programs; develop general permits; develop mitigation siting criteria; improve coordinationw tihe non-regulatory programs at Federal, State and Local levels.)	These criteria are found in the legends of the Ensembles. There are 38 of these based on the numeric coding system applied to the legends. Based on comparison of the Ensembles reported by the EIS, the various criteria have varied influence on the degree or risk of degradation to natural resources resulting from the Corps permit decisions. The commentors' ideas are essentially different ways of implementing the information in the EIS. The Revised Draft Permit Review Criteria describes one implementation using a subset of criteria selected from those in the EIS. The rewritten section on implementation describes other uses of the EIS evaluations of the Ensembles. These drew on ideas presented in the comments.
141 Incentive based solutions that benefit the environment				
	191	61	We support incentive-based solutions that benefit the environment.	We will be willing to participate or otherwise assist in such efforts.
	405	120	Chamber of SW FL will assist interests to identify system of economic incentives	
142 No range of alternatives. Ensembles are variations of a theme.				
	307	88	No reasonable range of alternatives. All the ensembles are basically variations of a theme.	The Corps feels there are really only two alternatives for conducting permit reviews: The present method (no action alternative) in which the program manager determines the criteria to be applied and the weight to afford each alternative, or a set of standardized review criteria together with a map that all program managers would apply in determining what factors to apply, and when, where, and how to apply them. Although it would be possible to develop an infinite array of standardized criteria, the Corps feels that creating alternatives that are simply variations on a same theme would be counterproductive. If adopted, the proposed alternative would result in criteria that could then be adjusted (using appropriate NEPA analysis, if required) based on new information received as well as experience in the field.
150 Law violated.				
151 FACA				
	806	359	Corps did not comply with Federal Advisory Committee Act.	The Alternatives Development Group (ADG) was not an advisory committee and therefore not bound by the requirements of FACA.
	1035b	519	EIS [based on] group not represent diversity of viewpoints	
	1163	784	ADG violates the Federal Advisory Committee Act	
	1206	946	Corps failed to comply with requirements of the Federal Advisory Committees Act	

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				The ADG acted essentially as a focus group to help the Corps define important issues, gather information to measure those issues, and to develop and compare alternatives for the DEIS. Although members of the ADG certainly offered their individual opinions, the Corps did not solicit, and the ADG did not provide, any group advice or recommendations. The Corps alone is responsible for the content of the DEIS, including the determination of what alternatives were included in the DEIS the presentation and interpretation of the evaluation of those alternatives. Moreover, even though the ADG was not subject to FACA, the ADG substantially complied with FACA. Members were selected to represent a broad range of interests within the community to ensure functional balance. Meetings were publicized and open to the public, and minutes are available from an independent reporter. Most importantly, the Corps has taken, and will take, no action unless and until that action has been subject to full and fair consideration of public comments through the NEPA process.
152	CEQ: not an EIS. Not state action, but predicts action in future.			
	729	301	EIS does not address proposed fed'l action, but attempts to predict action on predicted future. Not an EIS per CEQ.	The EIS discloses cumulative adverse and beneficial effects from a range of potential individual decisions.
	1327	1039	As a result of our review of the PEIS..a rating of EC-2 has been assigned.	
153	What is the agency action?			
	918	470	What is the agency action that is under evaluation?	The proposed action is adoption of a set of standardized permit review criteria together with a Natural Resources map that all program managers would apply in determining what factors to apply, and when, where, and how to apply them when evaluating applications for permits to fill wetlands within the region.
160	Analysis not based on avail data but ADG subjective			
	129	47	Not a lot of data in the document.	The ADG members use this data in their area of expertise. One of the benefits of the ADG was that each member presented and interpreted that data to others of the group. This mimics actual regulatory processes. For example, the Corps does not require peer-reviewed submittals of information related to an application but rather expects
	241	78	Question whether regulatory policy implemented prior to collection, analysis, peer review of scientific data.	
	272	83	It is troubling to rely on a nameless individual's best professional judgement if data may be available.	
	335	92	Apparently these members [of the ADG, building industry, etc.] are not knowledgeable in economic sustainability.	
	383	115	Lack scientifically based data and analysis.	
	402	120	Based on best professional judgement instead of peer reviewed scientific fact.	
	423	123	Question whether regulatory policy implemented prior to collection, analysis, peer review of scientific data.	
	596	224	Question whether regulatory policy implemented prior to collection, analysis, peer review of scientific data.	
	639	242	Process of delineating flowways...by group consensus is subjective and lacks scientific objectivity.	

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	905	464	Delineation flowways, etc. by ADG is subjective..request decisions be made based on sound scientific information.	submittal describing effects based on professional judgment of the applicability of available scientific and other knowledge. This has allowed the Corps to present the information and issues in the DEIS in terms and using terminology understandable by the general public. The maps and different legends do represent the opinions and experiences of the individuals participating but the Corps took care to have broad representation in the preparation of the Draft EIS and then broad distribution to the public for comment.
	1043	520	Result (replumbing, etc) not based on science, but on supposition & conjecture, rising to arbitrary & capricious	
	1070	539	Use current, accurate, peer reviewed data evaluated by individuals with appropriate technical expertise...	
	1164	786	Evaluation of alternatives is often not based on available data & relies instead on the ADGs subjective grading.	
	1216	949	Generation of land use maps was unfair and allowed viewpoints of some members to dictate the use for a parcel..	
	1242	965	Corps attempting to designate land uses without the best data and analysis	
	1365	1080	Pg ii: include more emphasis on data and methodology used by the ADG	Details are found in body of EIS.
161	Use more science / add more later with supplemental EIS			
	33	13	We want to see some science and for you to say you are going to use ongoing scientific information.	The EIS sought to identify conditions where the Corps permit decisions could have orders of magnitude effect on natural resource and other issues. For those issues of concern, the Corps intends to pursue, cooperate with or remain actively cognizant of additional development of scientific knowledge. For example, the implementation of monitoring on water quality treatment of developed areas with EPA. Also, further work with the FWS on evaluation of effects on Endangered and Threatened Species. Development of rigorous scientific conclusions related to any of these issues for a regional basis is very expensive and time-consuming. In the meantime, regulatory decisions must be made based on available information.
	38	14	Like to be assured Corps will based its decisions on verifiable scientific evidence.	
	48	17	Include report "Regional Effects of New Citrus Development on the Ecological Integrity of Wildlife Resources"	
	59	21	There is more science that needs to go into this.	
	84	36	ADG delineation of flowways, etc., subjective. We ask decisions be made based on sound scientific information.	
	107	43	Flaws in the EIS in science.	
	132	47	Should be more science to back up the boundaries that are drawn.	
	203	68	EIS done with the mos accurate and scientifically based information possible.	
	253	79	Corps has sufficient data. If new data surfaces, should be ongoing process, publish a supplemental EIS.	
	266	81	Include all the data that should be.	
	295	86	I ask the Corps to cooperate more with the USFWS because they have the scientific expertise the Corps has not.	
	303	88	Need to move forward now, then take these other concerns and do a supplemental EIS.	
	325	91	To incorporate missing data, I would suggest you consider other means, perhaps a supplemental EIS	
	331	91	This science thing is a smoke screen to slow this whole process down.	
	337	92	To say there was no scientific involvement in this EIS is a misstatement.	
	563	197	Eliminate Project Review Map because data and analysis is not detailed scientific..	
	655	250	Data needed to support conclusions on economic sustainability, and others..	
	677	263	Obtain the latest scientific data and utilize expert opinions of cooperating agencies.	
	855	435	Make sure any conclusions are based on sound scientific facts and not on any groups "best judgement"	
	889	461	Give full attention to the science necessary for formulating the basis for your decisions.	
	1108	597	expeditiously issue a final EIS and ROD based on best available scientific information.	
	1109	597	supplement the final EIS and ROD to incorporate the best available information and to effectively limit future impacts	
162	No consensus			
	70	28	No consensus in ADG so concern about process and ability to address the key issues in a balanced way.	Lack of consensus not a concern since the EIS presents the divergent views.
	227	76	Widely divergent conclusions depending on what Ensemble was considered.	
163	Old data			
	112	44	EIS Appendix, using 1974 maps. A lot of changes in 25 years.	Used most current data that was available for the entire study

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	1068	537	Significant problems with the underlying data used..	area.
	1319	1035	With all the erroneous material you have used, I would think you should go back to the drawing board..	
164	Can't be good study at 50 cents per acre			
	113	44	EIS study is about 50 cents per acre. I don't think you get a very good quality study at 50 cents per acre.	The EIS seeks to describe broad geographic concepts and issues. Additional funds and time would refine the actual evaluations but probably not change the order of magnitude differences reported.
165	Review science used / peer review			
	119	45	Don't believe some new science brought into the EIS would withstand light of day or rigorous review.	The EIS references the conclusions or observations of a large number of research reports and does not create new research that would require peer review. Care has been given to present multiple and conflicting reports where available. Many of these documents are used in permit reviews or other decision areas. EIS seeks to put in understandable terms and apply the scientific and non-scientific information that relate to issues valued by the community. This mimics the permit review process where the decision is made considering both the economic or personal desires of the landowner and the values placed by the general public on environmental issues. The appropriate peer review for the EIS discussions is the public who would be affected by future permit decisions.
	125	46	Make sure whatever decisions are made in this document are based on the most valid science.	
	314	89	This whole process has to be peer reviewed, just like the restudy.	
	553	187	Include scientific peer review.	
	821	414	EIS relies on unadopted and unauthorized policy documents (Gaps and Mitigation Bank Review Team)	
	966	482	Make sure..any scientific data upon which the EIS is based has withstood impartial peer challenge and review.	
	821	414	EIS relies on unadopted and unauthorized policy documents (Gaps and Mitigation Bank Review Team)	GAPS presents the minimum number of acres of preserved lands would be needed to maintain species valued by the public. The Corps has heard comments "Is there not already enough land in preserve?" or "Do not issue more permits because will lose wildlife." GAPS is simply one document that presents a completed analysis that could be used to answer these questions and so is presented in the EIS. There is in the scientific arena many other techniques that could be used but none have been actually performed for the study area. The Corps has not adopted this as policy. The Mitigation Bank Review Team document describes how bank permits will be jointly reviewed with other agencies and provides an optional technique to calculate mitigation. The optional technique is referenced by the EIS but the technique itself is not used in the EIS analysis.

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	966	482	Make sure..any scientific data upon which the EIS is based has withstood impartial peer challenge and review.	Would be impossible to confirm status of every document referenced in report. Instead, EIS relies on presentation of documents that present contrary views.
166 Presented as science but is questionable and imprecise				
	189	61	Some questionable and imprecise methods are being presented as scientific conclusions.	The methods used are similar or even exceed the level of detail found in current permit reviews.
	434	126	Informed are questionable and imprecise methods presented as to scientific conclusions when not scientific.	
	438	132	Informed are questionable and imprecise methods presented as to scientific conclusions when not scientific.	
167 ADG analysis of socioeconomic & property rights is biased				
	362	101	For socioeconomic and property rights, DEIS relies too heavily on the ADG and the bias of the members	The EIS narrative has been expanded beyond ADG comments and includes other studies.
170 Cumulative Impact analysis/approach flawed				
	190	61	Corps realizes that this flawed process and this unworkable approach . . . The document needs serious redrafting.	The EIS presents a range of potential quantity and location of fill the cumulative total of many individual permit decisions, though it is recognized that changes in result in something not exactly like any of the maps. For each quantity, the EIS reports the potential effect on a large number of issues, thereby capturing the total cost of the permit decisions.
	343	95	EIS is flawed. What you are doing is splitting our community.	
	361	101	Corps has failed to capture the real costs of all aspects of its permit decisions in terms of pollution, flooding, ...	
	403	120	EIS must be deferred from implementation until (listed) goals achieved.	The EIS presents state of knowledge on which implementation can be considered. Portions of EIS and Permit Review Criteria rewritten with the goals in mind.
	730	301	Does not address energy rqmts, natural resource rqmts, mitigation, conflicts with local land use, and no "no action".	Are found in various sections of EIS.
	859	439	DEIS fails to include the review and analysis required to protect hydrological and biological resources.	EIS presents analysis of how the degree of impacts to hydrologic and biologic vary depending on the where and how wetlands are filled but purpose of EIS is not to establish threshold of "protection".
	949	477	Do the maps accurately describe actions that are "reasonably foreseeable"? Future Land Use Maps do not depict...	The EIS presents a range of potential quantity and location of fill the cumulative total of many individual permit decisions, though it is recognized that changes in result in something not exactly like any of the maps.
	950	477	What are effect of project when one includes past, present and future actions that would have similar effect?	EIS presents five maps that represent the range of reasonably foreseeable actions so the word "predicted effect" in the DEIS essentially meant this. EIS section rewritten to clarify.
	1293	1012	DEIS ignores EPA recommended "watershed" approach to review, assessment and making final permit decisions.	The "Hub" or center of the study area is one watershed. When establishing the scope, the study area was expanded since some issues are not bound by a single watershed.
	1360	1080	Nationwide permit program undergoing consultation...therefore assumptions used to forecast futures will change.	EIS presents range of impacts so changes in program may fall within.

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	1366	1081	Pg iv and 1-4: emphasis be placed on discussion of identification of direct and indirect effects	Focus of EIS was on cumulative total of direct and indirect effects.
	1372	1081	Section 2.1&2: term "contiguous preserve" should be defined and the analysis should be revised, if necessary.	Section rewritten. Contiguous preserve described areas mapped as preserve on the maps but term chosen to differentiate from on-site preserves within development fabric. Term dropped.
	1373	1081	Section 2.1.5: Concept of Ensembles is not clear.	Section rewritten.
	1384	1084	Table 3: Does not include indirect effects. Edit SHCA description. ADG did not assess upland. Redo seasonal %'s	EIS describes direct effect of wetland fill but indirect effects of total footprint of all projects, including those with no wetland fill. SHCA statement reflects the source document wording. Contiguous preserve described areas a preserve as opposed to seasonal marshes preserved within a development and analysis reflects higher risk of impact to the latter. Table 3 is intended as a brief synopsis of the detailed analysis in Section 4.
171	Analysis incomplete / no uplands [also 713]			
	486	163	Deficient in defining the boundaries of the cumulative effects.	Boundary of effects is boundary of study area.
	488	164	Should assign an acreage figure with its baseline assumptions for cumulative effects on pages 126-127 of DEIS.	Comparison to historic figures added.
	489	164	Some cumulative effects factors used by ADG not appropriate for analysis related to environmental permitting.	Some issues were included in EIS because they were ones valued by the community.
	490	164	No comprehensive list of environmental cumulative effects or time frame assigned for analysis.	The entire EIS is essentially a cumulative impact analysis with the best estimates of growth over a 20 year timeframe.
	504	169	Address cumulative impacts in a more comprehensive way...more detailed analysis (lists).	Have added analysis of historic trends of plant cover losses and related that to various wildlife issues in particular. Water quality analysis already shows past and future trends. Suggestion for establishment of benchmarks noted: agree would be useful but are none currently and is not the role of Corps Regulatory program to establish. EIS will help Corps understand tradeoffs between one impact and other when issuing a decision for a permit.
	663	251	Corps implicate position that it need not consider cumulative impacts (on uplands) is not supported by caselaw.	Corps authority limited to authorizing fill in wetlands (among others not applicable to the EIS) but, in some circumstances, the Corps has a duty to consider related upland impacts in deciding to authorize wetland fill. Therefore was included in EIS but will not be applicable in many permit reviews.
	676	262	Utilize the best available information on growth projections in the assessment of cumulative impacts.	Started with County Comprehensive Plans then developed alternatives where local knowledge indicated may be or should be different.

Comments on Draft EIS

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	863	441	Should give greater consideration to the loss of uplands associated with wetland filling.	The EIS maps did not confine themselves to just wetland areas of the landscape. Included upland issues.
	1175	806	Evaluation of cumulative effects is flawed.	Approach is different from typical review of a single project since here are looking at collective impacts of all projects.
	1294	1012	Any proposed project, be there wetland losses or not, which affects surface waters must be reviewed by Corps	Corps only reviews applications for permits. Permits only required for fill in wetlands or any physical work in navigable waters.
172 Must assess and limit				
	255	79	Corps must properly and fully address cumulative impacts.	Agree, within limits of authority.
	291	86	I do not understand why the EIS has no limit on the cumulative effects.	Purpose of EIS is to disclose effects, not to develop thresholds.
	1101	596	Provide more complete assessment of past, on-going, and future cumulative adverse environmental impacts	Assessment for wildlife, vegetation, and water quality impacts cover from historic to 20 years in future. More "complete" assessment would require new studies, expense, and funds. Goal was to look quickly at broad range of issues.
	1110	632	Corps must both assess and limit the cumulative adverse environmental effects of its 404 permit program	This EIS not reporting on the 404 program, but on potential decisions in a geographic area so can be better prepared to address adverse effects.
	1111	632	NEPA requires a "hard look" at the cumulative impacts..	This EIS focuses on effects of wetland fill but has included effects of other non-wetland activities.
	1112	633	NEPA requires identification of an environmentally preferred alternative for limiting cumulative impacts..	The EIS presents many alternative criteria some of which may reduce impacts if incorporated into reviews. The difficulty is the Corps does not propose or implement the projects and in its permit decisions, if issued, find the alternative to be the least damaging practicable alternative. The Permit Review Criteria describes Corps concerns but the applicant will propose the alternative based on project specific needs.
	1113	635	NEPA requires a ROD and Corps action to limit the cumulative impacts..	The EIS is not evaluating the regulatory program, but is looking at what can be incorporated into future reviews. Cumulative impacts continued to be considered in ongoing reviews.
	1114	635	404, 404(b)(1) guidelines, and Corps regulation require Corps both assess and limit cumulative impacts..	The regulations quoted describe the Corps duties at the time of each individual permit decision.
	1115	637	Fish and Wildlife Coordination Act requires Corps to consult with resource agencies...including cumulative impacts	Noted.
	1116	638	ESA also requires the Corps to assess and limit cumulative impacts...	Noted.
	1368	1081	Sect 1.3: should put more emphasis on requirement to protect natural resources..	The paragraph is correct in stating the goal of the EIS initiative itself. The paragraph already states requirement related to natural resources.
	1369	1081	Sect 1.4.5: Determinations in tiered documents should reference federally listed species and critical habitats..	Added.

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
173 Does not or incompletely assess				
	299	87	Does not describe the full extent of wetland loss, etc., that are the cumulative impacts of the past, present, future.	Added analysis of recent Corps permitting with acres, etc., and also historic plant cover changes. The entire EIS is assessing the potential future effect of twenty years of permit decisions so impacts reported are the various cumulative impacts of many potential individual decisions. Where available the EIS also includes information on thresholds (for example, water quality) but for most issues there are no existing accepted thresholds (e.g., for wildlife habitat). Neither this EIS nor Regulatory program purpose is to establish of thresholds or limits.
	483	153	Cumulative impacts of past permitting are not adequately assessed.	
	524	181	Does not review direct/indirect/cumulative impacts of 404 program. Add number of permits, acres, ..(list).	
	683	265	EIS needs specific criteria for assessing secondary&cumulative impacts and plan to monitor impacts of decisions.	
	1102	596	adopt permitting reforms that will significantly limit future cumulative impacts of the 404 program	
	1117	640	DEIS does not adequately assess the past, present, future cumulative adverse impacts of Corps permits (6pp)	
174 EIS does not limit cumulative adverse effects				
	300	87	Does not commit to limit cumulative adverse impacts.	The EIS presents a range of potential adverse effects. The goal of the EIS is not to limit any particular effect but to ensure the decision-maker understands the effect that could result from many individual decisions.
	477	152	Reduced cumulative impacts is not accomplished adequately by the DEIS.	
	485	163	Corps must limit cumulative and indirect impacts.	
	852	434	Why did EIS have no limit on cumulative impacts?	
	1132	677	DEIS does not limit the cumulative adverse environmental effects of 404 permit program	
	1358	1079	Document is being produced to legitimize changes to the process which will have negative impacts to resources..	
175 EIS must limit cumulative adverse effects				
	646	247	Conclude cumulative&secondary impacts are negative and must make substantial changes to permitting program.	Noted. Will consider in preparation of ROD.
	1133	678	EIS and ROD must commit to a clear course of action to limit cumulative adverse impacts.	
176 Not consistent with guidelines proposed at start.				
	319	90	The EIS study is not consistent with the guidelines proposed when initiated.	Remained consistent to principles of the unsigned MOA although were administrative differences
177 Corps, not ADG, independently review information and reach own conclusions				
	530	182	Ceded excessive authority to the ADG. Corps must independently review information & come to own conclusions.	No authority was given to ADG. The ADG's role was to predict future conditions based on several sets of conditions. Corps wanted views of those most affected by permit decisions. ADG process provided stakeholder dialog and clarification that allowed the Corps to better present a cross-section of the ideas heard and evaluate potential impacts. The Corps developed its own Natural Resources Map based, in part, upon similarities between various predictions by the ADG.
	959	481	Recommend close review of the five Ensembles to make sure they are an adequate cross section of the ADG work.	
	1356	1079	EIS is an administrative attempt to shift responsibility for changes in permit review from Corps to ADG	
	1357	1079	Law squarely places the responsibility and burden of determination of proposed impacts on the Corps.	
178 More detailed analysis				
	505	169	Present solutions to all fish and wildlife resource issues identified in EIS.	Applicants are responsible to identify solutions.
179 Did not address our scoping comments				
179	523	181	Raised many issues in our scoping comments but not addressed in the DEIS.	Not all issues suggested in scoping could be covered within time and primary goals of EIS.

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
180 Support (or none) for EIS				
	2	6	The EIS is a good work and it's a work in progress.	Noted.
	4	6	Support for Corps efforts	
	23	11	This EIS is a starting point.	
	265	81	Comment your effort to streamline the process.	
	544	185	Lack of comment in this letter should not be interpreted to mean that we support the data, analysis, or conclusions	
	731	302	Support use of five ensembles to determine impacts of permit decisions. Critical are factored into decisions.	
	877	447	I support your draft EIS and would like to see it strengthened.	
	1097	591	I hope you do not interpret the lobbying efforts by developers..as reflecting the desires of the people...	
	1234	963	Strongly support the EIS	
	1267	991	City of Sanibel supports the DEIS as the first step in attempting to reduce the damaging cumulative impacts..	
	1285	1007	Support the current efforts to improve..permitting..but have reservations regarding degree of commitment	
	1320	1035	Hendry County is less inhabited...to impact an area with higher people density...seems a waste of taxpayer \$\$	
	1322	1037	The EIS achieves this objective by evaluating..permits in a landscape context..especially the cumulative impacts..	
181 What issue generated need for EIS?				
	609	227	What issue generated the need for an EIS?	No single issue. Simply a concern whether permit by permit review could be improved in a region with a large number of permits in proximity to each other in an area with many natural resource issues.
182 Support for Ron Inge's comments				
	783	331	Support Mr. Ron Inge and his comments (see page 480)	Noted. We share your high regard for Mr. Inge.
	801	353	Concur with Mr. Inge's sentiments (see letter page 480)	
	1254	968	I agree with the contents of the letter you received from Ronald E. Inge..	
	1300	1017	I am in full support of the Horizon Council's position as stated in Ron Inge's letter..	
183 Corps is driven by no-growth elements				
	856	436	Corps has become lackey of the no-growth element of our society.	EIS presents all viewpoints.
	1235	964	Fairness: EIS based on activity of ADG.."no-growth" segment took prominent role and balance shifted..	
	1269	991	As a member of the ADG, I can say categorically that this (weighted with "no-growth" proponents) is not true.	
190 Environmental Justice				
	19	10	Corps, not ADG, must create and evaluate alternatives.	The EIS evaluates the proposed action (implement standardized review criteria and Natural Resources Map) vs. "no action" alternative (continue review procedure in which program manager determines scope of review and weight to be afforded to each factor). ADG dynamics provided rich source of ideas that were used in preparation of the alternate futures that in turn were used to create the Natural Resources Map.
191 Poor not bear burden [also affordability 612]				

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	450	142	Administration said poor should not bear undeserved environmental cost & burden. GGE owners forced out.	Corps has always recognized that single family landowners circumstances limit practicability of alternative site designs or other alternatives to limit impacts. In any case, the original Permit Review Criteria removes language interpreted as absolute limit to site design. Suggestions for site design criteria still in the Ensembles for purposes of evaluating potential impacts and benefits.
192 Defacto racism in selection of ADG				
	451	142	Defacto Racism: I tried to gain a seat but perhaps Hungarians are not welcome either.	Approximately 130 names were nominated for membership of ADG. Members selected to present broad range of expertise. National origin was not a factor.
	452	142	Defacto Racism: Environmental community trying to price minority citizens out of an existing housing market.	Noted.
193 Defacto racism in pricing minorities out of market				
200 Wetland Analysis				
210 Misconstrues existing regulations				
	1165	789	Analysis of environmental effects on vegetation misconstrues the regulations and is flawed (described)	"Avoidance" as a stand-alone criteria has been removed from the Permit Review Criteria. In the evaluation, avoidance is highlighted but is not the only factor evaluated in the EIS: but additional information on the other factors has been added. The subgroup that estimated the wetland impacts included a Corps representative and permitting consultant so the Corps has no reason to derive a separate estimate. The Corps sometimes is concerned with upland impacts where those are related to wildlife impacts resulting from the wetland fill or where the unique nature of the upland site would present potentially greater environmental impact than a loss of wetland.
220 Not include smaller projects.				
	58	21	You are not looking at the smaller projects in your analysis.	All areas of potential development are included.
230 Mapping of wetlands imprecise. [also 447]				
	104	42	Corps criteria for wetlands use soils maps, that are very imprecise.	Did not use soils map because not always show effect of drainage.
	351	99	Am interested in your definition of wetlands.	In the EIS, used plant communities that are typically wetland since the GIS maps based on interpretation of aerial photographs. For a permit, the wetlands are delineated based on a site inspection of plant, soil and hydrology indicators.
	353	99	Are you calling as wetlands what the Big Cypress Basin Board flooded?	Areas flooded by temporarily blocked weirs are not wetlands.

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	538	184	Actual percentage of jurisdictional wetlands is far higher than listed by the DEIS.	Depending on the plant cover type and the expertise of the interpreter the actual acreage may be either higher or lower than mapped at any one location.
	568	198	Aerial interpretation of wetland can vary widely..so eliminate percentage thresholds for wetland acreage in DEIS	Wetland percentages removed from Permit Review Criteria.
	837	422	Wetland maps used to determine thresholds may be highly inaccurate. Corps should eliminate %.	Percentage retained in Ensembles to compare.
	933	473	Is information used (to estimate wetland acres) current and correct? Data should be readily available.	Information based on interpretation of aerial photos. Corps performed comparison of three separate such maps for some of the plant cover types and found that while the actual number of acres would be different, the % distribution would be very similar. So the comparison based on % used.
	1292	1012	Believe the estimate (37% of study area is wetland) is low and actual acreage is nearer 61%	Perhaps soil scientist referenced was reporting hydric mapping units? Some of the plant covers are very difficult to identify as wetland or upland so % could be higher than reported. Discussed briefly in new presentation of historic plant cover estimates.
231 How many acres of agriculture mapped as wetland?				
	261	80	Have you studied how many acres that are under cultivation that are classified as wetland.	No. EIS figures based on plant cover and agriculture not interpreted as wetland. Actual study would require site visits.
232 5.6% too small?				
	313	89	5.6% loss of wetlands I think is too small because of the individual loss of little parcels.	Included all areas of development. Areas with smaller parcels generally estimated to have higher % impact due to constraints on site layout.
	839	423	Did 5.6% include pending applications?	Included projects not yet built.
233 What are assumptions in % estimate?				
	816	414	Unclear what assumptions were made regarding wetland conversions in 5.5 - 7.7% cumulative total.	Assumptions included: industrial and small parcels higher % impact due to site design constraints; areas with higher percentage of wetland have higher % impact.
	818	414	Are wetland loss predictions federal or state?	Predictions based on aerial photo interpreted plant cover. Not based on site visit based wetland delineations.
	840	423	Does 5.6% include wetlands created/enhanced through mitigation? ...there is no net loss in functional acreage.	No. Added narrative on functional replacement.
	841	423	How was the seasonal wetland percentage computed?	Summed areas of plant cover associated with seasonal wetland that are located within areas mapped as preserved.
240 Provide table of past and future impacts [also 123]				
	290	86	Present a table of number of wetland acres destroyed and is going to be destroyed in future.	Added tables based on groups of years since aerial mapping only performed periodically.
	853	434	Publish total acres of wetland destroyed since 1982 and total # of dredge and fill permits granted.	
	1291	1011	Request losses of wetland acres within EIS study area be presented by year, etc.	
241 Map change in upland and wetland from permitted and unpermitted				
	525	181	Corps should map change in upland and wetland areas from permits and illegal fill.	Tables added include upland and wetland. Upland not need

Comments on Draft EIS

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	551	187	Corps must fully analyze the cumulative wetland and upland losses.	Corps permit. Tables include losses prior to permitting.
	1386	1084	Section 4.2: Needs additions, including historical and trend analysis of upland and wetland vegetation...	Difficult to compare permit statistics directly to land cover losses due to difference between interpretation of aerial photo and actual wetland delineation based on site visit.
242 Strengthen analysis of upland habitat impact associated with wetland impacts				
	526	182	Strengthen analysis of indirect impacts...upland habitat destruction associated with wetland fill activities.	Included figures on upland habitat but not possible to relate which upland associated with wetland. Due to nature of landscape in region, most projects have a mixture of both.
243 Address effects of agriculture on wetlands				
	535	183	Should address the effects of agricultural activities on wetland loss.	
	872	442	Address the extent of agricultural activities and the adverse ecological impacts.	Added table showing projected losses due to agriculture.
244 Effects of mining on wetlands?				
	501	168	Thoroughly review mining and not considered open space preservation.	
	536	184	Should examine the loss of wetlands from mining.	Mining not a major percentage of land cover change so included in development category. Each mining site has unique circumstances that would make any generalizations difficult.
245 Table 3 data should show more seasonal wetlands in preserve.				
245	654	250	Table 3, Seasonal wetlands: data must support conclusion that more wetlands will be in preserves then out.	% figures based on GIS analysis. For wading birds there are arguments to preserve these across entire landscape, so no preference stated.
250 Evaluation				
251 Mitigation and assessment techniques inadequate underreporting losses.				
	476	152	Mitigation & assessment techniques are inadequate which compounds the impacts of the losses here.	Narrative added describing mitigation assessments.
	478	152	Mitigation procedures need reform, including assigning more value to exotics-infested wetlands & raise ratios.	
	797	349	Like to see a unified wetland ranking system and set of mitigation options to compensate for the loss.	
	866	441	Should assess the mitigation process and ensure full functional replacement.	
	1383	1084	Section 2.6: Provide additional review of wetland mitigation policy..functional assessment, off-site, banking..	
252 [spare]				
253 Oppose use of preserved wetlands for mitigation.				
	506	169	Oppose use of preserved wetlands to mitigate loss of more wetlands, particularly in-lieu fee.	Noted.
254 Mitigation credits for exotic vegetation?				
254	682	264	Fails to address mitigation policies and credits for exotic vegetation removal..these wetlands still provide habitat...	Presence of exotics are considered in either the narrative or numeric assessment of the presence of functions in a wetland. Wildlife and other studies performed for another EIS in Miami-Dade County and other information has over time resulted in a recognition that some functions are still present in exotic-invade areas. This has increased value assigned these areas when proposed to be fill and, conversely, reduced the "credit" given for removing exotics as mitigation.
254	820	414	Why not agree areas with 75% melaleuca are automatically suitable for development?	
254	1205	946	Better explanation needed why mitigation ratios are so high when no credit given (for) control of invasive plants...	
254	1251	966	Under EIS, more incentive to cut isolated wetland properties out of development request, eliminating exotic removal..	
254	1270	991	We hope you see the fallacy in this argument (development of exotic-invaded wetlands helps environment)	
254	1276	999	When wetlands filled..no similar wetlands created, instead cutting down so-called exotics..100% loss of wetlands	

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255 Where is basis/data for ratios?				
	937	473	Where is information to support the wetland ratios?	Calculations available upon request. Ratios calculated based on a very rough calculation of functional units.
	1258	973	No explanation or supporting documentation for your various ratios used for the functional value of wetlands...	
	1387	1085	Section 4.2: utility of potential mitigation analysis since neither effects of wetland impact & mit banks not analyzed.	The analysis is based on simple functional replacement but as noted in the expanded narrative other factors such as spatial loss of habitat not captured by such an evaluation. Mitigation banks located outside of the study area are a very small percentage of areas available for mitigation, well within the error range of the analysis.
300 Wildlife Analysis				
310 Evaluation of cumulative wading bird impacts inadequate				
	493	164	No discussion on mitigation of wading bird rookery effects or how alternatives could be changed to improve.	Described cumulative impacts to wetland forage habitat of wading birds by providing an analysis of the past, present, and potential future impacts to wetlands in the Study Area. This analysis, and further analysis of the cumulative effects of current wetland mitigation ratios, mitigation banks, and the location/mitigation of wetlands and proposed wetland impacts within the ecoscape, will be incorporated into the information which the Corps uses to assess proposed wetland impacts. This information, along with documented declines in wading bird rookeries, will be utilized to ensure that any future impacts to wetlands, without strict adherence to the avoidance and minimization criteria under the 404 Guidelines of the Clean Water Act.
	1120	649	Evaluation of cumulative wading bird impacts is inadequate.	Analysis of potential impacts to wading birds expanded to include potential impacts to forage habitat in proximity to rookery sites and to elevate seasonal wetland loss as a regional issue. The Draft EIS did not intend to allow additional loss of seasonal wetlands under Ensembles which include more development, but did intend to elevate this wetland type specifically for the purpose of protecting amphibian, reptile, and fish populations, thereby protecting wading bird forage habitat
311 Wading bird population down 90%				

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Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	330	91	Wading bird population down 90% because of loss of habitat...and are indicators of health of environment.	<p>Corkscrew Swamp Sanctuary is the location of the largest wood stork rookery in the United States. It has been a stated goal of the Corps and the Service during the development of the Draft EIS to curb continued losses of wading birds in southwest Florida, including the wood stork. The Corps and the Service met with Mr. Carlson, manager at Corkscrew Swamp Sanctuary, and Dr. John Ogden, to solicit recommendations for landscape-level solutions to loss of wetlands in the Study Area. The Service will support the Corp impact based on distance from wood stork and wading bird rookeries; cumulative loss of wetlands, particularly short-hydroperiod wetlands, including hydric pine flatwoods, wet prairies, and freshwater marshes; and landscape location.</p>
320 Evaluation of cumulative T&E impacts inadequate (or specific comments)				
	21	10	Evaluation of listed species inadequate. Does not protect listed species habitat.	<p>Added more analysis of impacts to listed species and establish guidelines for Corps project managers to avoid impacts to listed species in order for projects to be considered in the federal interest. Where listed species impacts are not avoided and conflict between a project proposal and the federal interest occur, the Corps and Service will formally consult on an individual project basis to determine if incidental take of a listed species is anticipated or if the project will result in jeopardy, and will incorporate mandatory measures to reduce incidental take or alternatives that will not result in jeopardy. In assessing potential effects to listed species, the Corps and the Service will consider direct, indirect, and cumulative effects and include landscape analysis of wide-ranging species.</p>

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Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	527	182	Should map the historical and current habitat of listed and sensitive species.	Added analysis of the historical extent of wetlands and other habitats and more analysis of impacts to sensitive and listed species and establish guidelines for Corps project managers to determine if impacts to listed species will be avoided so that the project will be considered to be in the federal interest. Where listed species impacts are not avoided and conflict between a project proposal and the federal interest occur, the Corps and Service will formally consult on an individual project basis to determine if incidental take of a listed species is anticipated or if the project will result in jeopardy, and will incorporate mandatory measures to reduce incidental take or mandatory alternatives to avoid jeopardy. In assessing potential effects to listed species, the Corps and the Service will consider direct, indirect, and cumulative effects and include landscape analysis of wide-ranging species. The EIS is intended to identify sensitive species and resources, especially those species that utilize rare habitats such as xeric oak scrub, high marsh, tropical hammock, or coastal wet
	752	315	10 specific comments on the wildlife analysis...see pages 315 to 316	A. Table 3 is a summary of potential effect. Body of EIS presents protection status. B. Florida panther narrative revised to reflect the location of the breeding panther population. C. Clarification of panther habitat % made D. Clarification of Red cockaded woodpecker occurrences made E. Pine community already mentioned, historic loss emphasized in revised narrative. F. Woodstork rookery reference deleted and more emphasis placed on habitat needs. G. Narrative already states species uses coastal areas. H. Changed occurrence references for crocodile. I. Added text on Indigo snake diet. J. Occurrence information of Everglades mink and Florida Black Bear.

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	1121	650	Evaluation of cumulative impacts to threatened and endangered species impacts is inadequate (spp listed)(9pp)	<p>Florida Panther. Assessment of the Florida panther expanded in the Final EIS to assist the Corps in avoiding jeopardy, limiting cumulative effects, and affirmatively conserving this species. Loss of available or occupied panther habitat assessed on a historical basis where the analysis is available. Although the Florida Panther HPP designates lands considered essential to maintaining the panther population south of the Caloosahatchee River at its present level, the plan was primarily intended to identify specific lands for purchase and conservation, and therefore could be used by the Corps in affirmatively conserving this species. The HPP was not intended to delineate lands for purposes of determining incidental take or jeopardy under the Endangered Species Act.</p>
				<p>Lands not identified as Priority 1 or 2 under the HPP can be assessed for impacts to panthers. However, the analysis of potential effects to Priority 1 and 2 habitat from various ensembles does indicate the severity of effects that could result from continuing land use intensification in southwest Florida. This information will be utilized in determining indirect and cumulative effects of projects which result in a change to the environmental baseline for this species.</p>
				<p>Scrub Jay. Known scrub jay habitat should not be at risk under any of the Ensembles as development of scrub jay habitat would be considered to be contrary to the requirements to protect the species under the Endangered Species Act. Protection of xeric oak scrub and other rare habitats expanded to the entire study area and a map of potential scrub habitat within the Study Area added.</p>
				<p>Red-Cockaded Woodpecker. Landscape-level protection strategy added. Known red-cockaded woodpecker habitat should not be at risk as development of red-cockaded woodpecker habitat would be considered to be contrary to the federal interest under any Ensemble. A map of potential red-cockaded woodpecker habitat added.</p>

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
				<p>Wood Stork. Additional landscape level protection strategy added, including more detailed avoidance and minimization criteria for wood stork forage areas and specific identification of the elements of forage habitat that will be mitigated if avoidance and minimization have occurred, but impacts to wetlands used as forage habitat by the wood stork remain. See response to 311 330 91 above. At present there are not 14 wood stork rookeries, but only one in the project area, but reference to rookeries dropped in favor of emphasis on habitat needs.</p>
				<p>Everglades Snail Kite. Added discussion of the importance of maintenance of the spatial heterogeneity and spatial extent of wetlands habitat within the Study Area. See response to 310 1120 649 above for comments on short-hydroperiod wetlands. The Draft EIS does not indicate that only 50% of the remaining seasonal wetlands will be protected under the 404 permitting program. Page 99 of the Draft EIS states that 70-86% of seasonal wetlands under Ensembles Q-U would be protected if wetlands within the Preserve category are protected, 14-30% are at risk in Ensembles Q-U if they are surrounded by Development or other non-Preserve category</p>
				<p>West Indian Manatee. Significant discussions concerning the conservation of the manatee are occurring between the Corps, Service, and plaintiffs in the manatee lawsuit, which may address manatee concerns and the Record of Decision will be coordinated with the results of those discussions.</p>
321	Panther			

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	529	182	Fails to recognize that to recover Florida panther and black bear, habitat restoration will be necessary.	Habitat restoration options for the Florida panther, including habitat management, exotic plant removal, additional land purchase and/or conservation easements, and wildlife crossings/fencing at roadways; as well as landscape-level restoration options such as the establishment of corridors betw development options within "lower quality" or "impacted" habit effects cannot be minimized by other actions or conservation strategies within the range of the panther.
	920	471	Re: "using available information" (BPJ)..neither explicitly lists nor explain how this judgement was best.	Documents reflected as "best professional judgement" such as
	921	471	Re: panthers, enough has been learned since PHPP developed..Corps should not rely on gray, non-peer-reviewed..	On April 24, 2000, the Service has provided a response to the panther habitat evaluation model (PHEM.) submitted to the Corps by the Lee County Department of Transportation. The Florida panther is one of the most intensively researched animals in the world; additional research will not resolve those conflicts that exist between habitat conservation/panther habitat recovery efforts in southwest Florida due to urban and agricultural development. The focus of current proposals to develop remaining habitat in urbanizing areas appears to be shifting (and intensifying) the responsibility for panther habitat conservation from one group of private landowners (urban interests) to another (agricultural interests). The Corps and Service have a regulatory and affirmative conservation responsibility to conserve the panther within occupied range and seek landscape-scale solutions to panther recovery.

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	925	472	Remove "higher % public lands greater assurance preserving pop".. private lands support high productive panther	Comments on the percentage of public lands in public ownership and their importance to the panther speak to importance of ecosystem protection which includes the public lands complex and do not devalue private lands as important to the panther. Percentages of the landscape in public ownership as depicted in the Draft EIS assist in the portrayal of landscape-level risk to the panther from encroaching urban and agricultural development on private lands.
	926	472	Pg 39, GAPS document has information gaps for many species.	The Corps and Service recognize the limitations of data presented by the Gaps report: all data has limitations. The data represents landscape-scale modeling critical to predicting cumulative effects of habitat loss on fish and wildlife populations.
	927	472	Pg 11, Panther population does not need preservation, but management that allows it to increase in number.	The Panther HPP was not the only document used to determine the location of panther habitat, other documents included the Florida Panther Recovery Plan and the South Florida Multi-Species Recovery Plan. Impacts to Priority 1 and 2 panther habitat as defined under the HPP were used in GIS analysis by the Alternatives Development Group. "Preser participated in the ADG and Draft EIS, includes habitat conservation, management, and restoration.
	928	472	Pg 26, we agree with sentence "the area needs a mapping effort that identifies existing flowways..." (rural legend)	Significant mapping of flowways has already occurred as a result of the Big Cypress Basin Water Management Plan, Lee County Watershed Study, and Lower West Coast Water Supply Plan, as well as efforts by other state and federal resource agencies and local governments.
	929	473	Pg27, restoration of Picayune Strand will be detrimental to recovery of the Florida panther	Restoration of wetlands in Picayune Strand will benefit the recovery of the Florida panther: restoration and preservation of uplands, as well as management of existing panther habitat, are goals of the Picayune Strand restoration (South Golden Gate Estates). This effort has been the subject of 3 years of interagency planning (South Golden Gate Estates Watershed Planning Study) that includes digitized vegetation mapping based on historical 1940's aerial photographs.

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	930	473	Assumption that all lands mapped at Pri I and II are used by panthers is not supported by current data.	The importance or potential importance of Priority 1 and 2 panther habitat as defined by the HPP for panther recovery is supported by a state and federal interagency group that includes the Service, Florida Fish and Wildlife Conservation Commission, Florida Department of Environmental Protection, and the National Park Service. Priority 1 and 2 habitat as defined by the HPP does not include all habitat utilized by the panther. A detailed determination of the quality of panther habitat was not an objective of this Draft EIS. Other factors, including habitat fragmentation, human disturbance, and future land use, were considered. For purposes of estimating potential impacts of development within the Study Area boundaries on the panther population, especially with regard to cumulative effects on a landscape scale, the use of the HPP and other available information is appropriate.
	1403	1105	Enclosed is latest annual Florida panther status report from FFWCC.	The previous annual report already included. The narrative discusses the genetic program. This latest information will also be available for future work.
	322	[spare]		
	323	[spare]		
	324	Wood stork		
	1385	1084	Pg 40, 50, 91: Map indicating 14 woodstork rookeries does not appear to be correct.	Deleted references to rookeries and emphasized habitat needs.
	325	[spare]		
	326	[spare]		
	327	Eagle		
	931	473	Where is data to support the assumption (implied) that FWS Bald eagle buffer zones are absolute or need larger?	Bald eagle protection requires more than temporary nest protection as defined by bald eagle nest buffers. Foraging, roosting, perching, and future nest habitat, especially in coastal and riparian areas, must be protected. The Corps is required under Section 7.(a) 1 of ESA to take affirmative conservation measures to protect this species. Other federal laws, including the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act, protect this species.
	330	Study Area too small		
	17	10	Study Area too small for wildlife	The purpose of the Draft EIS was to assess the impacts of the Corps regulatory process on fish and wildlife resources within rapidly developing areas of southwest Florida, not
	315	89	Geographic scope too narrow. There is a lot of wildlife habitat that is east of 29..	
	542	185	Add areas from the east to the study area.	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	868	441	Corps should expand extent of the study area (to east and 15 square miles within Estero Bay Watershed)	assess resources outside this area. The South Florida Multi-Species Recovery Plan and other resource planning documents more appropriately define wildlife habitat values for a larger ecosystem. The Corps does not have regulatory authority over all of agricultural clearing that has occurred east of S.R. 29. The Draft EIS recognizes that the Study Area only includes a small portion of the extensive range of the Florida panther. Information used in determining potential panther habitat impacts included specific consideration of east to west movements from core habitat east of the Study Area and north to south movements across the Caloosahatchee River and through rural areas in the eastern portion of the county.
	924	472	County boundaries to define study area is very artificial boundary for panther dispersal..	
340 Endangered Species Act questions				
	41	15	Endangered Species Act ran out at sunset.	The ESA is in effect. Within the Study Area, the peregrine falcon has been delisted, and the bald eagle is proposed for delisting.
	42	15	Anyone's land that has been seized for the Bald Eagle have been ever mitigated?	The law of regulatory "takings" under the 5th Amendment is beyond the scope of this EIS.
	745	308	Recommend consulting with USFWS and NMFS on effects of alternatives on listed species.	The Corps did not request consultation with the Service under the ESA for the alternatives presented in the Draft EIS. The Service will continue to assess each individual Corps permit for impacts to federally listed species under ESA.
	846	424	EIS says applicants will need to address all listed and proposed species. What is a proposed species?	Proposed species are those which have been proposed in the Federal Register to be added to the list of threatened or endangered under Section 4 of the Endangered Species Act.
350 Florida Games Closing Gaps data is old				
	243	78	Closing the Gaps report states the data on which the maps are based are already outdated.	The Draft EIS used existing available information, including the GAPS report. The use of existing information, and not generation of new studies, was agreed upon by
	425	124	Closing the Gaps report states the data on which the maps are based are already outdated.	
	467	146	"Closing the Gaps" map is out of date, inaccurate and inadequate.	
	567	198	Gaps analysis is outdated so eliminate percentage thresholds based on it.	
	598	224	Closing the Gaps report states the data on which the maps are based are already outdated.	
	842	423	Should eliminate % thresholds using Closing the Gaps since do not accurately reflect current conditions.	
	1202	946	"Gaps" map is out of date	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	1247	966	"Closing the Gaps" mapping is old data.	representatives of local government, environmental groups, government agencies, and development interests during the scoping portion of the EIS. The Corps recognizes that the GAPS report is based on 1985-1989 data. The document was peer-reviewed. The GAPS report also only represents only minimal needs for focal species defined by the document. Available GIS data indicates that significantly more habitat loss and fragmentation has occurred since 1989; the Corps and the Service conclude that the habitat impact and listed species analysis performed in the Draft EIS is extremely conservative. "Current conditions" if modeled, would be "more accurate" and reflect more habitat loss.
				It is the Corp's responsibility to address cumulative effects of be considered, as will trends in habitat loss. Percentages of allowable habitat loss under the Permit Review Criteria eliminated.
360 Provide map of habitat loss for different species.				
	309	88	Should have map that would look at habitat loss for different species.	The Draft EIS utilized available data on habitat loss for the Study Area, which included listed species habitat mapped in the GAPS Study. Since the exact location of some listed species and historical range of some listed species is unknown, estimates of impacts based on habitat loss within the Study Area represent the best available information. The South Florida Multi-Species Recovery Plan also estimates historical habitat loss for some species.
	369	107	Corps needs to break down types of wetlands, important because of wildlife dependency on types.	Wetland types were considered during the evaluation process, and other publications (GAPS and Citrus Study) estimate losses of wetlands by type.
	865	441	Need to develop several digital maps to address impacts on listed species.	An estimate of historical habitat loss added.
370 Not consistent with MSRP and GAPS				
	310	88	Not consistent with Multi-Species Recovery Plan or Florida Game and Fish Commissions gap study.	The Corps has and will use, when appropriate, the GAPS and the South Florida Multi-Species Recovery Plan (excerpts included as Appendix G) as information to be considered when assessing the effects of the Corps regulatory process
371 MSRP & GAPS not undergone peer review or rulemaking				
	466	146	Neither MSRP or "Closing the Gaps" has undergone rulemaking nor peer review.	The South Florida Multi-Species Recovery Plan was derived from experts in the field and has been endorsed by the Service and thus represents agency action. The Corps
	967	482	USFWS Multi-Species Recovery Plan has not received adequate review or analysis.	
	1058	521	FWS & FL Game plans used but have not been subjected to public or scientific peer review	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	1201	945	MSRP and "Gaps" studies have not been submitted to rulemaking or independent peer review and are controversial	invited the U.S. Fish and Wildlife Service to be a federal cooperator as part of its responsibility to affirmatively protect listed species under section 7. (a)1 of the ESA, and its responsibilities under the Fish and Wildlife Coordination Act, the Migratory Bird Treaty Act, the National Environmental Policy Act, and the Coastal Zone Management Act.
380 Include alternative that maximizes preservation areas and wildlife corridors				
	549	187	Include a preservation alternative that maximizes preservation areas and wildlife corridors.	The request goes beyond the scope of the EIS. Also, the Corps of Engineers lacks authority to order anyone to remove roads or canals, or to designate preservation areas and wildlife corridors. The various Ensembles represented predictions of the future based on anticipated future actions by governments at all levels as well as private industry. From these Ensembles, the Corps prepared its Natural Resources Map which is to be used to determine the cumulative effects of wetlands permitting, in conjunction with the standardized permit review criteria.
	550	187	Roads and canals in preservation areas should be designated for removal.	
390 Other				
	843	423	Revise EIS to eliminate references to non-listed species.	The Big Cypress fox squirrel is a state-threatened species. Under the Fish and Wildlife Coordination Act, impacts to state-listed species, as well as general fish and wildlife concerns, must be given equal weight. De-listed federal species will not be considered for review under ESA except for monitoring purposes as established under the criteria for de-listing, however they will be considered under the Fish and Wildlife Coordination Act. The bald eagle will continue to be protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act.
	844	423	Include language that there will be no review for species that have been delisted.	
	922	472	EIS suggests "wildlife habitat corridors" is a "broad concept". But can be defined narrow (see reference).	Wildlife corridors can be narrowly defined based on objective research, individual site characterization, and specific wildlife species needs. The reference to the term as a "broad concept" scope of potential options, opinions, and opportunities for wildlife corridor planning that exist in the literature
400 Economic Analysis				
	410	Failed to perform an analysis		

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response	
	271	83	Lack of economic element...to measure economic impact, property values and future ad valorem tax base.	See revised Socio-Economic Impact analysis. The socio-economic impact of the proposed action (use of standardized permit criteria and the Natural Resources Map, in lieu of case-by-cases analysis for each individual permit application) is not expected to be significant. The Ensembles are predictions of future conditions based on the actions of governments at all levels as well as the private sector. They are not an "action" that has an impact.	
	381	115	Lack an economic impact analysis.		
	400	120	No economic impact analysis and no funding mechanism for recommendations		
	437	127	No economic analysis of the impact of the draft EIS.		
	441	133	No economic analysis of the impact of the draft EIS.		
	570	199	Conduct economic impact evaluation of impacts on property owners, businesses and taxpayers.		
	618	233	Secure an independent analysis of the economic impact that the project review map and five maps represent.		
	637	242	Request complete economic impact analysis be completed.		
	1027	518	Corps performed no substantive economic analysis as part of the EIS		
	1173	800	Failed to perform any economic analysis of the alternatives.		
	1208	947	Corps cannot weigh impacts of EIS...without substantive economic analysis by trained professionals..		
	1310	1026	Do not see any information that analyzes the economic impact...		
411 Relied on suppositions of ADG members					
	464	146	Economic analysis on the impacts of the EIS on the economy not performed. Corps relied on suppositions of ADG.	The ADG identified the economic factors that could be affected by a change in quantity of wetland fill. The socio-economic section narrative discusses these relationships and the narrative has been expanded to increase the understanding of this issue by the permit reviewer and public. The proposed implementation of the permit review criteria does not directly authorize or prohibit any wetland fill but only suggests some standardization of procedures implementing existing restrictions on wetland fill. The economic analysis of that proposal was performed by the Corps.	
	1028	518	Corps relied on suppositions of ADG members..none were trained economists...		
	1029	518	ADG members concerned about suppositions...stated economic impacts only be adequately determined with study.		
	1207	947	Corps stated performed no economic analysis..relied on expert judgement of ADG..but members not experts..		
420 Economic Sustainability analysis is flawed					
	67	23	Southwest Florida is not sustainable.	The issues raised by these comments are beyond the scope of the EIS. Since the Corps already does cumulative impact analysis, the economic impact of HOW it does that analysis (standardized criteria vs. discretion of program manager) is not expected to be significant, since neither method pre-ordains any particular action.	
	120	45	Economic analysis is woefully lacking.		
	226	76	Don't think ADG did a sufficient job on analyzing the economic implications of our discussions.		
	236	78	Cost and effects on the economic sustainability must be determined considering (list of factors).		
	371	108	Analysis of property rights and economic sustainability appalling...took one special interest view of the issue.		
	399	120	Inadequately addressing economic sustainability and private property rights		
	411	123	Cost and effects on the economic sustainability must be determined.		
	540	184	Economic analysis provided by development interests will downplay value of certain ecological functions (listed).		
	585	223	Cost and effects on the economic sustainability must be determined.		
	726	292	Economic factor is inadequate...should be re-evaluated by committee of experts.		
	1124	669	Assessment of economic sustainability is deeply flawed (5pp)		
421 Growth exceeds capacity of natural systems to sustain					
	15	9	Growth does not pay for growth.		Noted.
	20	10	Urbanization already beyond capacity of natural systems to sustain clean water, etc.	Noted.	
422 Growth does not pay for growth					
	365	106	Impact fees do not cover costs resulting from the need for increased public services.	Noted.	
423 Preservation less costly then restoration [also 926 costs to buy preservation]					

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	68	23	Preservation is less costly than restoration.	Noted.
	750	308	See Dr. DeFreese work contradicts implication increasing preservation areas increases local government costs.	See Topic 420, comment 67
424	Include benefits of preservation, less sprawl, tourism/fishery jobs			
	195	62	Evaluation should include economic benefits of less urban sprawl, land preservation, tourism and fishery jobs.	See Topic 420, comment 67
	363	103	Economic analysis not include benefits of natural resource protection & how relates to property values. (10pages)	See Topic 420, comment 67
	555	191	Speaking as a tourist, I would not go to Florida to see urbanization.	Noted.
	665	254	Include negative economic impacts to private property rights of population growth.	See Topic 420, comment 67
	679	263	Economic analysis is flawed due to the fact the economic value of preserves was not considered.	See Topic 420, comment 67
	712	288	It seems to us that our tourism is a far more dependable resource (economic) than construction.	Noted.
	727	292	Economic factor: evaluation should be broadened to recognize tourism, cost of large reservoirs, etc. (list)	See Topic 420, comment 67
	779	325	Re section 4.16 (energy reqmts): also, more compact development equates less energy and less fuel taxes.	Noted.
425	Agriculture sustains urban infrastructure costs			
	364	104	Comp Plan will eliminate agriculture as land use. Agriculture actually subsidizes urban infrastructure costs.	Only portion of agriculture converted to other use. Figures added to narrative.
426	Failed to evaluate future water costs.			
	366	106	Failed to evaluate future water costs of the alternatives in regard to economic sustainability.	Beyond the scope of EIS.
430	Benefits of urban growth are myths.			
	342	94	There is plenty of evidence which disproves these pro growth beliefs...urban myths. (lists these in comment).	Many of the points made directly or indirectly in the expanded narrative. Some relate to questions of whether future economy is sustainable and Corps not studying that (see comment for topic 472).
	710	288	We feel good of many (clean waterways,...) ha been trashed for the enrichment of the few.	Noted.
440	Economic impact of regulations not analyzed adequately			
	24	12	Economic impact of these regulations on private sector were just taken with a brush stroke.	Discussed in an expanded narrative.
	206	69	Need a very clear picture of what any economic impact of new restrictions or new processes are going to have.	
	246	78	Economic analysis must determine the effects on local business development, (list)	
	282	85	Need for economic analysis to determine effects of EIS on local business, development, taxes, property rights.	
	968	482	Recommend economic analysis be performed by impartial group to fully ascertain the implications of the DEIS on...	
	1189	883	(Report) Economic analysis of the DEIS	
	1246	965	Economic impacts of EIS were not properly addressed.	
	1341	1074	Address the cost and affects on the economic sustainability..associated with changing the regulatory process.	
	1342	1074	Address concerns in Bonita Springs Chamber of Commerce position paper, in particular economic impact	
441	Ask input of Agricultural economists			
	49	17	Suggest Corps work with group of agricultural economists.	Have used reports prepared by Farmland Trust.
442	Restrictions cloud options for agriculture to be flexible.			
	69	28	To keep agriculture profitable is to keep its options flexible. To cloud options reduces ability to sustain operation.	Added point to narrative.
443	Cost to individual property rights [also 620,Lehigh][also 764 and 922]			
	108	43	Lack of economic analysis on what Eis may cost in terms of individual property rights.	Added point that could have high impact to individual landowners. Corps has always recognized in permit reviews that circumstances of single family lot owners are such that options such as purchasing other sites or changing site design are often not practicable alternatives.
	164	55	Require a detailed environmental impact evaluation to determine effects on private property owners.	
	193	62	Concerned with any action that would add costs to affordable housing.	
	224	76	What guarantee that Golden Gate property values aren't going to plummet under your control?	
	357	100	Taking of quality of life is..government to classify your property in a way to depreciate assets worked hard for.	
444	Existing roads overbuilt if development not occur			

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	148	51	Another economic impact is road will not be used to full potential if development not occur as planned.	Permit Review Criteria revised to clarify that Corps not designating preserve. However, risk is present that landowners may not be able to address natural resource issues in project design. Corps hopes that information in this document and Permit Review Criteria may be usable to those deciding to construct the infrastructure in the future.
	234	77	Areas designated preserve have access to public infrastructure, result in underutilization and cost to taxpayer.	
	409	122	Areas designated preserve have access to public infrastructure, result in underutilization and cost to taxpayer.	
	413	123	Cost of providing municipal infrastructure must be addressed.	
	583	223	Areas designated preserve have access to public infrastructure, result in underutilization and cost to taxpayer.	
	586	223	Cost of providing municipal infrastructure must be addressed.	
	1312	1026	Increased costs to homeowners for utilities from reduction (by designation preservation) of users on utilities..	
445 Landowners expect growth				
	149	51	Landowners are anticipating the growth will occur.	Noted.
446 Loss of tax revenue/tax base. Increase costs to government.				
	147	51	You are taking a significant amount of dollars away from the fire districts.	Permit Review Criteria revised to clarify that Corps not designating preserve. Tax base issue discussed in expanded narrative.
	277	84	Tax base increase also brings increased individual taxes. Increasing tax base just to increase population not good.	
	412	123	Government owned land depletes tax base.	
	414	123	Erosion of tax base must be addressed.	
	587	223	Erosion of tax base must be addressed.	
	1311	1026	Classification as "reserve" or "rural" reduces value of land for purposes al valorem taxation	
447 Corps cannot determine % of total economy influenced if wetland map is poor [also 230]				
	367	106	Corps cannot determine % of total economy its decisions affect since wetland mapping is imprecise.	Percentage estimates included in narrative and range from 3 to 5%. Maps may be imprecise but not to the extent that the characterization of "small" would change.
448 Not include costs of past dredge and fill mistakes.				
	368	106	Corps has not incorporated cost factors of past mistakes involving massive fill or dredging.	EIS is looking at future permit decisions.
450 Historic/cultural				
451 Calusa not only historic culture				
	774	323	Only mentions Calusa culture, which is only one of many culture periods in history of SW Florida.	Expanded narrative.
452 Data used for historic/cultural review five years old				
	773	323	Data used for cultural resources is five years old.	Obtained update.
460 Need method to apply cost benefit or methodology for "practicable" in guidelines				
	777	324	EIS needs to define/quantify "practicableness"...imply need for a methodology/tradeoff of cost-benefit of criteria.	The applicant must demonstrate that there is no practicable alternative to the proposed project that .would have less adverse impact on the aquatic ecosystem. As described by 40CFR230.10(a)(2), an alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.
	370	107	Review calculations of economic impacts to wetlands in terms of past, present, and future.	A detailed evaluation of the economic contribution of the wetlands filled in the past and preparation of estimates of what the economy would have looked like if there was less wetland loss would be difficult and speculative.
500 Water Quality Analysis				
510 Evaluation of cumulative groundwater impacts inadequate				

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	53	18	The wetlands are vital to groundwater recharge. Who is looking at that?	Groundwater recharge was reviewed in the "Affected Environment" section of the EIS
	685	272	Prepare detailed hydrologic data analysis including hydrogeologic column, cones of depression, etc.	This depth of hydrologic analysis was not necessary for ADG Alternatives evaluation
	687	272	Address mitigation due to overdevelopment of fragile and relatively thin low Tamiami aquifer.	Development and implementation of mitigations are addressed in the permit discussions
	688	272	Address location of septic tank located in recharge area of lower Tamiami aquifer.	Potential impacts of septic tanks within the recharge areas of aquifers will be added to Affected Environment section
	1119	648	Evaluation of cumulative groundwater impacts is inadequate.	Due to the importance of surface water evaluations, the study did not focus on ground water impacts
	1166	794	Failed to consider water quality data from the Counties	All available supplemental water quality data from Lee & Collier counties have been acquired, analyzed, and incorporated into the EIS
511	DEIS says Biscayne Aquifer is a source			
	372	113	Page 78 of EIS mentions Biscayne aquifer and its water supply. No potential to supply water to SW FL.	Agreed. Descriptions of the Biscayne Aquifer were only provided for general ground water discussions.
512	Limit analysis only to certain aquifers			
	373	113	EIS should be limited to surficial, intermediate, and the Floridan aquifer systems.	Agreed. EPA believes that the descriptions were limited to these three primary aquifers
513	EIS shows development on recharge areas			
	374	113	EIS allows buildout of Lehigh Acres. Where will (list of wellfields) get water? Not Immokalee ridge stated in EIS.	EIS did not spend much time on future water supply since that topic more comprehensively described in the Lower West Coast Water Supply Plan process.
514	City of Ft Myers is changing water supply source (change EIS)			
	375	113	Lower Tamiami experiencing growth on its recharge area.	Noted.
	376	113	Corps let southwest Florida rely on Floridan Aquifer?	EIS did not spend much time on future water supply since that topic more comprehensively described in the Lower West Coast Water Supply Plan process.
	392	116	For your information, City is changing source of water supply.	Noted.
520	Data			
	196	62	ADG did not have enough water quality data.	Subsequently, additional water quality data from 1980 to present have been acquired from all available sources, analyzed, and incorporated into the EIS.
	722	291	Deficient in analyses of wq..evident insufficient data..however model employed is the best available.	
	1167	795	Water Quality analysis reflects significant data gaps and outdated data	
521	Failed use data from Counties			
	81	36	Lee County water quality data not used	All available supplemental water quality data from Lee & Collier counties have been acquired, analyzed, and incorporated into the EIS
	200	63	Lee County given 100 percent commitment as well as open books and so on...	
	204	68	Collier County has an existing data base for surface water quality. Not sure that has been plugged in completely.	
	210	71	There is more information on water quality.	
	212	71	WQ tables that reference observations in the order of 20 to 25 can be supplemented with hundreds of data points.	
	228	76	Need to get the water quality data into the study.	
	242	78	EIS not fully utilize County or SFWMD water quality data sources.	
	326	91	Both Lee and Collier Counties participated on ADG, I find it hard to understand how data were missing.	
	336	92	Where is the cooperation of our county government?	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	424	124	EIS not fully utilize County or SFWMD water quality data sources.	
	597	224	EIS not fully utilize County or SFWMD water quality data sources.	
	895	463	Water quality data from Lee County Environmental Lab was not used.	
	953	478	Inputting data into Storet..then will be incorporated into reevaluation of listing of impaired waters...should use this.	
	964	482	Extensive amount of water quality data that Lee and Collier County...have available..should be incorporated..	
	1053	521	EPA rejected data collected by Lee County...but was not in a database the EPA liked to use.	EPA did not reject any water quality data and exhausted all efforts to obtain any and all available water quality data from
	1196	945	Lee County's water quality data...was refused because it was not available in a particular...database	
	1307	1025	Understand considerable amount of scientific data...by Lee County concerning water quality and endangered spp..	All available supplemental water quality data from Lee & Collier counties have been acquired, analyzed, and incorporated into the EIS
	1323	1038	Since release of the DEIS, EPA worked with Lee & Collier County personnel...both counties provided additional data	Noted.
522	Outdated / gaps [also 898 recommends 5yr moratorium to fix]			
	461	146	Much of water quality data is both dated and generated too randomly.	Subsequently, additional water quality data from 1980 to present have been acquired from all available sources, analyzed, and incorporated into the EIS.
	647	248	EIS should address why water quality data were unavailable.	
	684	272	Prepare GIS base map showing major arteries, streams, drainage basins, aquifer, monitoring stations, etc.	Much of data is available but would need several maps to show this information clearly. EIS simplifies results to ten basins.
	739	308	Water Quality section needs updating with current data and rewrite to reflect SW FL systems (list)	All available supplemental water quality data from Lee & Collier counties have been acquired, analyzed, and incorporated into the EIS
	1052	521	Data (supporting representation of waterbodies not conforming) is limited, dated and insufficient	Subsequently, additional water quality data from 1980 to present have been acquired from all available sources, analyzed, and incorporated into the EIS.
	1054	521	Data EPA used was, in some instances, more than a decade old and collected too inconsistently..	
	1195	945	Much of data used in water quality model..is too old and to randomly generated..	
	1236	965	Water quality monitoring and data is flawed	
523	Compare to other studies			
	83	36	How does water quality results compare to PBS&J model of Estero Bay?	Not able to investigate at this time
530	Model inappropriate			
	82	36	What water quality model was used? How applicable is Tampa Bay efficiencies? Model Calibrated?	RETEN: Tampa Bay Efficiencies are applicable based on near geographic proximity and probable similarities in the BMP engineering utilized. Model was not calibrated.
	197	63	FDEP does not have a model that looks at pollution loading, so at the moment is by guess and by golly.	Noted.
	382	115	Lack an unflawed water quality model.	RETEN is a suitable water quality model when used to evaluate changes in large area land use for the purpose of relative alternatives comparison.
	638	242	Serious concerns regarding current water quality conditions in the EIS. Request model be available for review.	Water Quality Model was made available as requested
	640	243	Evaluate water quality locally using standardized methodology and considering all local information available.	All available supplemental water quality data from Lee & Collier counties have been acquired, analyzed, and incorporated into the EIS
	689	273	Address list of pollutants used by agriculture, industry, golf courses and others grouped by geographic area.	The alternative analysis addressed a large geographic area for which this is not appropriate

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	690	273	Address the diversion of surface water flows the cause higher unit runoff.	Historic alterations of surface water flow was reviewed in the "Affected Environment" section of the EIS
	735	306	WQ model should be calibrated, documented, and used only for relative comparisons of the alternatives.	RETEN is a suitable water quality model when used to evaluate changes in large area land use for the purpose of relative alternatives comparison.
	897	464	Which wq model was used?	RETEN
	901	464	Were point source discharges considered?	Point discharges were not considered due to the lack of criteria within the alternatives regarding point sources. The analysis was to compare the alternatives relative to each other.
	902	464	Were impacts from Lake Okechobee considered?	No; Impacts from Lake Okeechobee were not considered due to it lying outside of the study area and that none of the alternatives addressed it.
	952	478	EIS modeling effort is not sufficient..combine with Corps feasibility modeling, so do not use as basis to choose altern	Noted.
	962	481	There is an acknowledged flaw within the water quality model...	Noted.
	963	481	Impartial peer review needs to be undertaken on this model.	The Water Quality Model was made available to the SWFWMD, Lee County, Collier County, and FDEP for review and evaluation
	1051	521	EPA based its model on position that a number of waterbodies in this area do not conform to CWA levels	Disagree; EPA did not base its model selection (or generate a model) on a position that a number of the study area water bodies are 303d listed.
	1168	796	Water Quality model employed is inappropriate for evaluating the principal effects on the aquatic ecosystem	RETEN is a suitable water quality model when used to evaluate changes in large area land use for the purpose of relative alternatives comparison.
	1237	965	Comments by technical experts on ADG on model were ignored	All ADG member comments were taken into consideration
531 How applicable is assuming Tampa Bay treatment efficiencies				
	898	464	How applicable is use of Tampa Bay BMP pollutant removal efficiencies?	Tampa Bay Efficiencies are applicable based on near geographic proximity and probable similarities in the BMP engineering utilized. Model was not calibrated.
532 Calibration of model				
	900	464	How was model calibrated with actual data?	The model was not calibrated, however a suitability analysis was performed to evaluate the model's relative capability for predicting accurate trends in WQ based on land use.
533 SFWMD has better model				
	462	146	EPA generated new water quality model even though the SFWMD was much further along in developing models.	Disagree; EPA employed RETEN, a suitable water quality model used to evaluate changes in large area land use for the purpose of relative alternatives comparison
	507	169	Perform a "very elaborate water quality and quantity modeling analysis" in conjunction with SFWMD.	The WQ modeling completed to address alternative analysis.

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	903	464	Were results compared to model developed for Lee County Surface Management Plan?	No; As the Format of the two studies did not allow for a direct comparison
	904	464	How do results compare to SFWMD model for Estero Bay?	Study addressed inland waterways. Analysis of the water of Estero Bay not included.
	1050	521	EPA created own water quality model rather than building on existing models available from the SFWMD.	Disagree; EPA employed RETEN, a suitable water quality model used to evaluate changes in large area land use for the purpose of relative alternatives comparison
	1197	945	EPA generated a new water quality model even though the SFWMD was farther along in developing similar models	
534 Peer review				
	463	146	Since ADG meeting, only government agencies have seen model. Regulation must be subjected to peer review.	The Water Quality Model was made available to the
	1238	965	Model not a scientifically peer-reviewed properly calibrated model	SFWWMD, Lee County, Collier County, and FDEP for review and evaluation
535 15 sq mi of watershed not in the study area				
	541	185	Reexamine boundary of study area: SFWMD Phase I study of Estero Bay includes approximately 15 sq miles	Analysis was confined to ACOE SWF EIS Study Area. The area mentioned is at the very top of one of the wet year watersheds whose land use was not expected to change.
	1296	1012	Reexamine boundary of study area...15 sq mi of Estero Bay watershed not in study area	
536 How do older systems compare to new?				
	899	464	How are older systems compared to newer?	If the reviewer is referring to developments that do not have post-Stormwater Rule vs those that do. These development were held as having different impacts.
537 Provide public review of model				
	1055	521	No further public review (after ADG) and comment on this model has occurred..	The Water Quality Model was made available to the
	1198	945	(the water quality model) has not been made available to local landowners or their consultants.	SFWWMD, Lee County, Collier County, and FDEP for review and evaluation. Available to others upon request.
540 Alternatives				
	1169	796	Did not consider the positive impacts of mitigation required by the Corps, Counties, SFWMD, and other programs	The interpretation of land use types for each alternative did consider and evaluate wetland mitigation
	1172	800	There is no...basis for concluding that the PR Map is preferable to comprehensive plans from water qual standpoint	Noted. Revised Draft Permit Review Criteria deleted map commented on.
541 [spare]				
542 Failed to consider existing permit requirements				
	1239	965	Several model runs indicated development was not have an adverse impact and these runs were ignored	Reviewer has confused the ADG Meeting WQ preliminary inhouse analysis with the more rigorous analyses performed by EPA for alternatives evaluation in the EIS
543 Wrong alternatives analyzed				
	494	165	EPA WQ analysis should be run for all alternatives.	WQ analysis were limited to the two extreme alternatives due to fiscal limitations.
544 Not all water quality factors were addressed in every alternative				
	508	169	Not all Water Quality factors were addressed for each Ensemble, so cannot analyze Ensembles from same base.	All analysis factors (Land Use, BMPs, Removal Efficiencies, etc.) were equally considered during analyses of each alternative
550 Analysis needs to be improved				

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	6	7	WQ analysis needs to be improved.	Water Quality analyses were substantially improved with the acquisition, analysis, and incorporation of new water quality data from Lee and Collier Counties
	118	45	Water Quality model and data is inaccurate.	Dissagree; RETEN is a suitable water quality model when used to evaluate changes in large area land use for the purpose of relative alternatives comparison.
	219	73	We are interested in improving the water quality analysis.	Noted.
	495	165	Water quality analysis is deficient and no discussion how to correct.	Water Quality analyses were substantially improved with the acquisition, analysis, and incorporation of new water quality data from Lee and Collier Counties
	751	309	37 specific comments on the water quality analysis in the order found in the comment letter.	
			751-A	Inaccurate; Water Quality stations, data, and subsequent analyses were specifically identified for each of the EIS basin boundaries
			751-B	Agreed; Supplemental references and documentation will be added to the Affected Environment sections to improve reader's understanding
			751-C	WQI and TSI Indices
			751-D	Agreed; Text will be corrected to reflect proper "avaerages" used.
			751-E	Agreed; The difference between "criteria standards" and "screening levels" is understood, text will be modified to clarify.
			751-F	Agreed; Mercury will be corrected to a metal, and not a conventional pollutant
			751-G	Agreed; Text will be modified as: "agricultural runoff s a contributing source of nutrients to this area"
			751-H	The timing and availability of the "recent compilation" of water quality data, as well as subsequent analyses did not permit inclusion into the summary and history.
			751-I	Agreed; Although the proper numeric criteria for coliform was used, it was incorrectly stated as a "screening level". This text change will be made.
			751-J	Agreed; The definition of surface water classifications will be corrected.
			751-K	Agreed; The use of "Impaired" will be scutinized to imply "water quality standards are not being met".
			751-L	Certain water bodies, such as ponds and canals typically support "naturally low water quality" characteristics as compared to Lakes and streams.
			751-M	References to documents will be made.
			751-N	Agreed; Vocabulary will be changed from "attributed" to "characterized".
			751-O	Agreed; Text will be modified to clarify that TSI or Trophic State Index is implied.

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
			751-P	Agreed; Text will be modified to clarify
			751-Q	These numeric values have been provided within the tables of the report.
			751-R	Agreed; Text will be modified to clarify between "average" and "annual medians"
			751-S	Primarily STORET data; Eceedence criteria were 0.85 ug/l and 0.86 ug/l for zinc and copper, respectively.
			751-T	Values are located within the 305(b) Report, check WBID 3259B.
			751-U	Values are located within the 305(b) Report, check WBID 3259L.
			751-V	Citation will be referenced for this data source.
			751-W	Information identifying the percent change by land use type will be provided.
			751-X	The Water Quality model RETEN does not provide estimates of these parameters.
			751-Y	Agree; Table 1.1 will be updated as recommended by the Department
			751-Z	Agreed; However, RETEN is a suitable water quality model when used to evaluate changes in large area land use for the purpose of relative alternatives comparison.
			751-AA	The model was not calibrated, however a suitability analysis was performed to evaluate the model's relative capability for predicting accurate trends in WQ based on land use.
			751-AB	Agreed; A sensitivity analysis was performed.
			751-AC	Agreed; the model input data sets will be provided in the appendices.
			751-AD1	Partially Agree; Percent differences as a relative change in water quality parameters is a good method for displaying WQ results, however, IWQ allows for comparison of alternative s.
			751-AD2	Partially Agree; There are only slight differences in the modeling results of the alternatives based on the "avaeraging" methodology utilized here and by the Department.
			751-AE	Agree; Appendices will be modified to reflect the same text changes as agreed to in the main text portion of the Impacts analysis
			751-AF	Definition of South Florida study area boundaries will be defined and added to text.
			751-AG	Agreed; Text will be modified to clarify and / or correct.

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
				Agreed; Text will be modified to clarify and / or correct.
			751-AH	
			751-AI	Agree; A source citation will be added for each table.
			751-AJ	Water quality data sources can be found within the STORET Database
	896	463	Considering the very limited data used, trends in water quality can not be made.	Water Quality analyses were substantially improved with the acquisition, analysis, and incorporation of new water quality data from Lee and Collier Counties
	965	482	The (water quality) study needs adequate peer review.	Water Quality were reviewed by EPA, FDEP, SFWMD, and Lee and Collier Counties.
	1139	675	West Caloosahatchee IWQ 48.0 in error? (EIS says Fakhahatchee Basin had lowest IWQ at 48.5)	Comment is correct and document will be modified.
	1188	856	(Report) Review of the water quality analysis for South Florida Land Use Alternatives for the ACOE EIS	Noted.
	1199	945	Statement (errors in wq model were irrelevant) is unacceptable since regulation must be based on..science...	Point was that model can be used to compare two alternatives even if there are comments questioning errors in selection of some of the fixed assumptions.
	1170	798	Index of Water Quality does not provide strong support for any alternative	Agreed; IWQ is only one criteria utilized in the EIS and ADG process for evaluating Alternatives
	1171	799	DEIS compared the wrong alternatives	Alternatives selected were intended to be the bookends of range of possibilities.
560 Mitigation of impacts.				
561 What is cost.				
	85	36	What is cost of implementing proposed mitigation strategies. Prudent to monitor results of current NPDES initiatives.	Undetermined. Strategies listed to allow discussion of which may have potential for assuring maintenance of water quality.
	906	464	What are costs associated with adopting the proposed mitigation strategies.	
562 Wetlands are important				
	723	291	Wetlands important to wq even in development category along eastern shore of Estero Bay	Noted.
570 Fund Lee County to complete analysis and implement mitigation				
	88	37	Rather than EPA continue WQ analysis, give funds to Lee County to complete its analysis and implement mitigation	Noted.
	909	465	Request funds be appropriated to Lee County to complete its analysis and to implement mitigation strategies.	
	954	478	County will take lead technical role in developing necessary science to use as basis for decisions.	
580 [spare]				
590 Other				
591 Add the SFWMD Estero Bay report to the bibliography				
	520	174	Add SFWMD Estero Bay and Watershed Assessment to the bibliography.	Agreed; References will be added to the bibliography
	521	176	Add DCA report "Water Quality Circulation...of the Estero Bay Estuarine System" report.	This SFWMD study had not been released when the report was released.
600 Lehigh Acres (also applicable rest of study area)				
	974	493	(Lehigh Landowners, Inc. Newsletter, Spring 1999) describing report of Alternatives Development Group & EIS	basis for some of the comment letters below
	982	499	(Lehigh Acres Lot Owners Association, Inc., Urgent Notice, Fall, 1999) regarding EIS.	basis for some of the comment letters below
610 Conflict with comprehensive plan / defer to.. [also 116, 627, and 888]				
	106	43	Individuals who have no interest or knowledge of Lehigh were allowed to impose land use constraints.	See also comment 116. EIS presents Comprehensive Plan and four alternative maps (5 Ensembles) that incorporate
	826	421	Inconsistent with Lee Future Land Use Map. Burden of proof on Corps to justify any deviations from it.	ideas for changes in landscape and permit review criteria that
	956	481	Project Review Map places EIS & its goals as an alternative to Comp Plan, adding confusion of local..community.	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	1022	517	Lehigh slated for development for three decades and recognized as an area for development in earliest comp plans	may happen or were expressed as ideas to address a concern such as wildlife habitat loss. These ideas were addressing issues that affect the entire study area and the effort was not aimed at Lehigh or any other particular area. Although the Corps recognizes the Comprehensive Plan as the State and County preferred plan, the Plan does state "...the county will not undertake an independent review of the impacts to wetlands..." and refers the landowner to State and Federal permitting. The Corps, therefore, cannot simply defer to the Comprehensive Plan has essentially stated "you can build if you get a permit". Under the Clean Water Act, the Corps must make its independent decision whether to authorize those lot owners who have wetlands on their land to fill their wetlands. The 5 Ensembles present five different quantities of fill and present five different "futures" of expected environmental and other conditions.
	1034	519	The EIS creates an additional set of regulations that contradict the land uses in the Lee Comprehensive Plan.	
	1040	520	Permit criteria and project review map conflict with existing comprehensive land use plans.	
				Lot owners also have responsibilities under the Endangered Species Act if their property has natural plant cover used by listed species. Therefore, the 5 Ensembles present different quantities of habitat preservation and restoration. The EIS is not adding regulations. They already exist.
611 Alternatives conflict with on-going tax-funded projects				
	73	35	Greenway creates some degree of conflict with tax-funded projects in Lehigh Acres.	Agree.
612 Is key affordable area for future homes in County [and not just Lehigh]				
	77	35	Lehigh Acres is a key affordable area for the legitimate growth management potential of the County.	Corps has always recognized in permit reviews that circumstances of single family lot owners are such that options such as purchasing other sites or changing site design are often not practicable alternatives to filling the wetlands on their lots. Based on the report and other comments submitted, Lehigh Acres serves those that do not have alternative locations for homesites in the region. However, the continued recognition of this constraint will result in wetland and habitat impacts. Historically, the Nationwide Permit program provided an abbreviated administrative process for lot owners but has grown in complexity. So Corps added language to EIS proposing to implement development of a local General Permit that hopefully will provide abbreviated process but also include a mechanism for addressing impacts of lost wetlands.
	109	43	Lehigh Acres is an affordable housing community.	
	171	57	Lehigh is the last affordable house in Southwest Florida	
	221	75	We need to consider affordable housing when we start looking at the land and any restrictions imposed.	
	449	141	GGE is a lower-cost site than comparable urban areas. It gives the less affluent population an affordable avenue.	
	1030	518	Study (attached) concludes EIS will impact the availability of affordable housing...such a result is unacceptable	
	1044	520	Result (replumbing, etc) is particularly onerous when impacts persons whose means to address are limited...	
	1061	523	(report titled Regional Housing Affordability and Lehigh Acres referenced by comment#1030)	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
613	Availability of Lehigh removes pressure from other areas.			
	78	35	Regarding permits to south, let us help provide ability for people to move to Cape Coral and Lehigh Acres.	Noted.
620	Property value [also 920 and 443]			
	173	58	Two types: homeowners and speculators. Speculators gamble. If cannot build on lots, homes more valuable.	There is no guarantee under the law that a lot owner will be authorized to fill wetlands, if wetlands are on their property. None of the alternatives state that the Corps will or will not issue a permit but only provide a disclosure of the potential impacts if it does.
	711	288	Corps use of EIS to uphold CWA and ESA must not be secondary to Florida's takings law.	
	975	498	We own property in Lehigh Acres which may be substantially affected by the..alternatives in the...EIS.	
	1224	959	We own property in Lehigh Acres which may be substantially affected by the..alternatives in the...EIS.	
621	Taking land without compensation			
	998	504	We object to any plan to take over our land..without compensation or consideration.	The EIS has not proposed to deny permits. That decision can only be made after a review of the individual circumstances of a lot owner based on information in his/her application. As stated above in comment 612, the Corps weighs the impacts on the environment and the individual landowner. However, the EIS is disclosing what is the total environmental impact of prospective decisions to better understand the ecological context of the loss of the wetland on the single lot. No compensation plan is needed since the Corps is not denying permits with this EIS.
	1000	506	We have no objections to your plan provided we are compensated ... at least equal to current market value	
	1004	509	There is no plan to compensate property owners.	
	1008	510	Corps is going to take my property with no .. Compensation. Do not let this agency..take my property away.	
	1014	513	The proposed plan does not provide for the purchase of our lots...	
	1018	514	Land transfer, buyout or current status quo should be considered.	
	1019	516	In one fell swoop you can take it away?	
	1046	520	Neither EIS nor ADG provide discussion of compensation for landowners so affected.	
	1318	1034	If our land confiscated, will we receive compensation? What will be the basis for such compensation?	
622	Uncertainty to get permits			
	74	35	EIS creates tremendous uncertainty whether lot owners have the ability to get the necessary Corps permits.	For lots with wetlands that uncertainty already exists in that there is no guarantee a permit will be issued. As the number of acres of wetlands in the region continue to be reduced, the general public's concern over the fate of the remaining ones has historically increased. By preparing a 20 year estimate, the Corps is trying to identify problems and solutions particularly for those owners who will not be building until later.
	103	42	Way to destroy the value of land is to have it get around the Corps is investigating it. Be done soon as possible.	
	512	171	How will the EIS affect our ability to use this property in the future?	
623	Added expense to get permits [also 443 and 747]			
	105	43	Spending \$10,000 for a permit for a lot valued from \$2,500 to \$10,000 is an unaffordable burden.	As public's concern for fate of remaining wetlands increases, additional administrative requirements have been added to the Nationwide Permits that is the current Corps method to keep permitting costs down. The Corps hopes to develop a General Permit written just for Lehigh Acres to prevent permit cost burden.
	111	43	They can afford to clear pristine mangroves in Collier and get \$2-\$4,000 for a lot which you cannot do in Lehigh.	
	175	58	For a wetland lot, client spent \$2,500 on permit and builder took six more months to build home.	
	789	343	Added layer of permitting increase cost of land development, pushing moderate income further from urban corridor.	
	1020	517	Impacts owners of single family lots who cannot afford to retain environ&legal services to obtain permits..	
	1243	965	EIS suggests no nationwide permits will be issued in EIS area..adverse impact on affordable housing	
	1308	1025	Permitting process will become much more expensive and involved as a result of additional review requirements..	
624	Realtors not sure what to disclose			
	75	35	Permit uncertainty causes a disclosure problem.	EIS narratives in the body of the document and the summary have been rewritten. The Permit Review Criteria have been revised to help landowner identify whether a natural resource issue may be present on the property.
	215	72	Criteria needs to be enough definitive so realtors know what to disclose. Uncertainty affects value of property.	
	359	100	Define the plan in better ways so that property owners know what we have and what the buyer's rights are.	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
625	Further deteriorates situation with many not paying taxes on lots			
	76	35	Uncertainty adds difficulties where are people who do not pay taxes because is not worthwhile to move forward	Noted.
	97	40	The difficulty of obtaining permits, leads to uncollected tax funds, which is primary support of fire district.	
626	Creates uncertainty for planning (fire stations)			
	98	40	The uncertainty affects our decisions on fire stations, equipment, etc.	Only a small percentage of lots have wetlands Even if Corps denied those permits there will be a small impact.
	1047	520	Discussion of mechanism for generating funds to compensate affected landowners is necessary.	
627	Vested rights. Also, Corps invalidating existing permits from State.			
	100	41	What about the vested rights that we have in Lehigh?	The Corps is an agency of the Federal Government. The landowner, if wishes to fill wetlands, must obtain a Corps permit in accordance with the Clean Water Act. A State or local permit or other development authorization does not override a federal law.
	515	173	Lands identified preserve have valid permits for current&future use. Corps intends to invalidate permitted uses?	
	977	498	All legal battles..over years have resulted in vested, immutable development rights...that may not be altered.	
	1023	517	Vested development rights associated with residential lots and rights recognized by state and local governments.	
	1037	519	Persons affected..are of modest economic means who purchased property relying on vested rights	
	1226	959	Our rights are vested, immutable development rights...that may not be altered.	
	1345	1076	Since regulations that existed at time of purchase permitted building home, these lot owners insist rights are vested	
628	Thought had all state, federal, etc. requirements.			
	101	42	People bought this land with knowledge and feeling that .. All requirements have been met. How compensated?	The requirement for a Corps permit to place fill in wetlands was initiated by passage of Section 404 of the Clean Water Act of 1972. There are those who purchased lots before then that have been affected by this new law. Those who purchased after 1972 may unfortunately may not have been aware of this. The law applies to all wetlands no matter when purchased.
	709	288	We must be mindful that changing permitted use does not constitute a taking.	
	976	498	We..invested..with..understanding our property met all..regulations and was...completely buildable and salable.	
	1009	510	Do not let this agency require me to get a permit to build a home on property that was bought for that purpose only.	
	1011	512	Are you taking into consideration the landowners' rights to compensation for the properties that will be seized?	
	1012	512	When we purchased the lots, no mention was ever made they might not be buildable or nor saleable.	
	1036	519	People invested based on..existing plats and zoning...these not considered by Corps or ADG in generating EIS.	
	1225	959	We..invested..with..understanding our property met all..regulations and was...completely buildable and salable.	
629	Property worthless / financial loss / uncertainty causing landowners to cancel plans			
	154	53	A commercial identity canceled its plans for relocation. Many future landowners canceled any plans. Due to EIS.	The EIS does not predetermine what the Corps' permit decision will be. The Corps is concerned with the apparent continued decline of wildlife populations, water quality, and other issues. If the Corps waits until the decline becomes critical, some landowners may be surprised by a permit denial ("the straw that breaks the camels back"). Through this EIS, the Corps is disclosing how much impact its program may have and has presented ideas for alternatives. The Corps hopes this results in public discussion of solutions.
	979	498	Hundreds of millions of dollars invested...if rules..changed..result will be the total economic devastation...	
	992	503	Retired couple..will not be permitted to build..since lot falls within wrong color on map..suffer adverse financial..	
	994	503	Very obvious..result of the proposed alternatives..is..thousands of individuals will not be permitted to build homes..	
	996	503	If this proposal is pursued, thousands of lot owners...will be left with worthless property.	
	1003	509	Proposal (water retention areas) will render most of our property worthless.	
	1006	509	Stop this proposal because could wipe our corporation.	
	1010	511	I need to know if my investment is threatened.	
	1045	520	Owners of lands designated for preservation will be denied any economically feasible use w/ reasonable return	
	1228	959	Hundreds of millions of dollars invested...if rules..changed..you will destroy the value of our land and lives of people	
	1245	965	More stringent criteria will make it difficult to develop certain areas. Not addressed regulatory takings or who pays.	
	1346	1076	Alternatives in the EIS cast an enormous shadow over the future use of thousands of lots in Lehigh Acres	
630	Ecological value			
631	High and Dry / Lehigh safer from storm surge			
	1002	508	Plan will force relocation of households from high/safest place from hurricanes to more vulnerable to destruction.	The Corps' 404 program does not force, encourage, prohibit, or discourage development or relocation in any location under any circumstances.
	1032	519	Denying additional development in Lehigh Acres will force development in less hurricane safe areas.	
	1085	571	Corps proposed (Lehigh Greenway) force humans to concentrate in areas most vulnerable to (storm surge).	
632	Delete Greenway			
	71	35	When look at in detail, Greenway is not a good idea and recommend be eliminated from preferred alternative.	The additional site specific information, particularly that provided by East County Water Control District, has certainly
	72	35	Many of us believe the green belt situation in your ensembles should be eliminated.	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	96	39	We request the Greenway be removed from the preferred alternative and shown as an urban area.	demonstrated the extreme difficulty to restore this area to what it once was. It still remains in the EIS in one of the
	102	42	Two mile strip is the highest part of Lehigh. Already 2,000 homes there.	Ensembles as an idea that was suggested and the EIS
	123	46	Don't think adequate thought was place on greenway idea.	presents the assessment of effects. For example, in the
	805	358	Greenway should be removed and shown as urban (due to impact to wetlands and large number of owners..study)	vegetation section, of the total quantity of wetlands, only a
	1084	570	Corps proposed plans (Lehigh Greenway) are doomed to fail in returning area to original state (lists reasons)	very small quantity comes from the area of the Greenway. The socio-economic section now has a discussion of the difficulties of implementing the Greenway suggestion. Also, the Corps permitting jurisdiction is limited to just those few wetlands therefore the suggestion of the Greenway could not be pursued by the Corps regulatory program. The Greenway has been deleted from the Permit Review Criteria.
633 Other places with more wetlands than Lehigh to preserve				
	174	58	The last place a logical person would go to preserve wetlands is Lehigh. Look elsewhere.	Noted.
	1330	1042	Move Lehigh Greenway into groves to east.	
634 Impacts to wetlands decades ago. Development normally not require add'l wetland.				
	1024	517	Many impacts to wetlands occurred decades ago and development does not normally require additional impacts.	Noted. Drainage canals in Lehigh Acres have removed most wetlands.
640 No involvement by Lehigh community				
	90	37	Ask that Mr. Clayton Miller or Jimmy Hull participate in ADG.	Mr. Clayton Miller participated at recent ADG meeting (only one since request made). Corps asked a small group of
	94	38	Everyone must be included in the process.	persons with general knowledge of area to help develop
	110	43	We need a democratic process here, and let us have something to say in the situation.	ideas and evaluations so that Draft EIS is as complete as
	143	49	The Corps did not solicit comments from local government or representatives of Lehigh Acres.	possible. Corps still asked for public comment and extended
	144	50	Urge Corps to allow citizens of Lehigh to all get together and identify water management solutions.	the comment period when requested until 189 days.
	157	53	Suggest a committee be formed of local businessmen and citizens to devise a plan for Lehigh Acres.	Purpose of Draft is to obtain such comments to revise
	169	57	No one from Lehigh was ever consulted in this.	document. Alternatives presented where broad concepts and
	396	120	Significant group of affected public...excluded from development of DEIS.	size of study area precluded visiting every party affected.
	993	503	Obvious Corps not concerned with plight of citizens...why didn't Corps send notices to all property owners?	Number of landowners in 1,500 square mile area renders
	1013	513	There was virtually no input of lot owners or local officials.	mailing very difficult. Prior to release newspaper and civic
	1026	518	Component (replumbing) developed without sufficient information by people with limited knowledge of Lehigh Acres.	group interest had resulted in a large mailing list of interested
	1031	518	Residents and representatives of Lehigh Acres were not included in the ADG as members or as spectators.	persons and organizations.
	1351	1077	Time to approach obvious partners to participate in a well designed plan that will manage growth and protect environ	
641 Not sure how much impact public will have on process				
	267	82	I don't know how much impact the public will have on the overall process.	The Corps mission is to serve the public. Comments and concerns have resulted in substantial revisions of the Draft.
642 Fed'l agency not bound to disclose documents presented				
	269	82	Federal government not bound by the need to have a disclosure of all the documentation that might be presented.	Copies of all documents related to this project available upon request in accordance with the Freedom of Information Act. Contact the Corps Project Manager.
643 We plan to submit information to incorporate into DEIS				

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	275	84	We as landowners jointly develop some scenarios or some criteria for which you can employ in your final EIS.	Noted.
644	Lack of involvement by public (not just Lehigh)			
	181	59	Wide range of things (that have been expressed by speakers at hearing) need to be considered.	Before initiation of EIS process, Corps visited civic groups, agencies, and elected officials with concerns and plans for approximately a year.
	332	92	Neglected and abused as a taxpaying landowner that was not notified of this study and brought into the process	
	334	92	I was quite acutely aware of the lack of citizens on the ADG.	
	360	101	EIS fails to acknowledge the grass roots efforts of so many people to initiate and petition for the EIS.	
645	Involve business leaders.			
	792	346	Enlisting business leaders to help in effort help allay fears of government desire for additional regulatory effort.	
646	Fed'l government had full knowledge of Lehigh Acres (Interstate Land Sales Act)			
	978	498	Federal government has had full and complete knowledge of Lehigh...registered through Interstate Land Sales Act..	Corps aware of Lehigh specifically through past permits.
	1227	959	Federal government has had full and complete knowledge of Lehigh...registered through Interstate Land Sales Act..	
650	Remove Lehigh Acres from EIS			
	1	5	East County Water Control District does not believe that is should be included in the EIS.	Lehigh Acres included in EIS study area because of its landscape importance for some natural resources. For example, Wood storks from Corkscrew Marsh forage in Lehigh Acres as well as other areas. If a lot owner fills a herbaceous marsh on his/her wetland, the population of this endangered species would decline. By including Lehigh Acres, the EIS can describe the past loss of marsh and present the potential future loss of such marsh for the entire area.
	89	37	Don't understand, with so many platted lots, why Lehigh Acres is somehow so needed in this study.	
	95	39	East County Water Control District does not believe that is should be included in the EIS.	
	142	49	Object to study since original purpose was focused on Imperial River basin and Lehigh does not drain there.	
	150	52	Exclude Lehigh from EIS	
	176	59	I would like to see you white out Lehigh	
	807	359	Eliminate East County Water Control District from EIS or, at minimum, remove greenway.	
	1303	1023	There is not any legitimate reason for the Corps to expand the boundaries of the study area north of SR 82	
	1336	1066	I am firmly against any action the USACE may take regarding your environmental studies of the area (Lehigh Acres)	
651	EIS originally concerned with growth south of Lehigh Acres			
	1021	517	Genesis of EIS was concern about pace of growth in south Lee County, not Lehigh Acres.	Agree, but need to understand landscape context of some issues. Using the Wood stork example of the previous topic, a potential loss of marsh south of Lehigh Acres should be presented in context of the total potential loss of marsh used by the same rookery.
652	Original focus of EIS changed to re-engineering Lehigh Acres			
	1025	517	Original focus of EIS has shifted and now includes component focused on re-engineering/re-plumbing Lehigh Acres	Focus did not change. Continuing the Wood stork example, since historic loss of marsh has contributed to decline of the population and there is a projected continued loss of marsh, ideas were presented in the other Ensembles to restore some of the marsh that once existed in Lehigh Acres. The ideas are presented to disclose alternatives to stop the decline of the population of this species.
660	Alternatives			
	981	498	Colonel Miller, Lehigh Acres ain't broke. Stop trying to fix it.	Filling wetlands in Lehigh Acres will result in some environmental loss. The EIS is disclosing that and the Corps hopes this will create public dialog leading to solutions.
	1041	520	Primary intent of EIS was to provide a streamlined permit process..	
	1042	520	ADG failed to recognize Lehigh Acres, with vested development rights, are appropriate for development.	
	1230	959	Request Corps abandon this illegal, illogical and ill-fitted proposal	
	1348	1076	Are other options.. that preserve the lot owner's investment..require coordination of state & local govt agencies	
	1349	1077	Association wrote letter in 1998 to Lee County stating that no long range plan for stormwater management existed	
661	Other potential locations for retention.			

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	156	53	Other locations that might be good for retention (listed in comment).	Noted. We are not going to prepare detailed analysis for all of these since the alternatives already prepared have resulted in an understanding of the natural resource issues that would be applied to such a review.
662	Use delinquent tax lots for preservation			
	167	56	Use lots with delinquent taxes for preservation.	Noted. But also note that will be difficult to implement. Lots are widely scattered so would have to do a buy/sell program to assemble contiguous areas. Also still must obtain title.
	1350	1077	Over 17,000 tax-delinquent lots...unique opportunity..delinquent lots in targeted areas (preserve) be acquired...	
663	Use Ensemble R since conforms to Comp Plan			
	170	57	Consider Ensemble R since it has the least impact and most conforms to the comprehensive plan.	Noted.
	958	481	Recommend Project Review Map be deleted from the study.	Replaced with Natural Resources Map.
664	Opposed if diminishes property rights			
	177	59	Oppose any ensemble that diminishes property rights of Lehigh Acres property owners	This EIS will not diminish whatever right exists to construct home. Recognize that if wetlands on lot, that right already constrained by requirement to obtain 404 permit.
	1015	513	I strongly object to any plan that takes away my right to build a home on my lot...	
	1017	514	We strongly oppose any decisions that renders these properties useless.	
665	Opposed if increases taxes			
	178	59	Oppose any action that would create a tax burden on the taxpayers of Lehigh Acres.	Noted.
666	I protest proposal to turn sites into wetlands/retention ponds.			
	997	503	I strongly protest this proposal...	Noted.
	999	504	Lehigh deserves life instead of drowning in a swamp..a result of a behind a desk decision.	
	1001	507	We object to any plan that prevents us from building on our lot.	
667	If purpose is to fix water quality, why have we been paying taxes to East County WCD?			
	1005	509	If purpose is to improve the water, why have we been paying high taxes to East County Water Control District?	ECWCD responsible to maintain infrastructure that drained the wetlands originally present.
668	Proposal will cost lots of Federal \$\$			
	1007	509	Stop this proposal because will cost millions in federal funding.	The proposal to adopt standardized Permit Review Criteria and the Natural Resources Overlay Map will cost little, if any, more than the the current costs of case-by-case permit review. The reader may believe the Corps is involved in regulating land use, or in building the various projects anticipated by the futures anticipated by the Ensembles, but neither is true. The EIS concerns only the proposed revision of permit review procedures.
	1016	513	In addition, this will require millions of dollars of Federal funding...	
669	Will litigate (to protect property rights)			
	980	498	If necessary, we will band together...and protect our vested interests through litigation.	Noted.
	1229	959	If necessary, we will band together...and protect our vested interests through litigation.	
670	Permitting			
671	Remove roads, how access property?			

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	984	501	If roads are removed, how will the owners of those lots fronting the removed roads access their property?	Removal of roads is beyond the scope of this EIS. We believe the commenter may have confused the predicted future from the Ensembles with the proposed action in the EIS, which is concerned with the adoption of standardized permit review criteria to be used with the Natural Resources Map.
672	Canals removed, will flood lots?			
	985	501	If canals are removed, would some lots that are now high and dry, become flooded?	See response to Comment 985 above.
673	Will Corps require permits on lots for which permits not now required? [also 718]			
	986	501	Will lot owners be required to obtain a permit from the Corps...on a...lot that is currently not subject to permitting?	No.
674	Not room for modifying site design per criteria on 1/4 acre lot [also 748]			
	988	502	(For) a one-quarter acre lot, there is not room for design modification (to meet the Permit Review Criteria)	Corps has always recognized in permit reviews that site size for single family lots constrains options for site designs to avoid wetland impacts.
	989	502	The result (of not able to modify to meet Review Criteria) is to either permit or deny the construction of a home.	
675	If not meet criteria, forces denial? [also 725]			
	990	502	EIS..clearly states large areas of Lehigh Acres is proposed to become preservation and water storage areas.	The Corps is not endorsing or proposing to implement the preservation and water storage areas. Implementation of preservation areas is not within the authority of the Corps of Engineers. Permit Review Criteria revised to remove preservation and other such designations.
	991	502	Since permit applications are reviewed case by case basis...lot in a 100 acre reservoir might be issued a permit..	
	1347	1076	Designation of preservation...means that the Corps expects to deny many permits to clear and fill lots..	
700 Permit Review Criteria				
710	Derivation			
	737	307	Clarify whether the permit reviewer would use criteria for both direct and indirect or only for indirect.	Both.
	1378	1083	Section 2.2.2: References to the PR Criteria always include reference to the PR Map.	Rewritten to clarify importance of map.
711	Explain derivation of PR Map			
	130	47	We are not quite sure how you got from the five to the one.	The Permit Review Map has been deleted and replaced with the Natural Resources Map, which is based on the Corps' analysis of the various futures predicted in the Ensembles. The Natural Resources Map identifies the expected natural resources expected to be present in any given area, based on prediction of the results of present and anticipated future actions by all levels of government and by the private sector. The Natural Resources Map will then be used to identify appropriate subjects for review using the Permit Review Criteria.
	133	48	Unclear how the leap was taken from the different ensembles to the final map.	
	160	54	How you made that leap from an area with no consensus to being designated primarily preservation.	
	237	78	Selection of lands labeled preserve appear to be arbitrary and erroneous.	
	340	94	Then there is no justification and we get to the project review map.	
	387	115	Reference map for review criteria should be explicitly stated.	
	416	123	Selection of lands labeled preserve appear to be arbitrary and erroneous.	
	589	223	Selection of lands labeled preserve appear to be arbitrary and erroneous.	
	849	429	Failed to explain the derivation of the Project Review Map.	
	1161	774	Failure to explain the derivation of the Project Review Map violates due process and is arbitrary and capricious	
	1377	1083	Section 2.2.1.1: Include the criteria by which choices of land uses from ensembles will be made.	
712	Benchmarks not explained or justified (also, 80% county is preserve, how much more?)			
	321	90	Over 70% of Collier is in public ownership. What is the limit?	Benchmarks have been removed from revision of Permit Review Criteria. Revision identifies the natural resource issue and how to assess impact but leaves solution to landowner to propose. Additional science and public dialog
	355	99	Government owns 85% of Collier County. How much more land are going to take?	
	636	242	DEIS provides maximum quantities. Once reached, will no further permits be issued? Is it first come first served?	
	656	250	No analysis on impacts of permitting filling of wetlands on protected birds.	

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Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	657	250	Is 5.4% of SHCA loss the mean or was data available that suggested 5.4% was adequate?	needed to develop thresholds.
	658	250	Are the 53% figure and other % figures sufficient to accomplish the objective of the SHCA and MSRP?	
	741	308	Spell out difference between current process and proposed review process with numeric values.	
	913	467	EIS utilizes system of % of impacts, yet not sufficient data and analysis to establish controls..(example provided).	
	1184	830	Benchmarks established have not been explained, not justified, and do not relate to..impairment of the resource...	
	1367	1081	Pg iv: language might mislead reader into assuming that some level of effects are acceptable until reach threshold..	
	1380	1083	Percentages are not supported by the current analysis in the DEIS..do not address impacts to listed species, etc...	
713	Give weight unrelated to proposed discharge / wildlife more weight [also 111and 171]			
	257	79	A project trigger, in order to trigger a Corps permit review, should not necessarily require wetland fill.	Corps authority limited to permits for wetland fill. Can only review impacts related to fill.
	270	82	Regarding comment #257, similar out-of-box thinking as Tulloch rule and courts very recently have said no.	
	932	473	Wildlife is being given greater weight in the overall review of project impacts.	
	946	475	Seems to place a greater emphasis on wildlife issues than all other issues.	
	1180	820	Permit review criteria give weight to factors that are unrelated to the proposed discharge	
714	Do not Expedite permitting in areas labeled "development"			
	30	12	Why significant burden on projects in "development" area?	Revised Permit Review Criteria eliminates development, preservation, etc. categories and substitutes maps showing areas where location of project has potential for adversely affecting natural resource. The rigor of review will increase as number of resource issues increase (and rigor or burden of review less in others). A portion of the area identified for development by the Comprehensive Plan do not have any resource issues mapped.
	126	46	There is no streamlining for permit applicants.	
	138	48	Why not streamline the process within those development areas?	
	222	75	Streamline development permitting in the areas where we welcome growth and make more demanding elsewhere.	
	305	88	Concerned that this EIS is a vehicle more to expedite the permitting process than trying to improve the process.	
	418	123	Draft EIS does not streamline permitting.	
	591	223	Draft EIS does not streamline permitting.	
	615	230	Why is there a significant burden placed on projects within the development areas by this EIS?	
	706	286	EIS does not deliver on the promise of streamlining the process in areas designated for urban development.	
	1182	826	Permit review criteria do not expedite permitting process in areas designated as "development"	
	1210	948	EIS confuses, not streamlines, regulatory issues by creating conflicts with comprehensive plans and Corps regs	
715	Questions overinclusive			
	1183	828	List of questions and factors under each designation is overinclusive	Revised document now has a map for each question to correct this problem.
716	Limited intensification agric ignore Corps JD limits / justify / bias / invalidate state permit.			
	273	83	Intensification criteria would subject farms to permitting scrutiny where they may not currently be subject.	Criteria does not expand Corps permitting. However, if change in agricultural activity does not require wetland permit but adversely affects an endangered or threatened species, the landowner may have to satisfy the existing requirement to obtain a permit under the Endangered Species Act.
	516	173	EIS has neither the criteria for ranking from least to most intensive agriculture nor the justification for the ranking.	Agree is described only ingeneral terms. Is based on various different studies that observed there are less presence of many species in some crop types then in others.
	517	173	Corps intends to invalidate State permits to change land use from pastures or vegetable to citrus, forest to veget?	The Corps is an agency of the Federal Government. The landowner, if wishes to fill wetlands, must obtain a Corps permit in accordance with the Clean Water Act. A State or local permit or other development authorization does not override a federal law.

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	518	173	We would like full explanation of negative bias in the criteria against changing agricultural crops on agricul land.	There is no "bias" against any particular crop; however, wildlife use must be considered when assessing environmental impacts for wetlands permits.
	1185	832	Designation of limited intensification of agriculture...ignore governing legal requirements limiting Corps jurisdiction	Corps recognizes limit of authority. However, other federal laws may also apply to landowner so included.
	1211	948	Explain in EIS limitations on Corps authority (drained wetlands, agriculture...)	Expanded narrative.
717 WQ criteria conflict with authority of State				
	1186	836	Permit review criteria on water quality conflict with the structure of the CWA and the authority of the State.	Revised.
718 Way to get to issues Corps cannot directly address / uplands [also 111, 171, 673, 712]				
	127	46	This is a backhanded way to get at some issues that the Corps may not be able to directly address.	EIS presents total projected impact, both resulting from Corps decisions and decisions of others, to provided context and/or contribution of Corps decisions.
	934	473	Upland buffer: can Corps regulate activities in uplands?	Although the Corps has no authority to regulate upland activities, in some circumstances, the Corps will review the effects on upland if they are an indirect effect resulting from the wetland fill. Classic example is where wetland fill is required and provides access to an upland island, the Corps will typically must include in its evaluation of effects the resulting impact on uplands.
	940	474	Vulnerability of coastal forests: Adjacent uplands now regulated?	See previous response.
	947	475	Reference buffers, scrub jay habitat, etc.. Can Corps regulate activities in uplands that do not have listed species?	Yes. See previous response.
	1249	966	What is legal basis for instituting permitting criteria more restrictive than what is set forth in the adopted regulations?	Criteria revised to remove thresholds and describe how to assess impact.
719 Illegal Corps grant permit review authority to other agencies/their plans (MSRP&GAPS)				
	240	78	Corps in violation of CWA if through the EIS they grant permit review authority to agencies not intended by the Act.	Permit review authority has not been granted to any other agency. The Corps retains sole responsibility for its permit reviews. However, the Corps has legal requirement to consult with the USFWS, EPA, and FFWCC in permit reviews and gives great deference to their views within their areas of expertise. The original and revised permit review criteria maps incorporate their input on locations where development has higher potential to adversely affect wildlife and other natural resources. Sometimes their input will utilize information in the MSRP and other documents they have published.
	422	123	Corps in violation of CWA if through the EIS they grant permit review authority to agencies not intended by the Act.	
	465	146	EIS invests MSRP and SHCA with regulatory authority by asking whether applicant has complied with their rqmts.	
	595	223	Corps in violation of CWA if through the EIS they grant permit review authority to agencies not intended by the Act.	
	970	483	USFWS & EPA now appear to have say in local land use...by basing questions & decisions on "their" preferred map.	
	1057	521	Such de facto regulation is inappropriate and skirts the protections set forth in federal and state rulemaking.	
	1200	945	USFWS and FGFFC have used the EIS process to invest (their) desired wildlife plans with regulatory authority..	
720 The Presumption (certain activities are contrary to Fedl Interest)				
	1072	540	DEIS may only recommend that a presumption be created and adopted through formal rulemaking	Noted.
721 Unlawful to create the new permitting standard "federal interest"				
	1177	812	Corps proposes unlawfully to create a new permitting standard "the federal interest"	Clearly the Clean Water Act, Endangered Species Act, and

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	1193	944	Corps regs speak to "public interest" ..EIS, "federal interest" ...be consistent with regs or revise regs...	other laws express areas that are of particular interest to the U.S. and the phrase was used as a shorthand expression of this thought. Since the phrase is causing unneeded confusion, it has been dropped in the revision.
722	Unlawful to create the presumption			
	1178	813	Unlawfully creates a presumption that certain activities are contrary to the "federal interest"	Statement of presumption was expression of emphasis on no net adverse impact on natural resources as a result of a project. Due to the confusion raised, has been dropped.
723	Public Interest Review & 404b(1) preclude use of the presumption			
	943	474	Map, Criteria etc not consistent with 404(b)(1), etc. No opportunity for applicant to demonstrate alt is practicable.	Never was intent to remove or supersede these requirements.
	1179	817	Public Interest Review and 404(b)(1) guidelines preclude the use of the proposed presumptions	
724	The Permit Review Map will be used as a land use map [also 111]			
	114	44	Concerned the PRC Map will become a land use map.	The Permit Review Map has been deleted and replaced with the Natural Resources Map, which is based on the Corps' analysis of the various futures predicted in the Ensembles.
	823	420	We assume Project Review Map implemented similar to comprehensive plan. If not, revise text significantly.	The Natural Resources Map identifies the expected natural resources expected to be present in any given area, based on prediction of the results of present and anticipated future actions by all levels of government and by the private sector. The Natural Resources Map will then be used to identify appropriate subjects for review using the Permit Review Criteria.
	916	469	PR Map, for all intent and purpose, is a future land use map that undermines County Future Land Use Map	
	1066	537	Creation of land use categories..conflicts with the Corps current permitting policies..	
725	What does "address criteria" mean?			
	948	476	What does "if application doe not address the criteria?" mean. All answers may not be affirmative for environment.	Revised to more clearly identify how to assess impact.
726	Eliminate PR Map and incorporate Lee&Collier Future Land Use Maps			
	1080	554	Eliminate the Project Review Map and incorporate Lee&Collier FLUMs for designation of land uses...	Both Counties refer the landowner to state and federal permitting programs. Therefore, landowner will look to other parts of the County Plans for criteria on density, type of activity, etc., and will be able to look at the natural resource maps found in the Permit Review Criteris for criteria on wetlands and wetland related issues for purposes of the 404 permit.
	1315	1029	Corps should evaluate applications based on land uses designated within local comprehensive plan..	
730	PRC amends permit regulations			
	738	307	Review process described does not sound significantly different than the existing permitting process.	The proposed action is the standardization of permit review criteria and adoption of the natural resources map. The more
	919	471	PR map appears to set a policy or changes procedures yet states "does not change any law, regulation or policy.."	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	1176	810	PRC: Effectively amend the permit regulations and constitute a rule requiring notice and comment	natural resources that are located in the project area, the more review criteria will be applied. The Corps can and does ask these questions and analysis using the current procedures, but now the landowner has better understanding of these in advance of application.
731	Requires rulemaking			
	564	197	Any reference to new review criteria, standards, questions, eliminated since must be promulgated by rule making.	The Corps is required to consider the impact of its permit decisions on natural resources, such as water and wildlife.
	1071	540	DEIS should set forth suggested review criteria and recommend they be adopted through formal rulemaking.	The proposed action does not change what the Corps reviews, it only changes the methodology by standardizing the review criteria and identifying when and where those criteria should apply. The questions to be asked should not change significantly from current procedures on any given permit, but predictability and thoroughness will be enhanced. The proposed action is akin to a Standard Operating Procedure (SOP). Rule-making would be inappropriate since the procedure is only applicable to the special conditions of Southwest Florida.
	1181	822	Permit review criteria violate Corps regulations and the Paperwork Reduction Act	
	1259	973	Appendix H appears to promulgate additional regulations...appears will trigger rulemaking process.	
	1305	1024	Corps has not satisfied the legal requirement to institute rule making or regulations applicable to...property..	
	1359	1080	Not clear what rules allow or promote for additional permit review criteria.	
	1374	1082	Section 2.2: Provide a reference to enabling legislation through which Corps has authority to enforce proposed...	
732	Violates paperwork reduction act			
	942	474	Promulgating additional regulatory requirement may be contrary to the Administrative Procedures Act.	There is no additional regulatory requirement.
733	Do not implement until promulgated by Administrative Procedure Act			
	245	78	Proposed standards not be applied until EIS process completed and promulgated through APA requirements.	The Permit Review Criteria are not standards but Corps statement of best available information on location and assessment of concern prior to receipt of site-specific information.
	427	124	Proposed standards not be applied until EIS process completed and promulgated through APA requirements.	
	600	224	Proposed standards not be applied until EIS process completed and promulgated through APA requirements.	
740	Revise Criteria			
	46	16	PRC is too restrictive and inflexible to sustain economically viable agriculture in our region.	Permit review criteria are not restrictive in that they merely identify issues, and do not predetermine the result.
	117	45	Stretching the Big Cypress Basin criteria (in one Ensemble) beyond the geographic area might be stretching things.	Is an idea presented in one of alternatives but not extended to revised draft Permit Review Criteria.
	404	120	Criteria not accomplish more efficient, timely, appropriate permitting or balance demands development/environment	Revised criteria to increase specificity of how applied.
	532	183	DEIS fails to include adequate development land use standards.	Do not intend to issue standards.
	699	279	Individual applicants cannot answer some of the questions..can only be answered regionally.	Rewritten to focus on site-scale assessment.
	1145	686	Permit review criteria must be applied in manner that will actually restrict individual and cumulative impacts..	Noted. The Corps will not presume any result in advance of any permit application.
	1146	687	96 specific rewordings and additions to permit review criteria to limit cumulative impacts (pgs 687-708)	Reviewed and considered in rewrite of document.
	1187	839	10 other issues with the permit review criteria (concerns, suggested revisions, etc. listed)	Reviewed and considered in rewrite of document.
	1324	1038	Recommend the PR Criteria be more directly integrated into the main body of the final EIS.	Designed to be "ripped off the back" and issued to Corps permit reviewers for day to day use.

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	1326	1039	The criteria will need to be substantially strengthened to reflect water quality and habitat considerations..	Expanded description of assessment.
	1382	1083	Relocate Permit Review Criteria into body of text.	See response to comment 1324 previous.
741	Not specific or too specific/restrictive.			
	9	8	PRC criteria not clear other than it is the amalgamation of some predictions and some projections.	Rewritten to focus on site-scale assessment.
	39	14	Could the EIS be more specific in listing these guidelines?	Clarified in document.
	137	48	Regarding preservation, the severe restrictions could really be used to deny just about any permit.	Removed preservation designation and description.
	311	89	Criteria needs to be much more specific, perhaps have numerical values attached.	Made assessment more specific.
	572	199	Eliminate or specifically define terms as "wide buffer", "major habitat area", and "contiguous preserve"	Done.
	845	424	Include definitions for "wide buffer", "major habitat area" and "contiguous preserve"	Dropped terms.
	944	474	Definition of Landscape and Landscape Scale (listed).	Dropped terms.
	945	475	Pg 6: definition of Buffer	Improved definition.
	1248	966	Ambiguity: wie buffer, major habitat area, and contiguous preserves are not defined	Dropped terms.
	1316	1029	Commit to formation of special working group to evaluate proposed criteria (current ones are broad...)	Noted. The Corps will consider appropriate methods of evaluating the criteria.
742	Wetlands			
	57	21	If you allow 5.6% wetland loss, there are going to be people that have problems with that	Dropped % due to many concerns.
	659	250	No reference to the preferred size of a buffer with respect to isolated wetlands.	Expanded description.
	754	317	Threshold % for review in preservation category should be any impact.	Dropped % due to many concerns.
	755	317	Define "appropriate" mitigation in criteria. Minimum of 2:1 in preservation.	Revised criteria describes assessment. Can be also used to assess compensatory mitigation.
	767	320	50% fill in GGE is too high	Dropped % and specific reference to GGE.
	768	320	Reword Lehigh Greenway criteria to ask if project restores wetlands.	Dropped Greenway due to questions of feasibility.
	935	473	Upland buffer: include some criteria to determine the extent of buffering to wetlands.	Added.
	938	474	Maintain connectivity: What is minimum buffer width to maintain connectivity?	Added a figure.
	939	474	Maintain connectivity: Conflict with SFWMD criteria to berm project perimeter to contain storm events.	Noted.
	941	474	Vulnerability of coastal forests: No discussion how determine vulnerability.	Rewritten.
743	Water Quality			
	32	13	Require all new home retain the first one inch of rainwater on their property.	Rewritten completely.
	673	262	WQ Criteria: replace question A with "Are there pollutants and what are they?"	
	674	262	WQ Criteria: insert adequate in question B, "Have adequate wetlands.."	
	697	278	If there is no commonly endorsed wq tool for watershed assessment, then no way applicant can answer questions.	
744	Habitat & Listed Species			
	698	279	SCHA is linked to % of state but if PDQ, Inc. elsewhere wipes out some SHCA, can we reduce ours to original %?	No. SHCA used to prioritize mitigation/land acquisition locations.
	753	316	Criteria for manatee&seaturtle are only direct impacts...stating habitat should be preserved does not help reviewer.	Dropped manatee due to ongoing development of assessment tools. Specific criteria for the manatee may be an appropriate subject for consideration if and when the assessment tools are developed. In the meantime, the program manager will use his/her best judgment to assess impacts to manatees. Dropped sea turtle since most impact (human disturbance, lights) outside of Corps control.
	756	317	Don't tie evaluation of SHCA to a %	Agree. Dropped.
	759	318	Criteria should also evaluate impact to buffer of eagle nests.	Done.

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	760	318	Alligator should have separate criteria.	Alligator shares habitat so no need list twice.
	761	318	Shorebirds also impacted by direct disturbance of nest areas.	Emphasized.
	762	319	Criteria should also evaluate impact to buffer to rookeries.	Noted.
	763	319	Add criteria to protect sea turtle nesting.	Most impact outside of Corps control.
	764	319	Criteria should also evaluate impact to RCWoodpecker nesting and foraging areas.	Added.
	765	319	Criteria should also evaluate impact to Scrub jay nesting and foraging areas.	Added.
	766	320	Add criteria asking if manatee protected form increased vessel use.	Not added since development of assessment is ongoing.
	1056	521	FWS & FL Game planning documents are now being used as de facto regulations because of inclusion in EIS	Always were used in applicable permit reviews.
745 Other public interest factors				
	675	262	Criteria: add "State if the project avoids infringement on individual rights and community goals."	Added Comprehensive Plan.
	747	308	Page 10 of 28 of PRC, reference not found in section 4.4 of "regionally significant resources"	Fixed.
	748	308	Page 10 of 28 of PRC, why is "state whether buffer width affects estuarine fringe" is to be used.	Clarified.
	749	308	Page 13 of 28 of PRC, states no direct impact on beach, but renourishment, etc., occur outside nesting season.	Dropped.
	757	318	Change wording of criteria regarded to Xeric habitats.	Fixed.
	758	318	Suggest add criteria for seagrass (is preserved?)	Scope of EIS was looking at permitting in the watershed, not on permits in the waterbody itself. The Corps is very aware of the importance of seagrass and applications suggesting impacts to these already receive very high scrutiny
746 No difference between legends				
	11	9	No tremendous difference between the legends in the PRC.	Legends eliminated in revision of Draft Permit Review Criteria partly in response to these concerns.
	238	78	No advantage as to which designation the property lies within.	
	419	123	No advantage as to which designation the property lies within.	
	457	145	Criteria do not distinguish substantively between lands designated Development or Preservation.	
	592	223	No advantage as to which designation the property lies within.	
	1212	948	EIS sets forth complex cumbersome set of inquiries...lack of distinction in rqmts for Development & Preservation	
	1399	1102	Rewrite PRC..so it both facilitates w/in development areas and recognizes development interests in others	
747 Adds cost, time, difficult bureaucratic process. [also 443 and 623]				
	47	16	Proposed concept (non-intensification of agriculture) will add tedious, difficult, and costly bureaucratic process	Noted.
	131	47	Not sure the Corps fully considered the workload issues associated with these additional permit considerations.	Rewritten to reduce number of questions.
	139	48	Some of the information required to answer the questions would require potentially a lot of money to answer.	Refined criteria to site-scale application.
	146	51	Landowners are going to have to pay a significantly higher dollar to their experts to answer the questions.	Clarified to increase specificity of questions.
	201	68	Concerned whether will be more government and bureaucracy and expense with building a home	Noted.
	214	72	Smaller property owners having to come up with the moneywise to be able to use their property.	Intend to propose General Permits for portions of areas where typical project addresses the criteria so homeowner does not have to reanswer.
	239	78	Based on the number of questions, the processing and implementation will be cumbersome, costly, time consuming	Rewritten to reduce number of questions.
	320	90	Current county permitting process already creates burdens and proposed EIS will make process even worse.	Corps already can and has asked these questions.
	333	92	How is this going to affect us economically and how much time and red tape eventually to get through process?	By identifying questions up front, hope reduce cost.

Comments on Draft EIS

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	379	115	Complicates permitting process.	The permitting process is the same. The difference is that the proposed action would standardize review procedures. This is expected to enhance protection of natural resources and simultaneously enhance predictability for landowners by ensuring that all applications in any given location receive a similar and appropriate level of review.
	394	119	DEIS appears to add considerable new requirements and restrictions on the established program.	Rewritten to clarify that are not new requirements.
	420	123	Based on the number of questions, the processing and implementation will be cumbersome, costly, time consuming	Rewritten to reduce number of questions.
	458	145	Questions are unnecessarily complicated and difficult, resulting in increased costs for permitting.	Clarified or increase specificity of questions.
	593	223	Based on the number of questions, the processing and implementation will be cumbersome, costly, time consuming	Rewritten to reduce number of questions.
	1213	948	Needs to be flexibility in intensity of the regulatory review...commensurate with the scope of the proposed activity.	Intensity based on number of natural resource issues.
	1218	949	Questions are unnecessarily complicated..resulting in increased costs of permitting and decreased certainty..	Rewritten to increase specificity.
748	Clarify role of mitigation will play in counting impacts. Applicability of offsite.. [also 674]			
	140	48	Clarify the role mitigation would play when counting impacts.	Draft criteria provides suggestions for assessment of impact. Can also be used to assess compensatory mitigation.
	633	242	Appropriateness and availability of off-site mitigation is not clear.	Appropriate if compensates for impact.
	695	278	Needs to be consideration of "off-site" applicability...also provides strong local planning link.	Added.
	707	287	Lacking is mitigation framework spelling out exactly how calibrated to suitability of different areas for development.	Removed designation of development.
	743	308	Do not agree "mitigation only lands not in public ownership". TIIF has provided mechanism project-by-project basis.	Noted.
	744	308	Mitigation should occur within same watershed and subbasin.	Appropriate if compensates for impact.
	936	473	Upland buffer: will mitigation credit be awarded for preservation of upland buffers?	Yes, if relates to function of adjacent wetland.
749	Are %'s for all permits or for certain areas?			
	284	85	Are percentages in the definitions now the norm for all permits or just for certain areas?	For area. % dropped.
	614	230	Will the criteria and this EIS result in strict numerical limits on wetland impacts for specific projects?	No.
750	Map not accurate			
	115	44	PRC Map is not accurate.	Previous map removed removed and replaced with Natural Resources Map, which identifies resources that would be impacted by a project in any given area within the region. Maps based on most recent region-wide mapping and other information available. Corps will use site-specific information to confirm/rebut map.
	249	78	Revise EIS based on existing signs and existing conditions.	
	285	85	Maps are imprecise maps.	
	431	124	Revise EIS based on existing science and existing conditions.	
	459	145	Map does not accurately reflect existing actual land uses.	
	474	151	Object to preservation designation on this active rock quarry site and rest of site classified industrial.	
	604	225	Revise EIS based on existing science and existing conditions.	
	811	383	Suggest additional ground-truthing.	
	824	421	Map not drawn to any recognizable scale.	
	1391	1096	Suggest additional ground-truthing.	
751	Project mislabeled Preservation			
	7	8	Specific project mislabeled Preservation.	Original Permit Review Criteria Map delineated areas using "Preserve", "Development", etc. that implied the Corps had designated a particular land use activity. Have replaced this map with an Overlay of Natural Resource Map that identifies areas where projects have potential for adverse effect to clear
	183	60	Four of your maps show my property as preserve yet are not wetlands on it.	
	233	77	Project Review Map shows areas to be preserved that are already developed or are permitted.	
	260	80	There a lot of people that have small farms and under your maps, its preserve.	
	338	92	Eliminate designation of preservation from two parcels because the EIS is wrong (more info at 433 &).	

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Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	356	100	Request my property be reclassified. Improperly zoned.	this confusion. In addition, have added to the Criteria a definition of how to identify the presence of the resource on the site. In this way, the landowner can simply, at time of application, submit site-specific information which will override the map.
	407	122	Project Review Map shows areas to be preserved that are already developed or are permitted.	
	433	126	Eliminate designation of preservation for Paul H. William's property (letter referenced by 338).	
	442	133	Designation of preservation on the subject property is incorrect (letter referenced by 338)	
	510	171	Our property has been improperly zoned Preservation and request that it be reclassified.	
	573	199	Majority of Boon&Freeman property is inaccurately location in "preserve"	
	574	200	Baucom property inaccurately designated preservation.	
	575	202	Areas in PAT 98-08 (Recreational Facilities in DRGR) would be precluded by preservation designation.	
	577	216	Both parcels designated preserve, however designated as Suburban and western parcel is developed.	
	578	216	Eastern quadrant shown as preserve despite its classification as Suburban in Lee County Future Land Use Map.	
	579	218	Designation of preserve not supported by competent data and analysis.	
	581	222	Project Review Map shows areas to be preserved that are already developed or are permitted.	
	623	235	I do not want my land preserved due to the fact my dreams are to slowly turn those 20 acres into a (home).	
	668	258	Comp Plan shows Corkscrew Road Improvement Unit as suburban but parts are shown as preservation.	
	728	294	Reconsider the proposal to rezone our parcels as preserve which greatly limits our building, raising crops, etc.	
	787	340	Request revise DEIS to reflect land be designated development consistent with previous government approvals.	
	803	355	I do not want my land preserved. Instead, get rid of the smell and close the landfill.	
	808	381	The site specific information indicates property more suitable for "development" area then "preservation"	
	812	390	The site specific information indicates property more suitable for "development" area then "preservation"	
	813	402	The subject property better meets the intent of the Rural category.	
	814	406	We suggest the property be placed in the "development" area.	
	815	414	The property has no significant resource value and does not fit the criteria for preservation.	
	858	436	Do not further restrict use of our land, allow the rules at date of purchase prevail (1980).	
	873	443	We intend to build a vacation home...going to write Gov Bush because...stopped acquiring land by the Corps.	
	1076	542	(Portions) of the property designated preservation should be redesignated to development classification	
	1077	549	Property should be re-designated to the "Development" classification.	
	1081	555	The Property should be re-designated to allow development consistent with the current regulations in place.	
	1082	567	The Property should be re-designated to allow development consistent with the current regulations in place.	
	1086	578	The Property should be re-designated to allow development consistent with the current regulations in place.	
	1153	716	...has placed (my 250 acres) in "preservation" category and wish to...vehemently object (lists reasons)	
	1190	941	Revise the project review map (from "preservation" to "development")	
	1221	951	Proposed designation of "preservation" should be eliminated and replaced with "rural"	
	1255	969	Historical aerials..reflect significant disturbance due to prior construction..for which Corps was...responsible	
	1256	971	Delete the designation of "preservation" from maps (for Mamiye property..)	
	1261	973	Delete the designation of "preservation" from maps (for Mollach property..)	
	1262	981	Delete the designation of "preservation" from maps (for Williams property..)	
	1299	1016	I urge you to remove this area from the "preservation" designation.	
	1301	1018	Object to the rural designation and the preservation designation on the Project Review Map..	
	1302	1022	I am filing my response during the extension period you granted me...	
	1304	1024	Reclassify the Baucom property from the "preserve" and "rural" designations to "development"	
	1334	1046	Request subject property be removed from the preservation designation and placed in the development designation.	
	1335	1060	Request Corps modify Permit Review Map as it relates to the Sabal Bay property...	
	1339	1069	(information on site to change designation of property from preserve to development)	
	1392	1096	Existing site conditions...clearly merits treatment as a development area instead of a preservation...	
	1404	1118	Existing site conditions..clearly merits treatment as a development area instead of a preservation...	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
752	Add Section Township Range references, scale, other			
	10	9	Add STR to PRC map.	
	917	469	PR Map is difficult to read, scale is non-existent, determining exact location of boundary involves guesswork.	When finalized, will prepare maps with such references as well as distribute electronic ones capable of zooming.
753	Exempt existing land uses and pending applications.			
	162	55	Exempt existing land uses from designations on the map.	Removed designations of land use. Revised maps use SFWMD mapping. Still will be inaccuracies but fewer.
	562	196	If Project Review Map retained, specifically exempt existing land uses.	
	635	242	Project Review Map does not recognize some existing vested development.	
	828	421	Pending applications should be exempt from review against the map and the corresponding questions.	
	960	481	Maps do not clearly reflect some existing land uses...how will Corps view...requests for future expansion, ...	
	1048	520	ADG members relied on own memories, planning maps, or outdated aerials that did not reflect existing land uses.	
	1049	521	ADG members were encouraged to ignore the realities of existing land uses and development rights.	
	1074	541	State that projects under review before final adoption of the DEIS are not subject to the recommendations in the EIS.	
	1217	949	Land use maps did not incorporate accurate portrayals of existing land uses..	
	1244	965	Ignores existing land uses.	
	1306	1025	Corps should consider the actual current condition and use of..property..	
754	[spare]			
755	ADG maps drawn to discuss concepts but used in EIS for regulatory purposes.			
	435	127	Maps drawn by ADG meant to be used for discussion of concepts but are included in EIS for regulatory purposes.	Maps not being used for regulatory purposes. EIS document revised to clarify.
	439	133	Maps drawn by ADG meant to be used for discussion of concepts but are included in EIS for regulatory purposes.	
756	(at a location), change designation from preserve to development but annotate flowway.			
	443	137	Change designation from Preservation to Development/Compensate for Species & annotate flowway exists (letter)	Deleted designation and added flowway map.
757	State that more detailed submittals should supersede data in EIS in permit reviews			
	566	198	Allow flexibility in review process. More detailed and current submittal supercede data used by Corps in DEIS.	Each map has a description of how map drawn. In addition, a description is included of how to identify if issue is present based on site-specific information so landowner can readily demonstrate in application applicability of question. Maps are now essentially self-correcting.
	809	381	Consider a procedural mechanism, in conjunction with clearer criteria, to change classification based on added data.	
	825	421	ADG drew map at very large scale with little time or data. At least allow property owners to rebut boundaries.	
	1073	540	DEIS needs to recommend a formal process for challenging the classification of property through rulemaking.	
	1389	1096	Consider a procedural mechanism, in conjunction with clearer criteria, to change classification based on added data.	
758	Reference Collier NRPA's			
	649	249	Project review map should be based in part on the interim Natural Resource Protection Area in Collier County.	Did not include since is interim. Also focused on actual natural resource locations so not to confuse with of double-counting.
759	Reference Areas of Critical State Concern			
	650	249	Project review map should also reference Areas of Critical State Concern.	Is based on natural resource issues so area mapped on that basis.
	667	257	Believe your review of DCAs study of Big Cypress Area of Critical State Concern would be helpful.	Noted.
760	Legends			
	634	242	Project Review Maps are confusing. Overlay of Alternatives map easier to understand.	Removed designations of land use.
	1067	537	Creation of land use categories..does not achieve the goal of balancing demands of growth and conservation.	
761	Change terminology from Preserve/Development to Tier1/Tier2			
	8	8	Change PRC Terminology from "Preservation/Development" to "Tier1/Tier2"	Changed to level of review. Level based on potential for adverse effect on natural resources.
	161	55	Drop references to land use in non-consensus areas and instead designate different review levels.	
	560	196	If Project Review Map retained, opt instead for designations as Review Level 1, etc.	

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	1069	538	Eliminate references to land use categories and reclassify as standard and heightened review.	
762	descriptions not complete / not descriptive			
	116	44	The land use categories are not sufficiently scripted.	Dropped all descriptions of land use categories. Corps has no particular preference on type of land use type but does have an interest in natural resource issues. Criteria written around latter.
	287	85	Land use categories not defined.	
	810	383	Suggest more definitive criteria for mapping of areas.	
	829	421	Where is mining permitted on the map?	
	830	421	Where are public facilities permitted on the map?	
	831	422	What does urban/suburban terms mean? What densities?	
	832	422	What is maximum density in rural category? Commercial and industrial uses permitted? Low density golf course?	
	833	422	What does "limited intensification" mean?	
	834	422	What kind of compensation will be required in "development with compensation for wide ranging species"?	
	835	422	Preservation connotes complete absence of development. More appropriate label should be used.	
	836	422	Will mitigation standards be higher in preserve category than in development category?	
	961	481	Land use categories within Ensembles not sufficiently descriptive...	
	1390	1096	Suggest more definitive criteria for mapping of areas.	
763	descriptions conflict with those in comp plan			
	145	51	The land categories are inconsistent with the land use plan.	Dropped all descriptions of land use categories.
764	designation of Preservation damages those landowners			
	159	54	I think it really does a damage to those people that have their property designated as preservation.	Dropped designation of "preservation". Landowners still see their properties mapped with from zero to several natural resource issues but can be rebutted or addressed in design of project.
	415	123	Reduced value resulting from declaration of privately owned lands as "Preserve"	
	498	166	If mapping or imposing criteria influences property rights, how can Corps implement any changes to permit system?	
	588	223	Reduced value resulting from declaration of privately owned lands as "Preserve"	
	1214	948	Based on the questions in preservation designation, appears owners will be denied economically feasible use..	
	1400	1103	Clearly..indicates ..Corps will take position of opposing permit issuance...	
765	Use overlay of alternatives map			
	163	55	If you have to map, use the overlay of alternatives map.	Retained Overlay of Alternatives map in body of EIS as areas where Corps intends to propose General Permits that include conditions to protect listed species, etc.
	531	182	DEIS talks of consensus of certain areas, but differences in maps between conservation & development interests	
	696	278	Overlay of alternatives map is better than the project review map.	
	1375	1082	Section 2.2.1: Concurrence in Overlays map included assumption impacts to listed species, etc., would not occur	
766	Only show areas for wetland restoration			
	185	60	Don't designate development, suburban, etc. but just show areas historically wet, the ones to be restored.	Areas valued for restoration will be adjacent to existing wetlands, so maps can be used to search opportunities.
767	Use overlay of alternatives map and, by region, specify what environmental issues are			
	341	94	Propose that take the areas of disagreement by region and call out specifically what the environmental issues are.	Can do this with revised set of maps.
	561	196	If Project Review Map retained, utilized the "overlay of alternatives map"	Decided to use overlay of natural resource issues.
768	Use sample permit and hypothetical site to demonstrate the four categories			
	384	115	Request a sample permit using a hypothetical piece of land going through the four categories.	Illustrations rewritten to match revision.
769	Designate "Water Preserve Areas" to focus on connectivity.			
	499	168	Designate Water Preserve Areas to focus on connectivity of water resources.	Added separate map for connectivity.
800	Record of Decision (comments that generally speak to implementation of EIS after finalized)			
810	DEIS confirms need for Permit Reform			
	1125	673	EIS confirms significant environmental degradation and confirms need for permitting reform to restrict impacts	Noted.

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	1126	673	Corps, through wetland losses, is significantly degrading the SW FL environment.	Noted.
	1127	675	Any additional development will contribute to additional WQ degradation..include action to stem the tide of degradation	Noted.
	1128	675	What remains of wetland-dependent habitat (wetlands) must be protected if these species are to survive	Noted.
	1129	676	Manatee populations are stressed and declining	Noted.
	1130	676	Florida panther is losing habitat essential to continued survival.	Noted.
	1131	676	Red-cockaded woodpecker and Florida scrub jay are losing habitat essential to continued survival.	Noted.
	1287	1008	By its own admission (public statements) the Corps has not (list of permitting shortfalls..)	EIS initiated in attempt to improve.
	1288	1009	during the proposed application review, applicant is clearly able to "negotiate favorable permits"	Noted.
	1295	1012	Seattle District protocol is more effective at balancing resource protection and growth than Jacksonville District.	Noted.
	1353	1078	Sequential evaluation being circumvented, preponderance of non-wetland dependent projects, always result in fill..	Noted.
	1354	1078	EIS should reiterate responsibilities under 404(b).	Included.
	1355	1079	EIS should provide additional guidelines..outline policy..alternative analysis, wetland dependency, avoidance, etc..	Topics included.
811	Corps needs to deny permits.			
	22	10	Corps deny permits.	Noted. Decisions on permits based on review of individual circumstances.
812	EIS should be used only as a resource document and not be part of permit process.			
	576	207	Believe EIS be utilized strictly as a resource document and that is not become part of the permitting process.	Permit Review Criteria intended to demonstrate how can utilize EIS information.
820	Choose Alternative [also 130]			
	16	9	I would choose Alternative S. PRC look good.	Noted.
	37	14	Which of the Ensembles would be considered most seriously when you make your decisions?	Ensembles presented to compare effects of difference acres of fill and criteria.
	306	88	Concerned that Corps did not select a preferred alternative because this give the public a reference point.	Noted. In no case will Corps designate land use. The Corps has identified the proposed action as its preferred alternative.
	386	115	A preferred alternative should be identified prior to issuance of the final report.	
	528	182	Corps should include a preferred alternative.	
	662	251	Choose a preferred alternative. Do not select the local comprehensive plans.	
	669	261	DEIS has no preferred alternative.	
	672	262	Ensemble S should be designated as the preferred alternative.	
	716	291	Does not identify a preferred alternative. Map referenced by questions constitutes preferred alternative.	
	770	321	Should have a preferred alternative. Suggest project review map with our modifications.	
	892	461	Do not see a preferred alternative. Ensemble S as meeting more of the environmental needs then the others.	
	911	467	Preferred alternative should be existing comprehensive plans coupled with rational development assumptions.	
	1361	1080	Not clear what build-out may produce...determine "best" land use for environmental (&other) issues before permit	
830	Very complex document			
	128	47	How many people have actual read the document. Is a very complex proposal.	Have rewritten portions in attempt to clarify.
	151	52	I have read the document twice and I was still confused. Divide the study into three areas.	
	180	59	EIS document is very complex and difficult.	
	187	61	We are still attempting to understand the implications of the confusing 600-page document	
	395	120	Complexity of document and development process has made it virtually impossible to acquire a fair understanding	
	632	242	Document needs to be structured more concisely and clearly. Tables may help, especially in Appendix H.	
	782	331	Found EIS to be a very complicated document.	
	1065	537	DEIS will complicate permitting process instead of achieving goal of creating predictable&streamlined process	
	1089	583	The material you have put out is very involved. The lay person does not understand most of this. ..need to explain..	
831	Ensembles should be presented following scientific methodology			

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	653	250	Ensembles were not presented objectively...using scientific methodology.	Scientific methodology defines hypothesis and tests. EIS is presented estimates of potential impacts.
832	Use matrix in Appendix H			
	694	278	Appendix H needs to be reorganized. Start with matrix..	Rewritten to clarify. Matrix may not be suitable for this revision.
	746	308	PRC question, factors, and parenthetical comments confusing. Rewrite.	
	915	469	Reorganize Appendix H to make easier to understand....matrix would be very helpful.	
840	Reform mitigation policies [also 251, assessment]			
	1103	596	assess and significantly modify Corps mitigation policies to ensure full functional wetland replacement	Noted.
	1147	708	EIS must critically assess mitigation in permit decisions and reform mitigation policies (3pp)	Noted. Not purpose of this EIS.
850	General Permit (Pro, Con, Where are?)			
	217	73	Hopefully lead to general permits.	Added to implementation section note that Corps would like to develop General Permits based on information in the EIS. General Permits will be proposed in areas of common vision (based on the Overlay of Alternatives Map) but incorporate permit conditions that reflect the concerns in the Draft Permit Review Criteria. For example, in Lehigh Acres the Corps would like to pursue a General Permit that authorizes fill of the individual wetlands on single family lots but with a mechanism where a large area of replacement wetlands are provided. This would recognize the impracticability of preserving wetlands on a single lot, prevents the decline of wildlife habitat, and provides an abbreviated administrative process to keep permitting costs low.
	248	78	To streamline, a nationwide or general permit be applied. Permit Review Criteria only apply to Individual Permits.	
	274	83	Creates opportunities and rationale, strong arguments made for nationwide permit for some of older platted areas.	
	296	86	Do not try to have a general permit in this area.	
	430	124	To streamline, a nationwide or general permit be applied. Permit Review Criteria only apply to Individual Permits.	
	534	183	DEIS should address adverse ecological effects of nationwide and general permit authorizations.	
	547	186	Request Corps not issue permits 29 or 26 in the study area.	
	569	199	Promulgate nationwide, general permit, or similar where Federal interest has been determined to be protected.	
	603	225	To streamline, a nationwide or general permit be applied. Permit Review Criteria only apply to Individual Permits.	
	631	241	Does not address the appropriateness and development of regional or localized general permits.	
	678	263	The Council opposes General Permits until they are better defined.	
	717	291	How are secondary and cumulative impacts addressed in a general permit? Protection of resources weakened.	
	912	467	Only one reference to proposing a general permit. Five references propose limits. Clarify Corps stand.	
	1075	541	Add to DEIS recommending development of a NW or GP and adoption through formal rulemaking.	
	1148	711	EIS and ROD must assess and restrict the curse of General Permits.. (2pp)	
	1204	946	Fails to address what impact these new procedures will have on current and future general permits	
	1313	1027	Suggest Corps issue a general permit for area north of SR 82..	
851	Assess and restrict use of			
	479	152	General permit use bring heavy cost in wetland and little or no monitoring, review, or enforcement.	The Corps believes several General Permits, each focused to a particular area, would allow for better specificity in the conditions that protect natural resources since tailored to circumstances of area.
	867	441	Should assess and significantly reduce the use of nationwide and general permits.	
	1104	596	assess and significantly restrict its use of general permits in Lee and Collier County	
860	Assess adequacy of staff and resources			
	35	13	More staffing.	The Corps is attempting to improve permit reviews with existing staff and funding levels. For example, the Draft Permit Review Criteria is one idea of how to use the information in the EIS to prioritize staff time. To answer the question of qualifications, permit reviewers are biologists or engineers who prepare a decision document describing the basis for their recommendation to issue a permit. That recommendation is reviewed by the supervisor who signs the permit.
	55	19	What qualifications are necessary in education for the people who issue the permits?	
	262	80	Corps used to be more responsive to small landowners (visiting site). Need more staff in Naples.	
	388	115	Questions in the permit review criteria are subjective. Prefer work toward additional resources for Corps.	
	391	116	No budget for additional staffing and monitoring.	
	421	123	Additional requirements require additional staffing paid through permit fees.	
	481	152	Corps staffing is currently very inadequate.	
	537	184	Review current staffing and funding levels of Ft Myers office.	
	594	223	Additional requirements require additional staffing paid through permit fees.	
	714	288	If there is anything we as citizens can do to effect an increase in staff and funding, would be happy to assist.	
	718	291	Work toward additional resources for Corps to provide objective review of applicant's responses.	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	721	291	Does not include a budget.	
	869	441	Assess need for and secure additional staff.	
	1105	596	assess the need for, and secure, additional permitting staff and resources to implement improvements	
	1149	713	Must carefully assess the adequacy of staff and resources to meet the Corps statutory obligations...	
	1289	1009	Request breakout of workload in FtMyers office compared to other offices in Corps	
	1290	1010	Only remedy if Ft Myers office is to handle rapid growth...is to upgrade staffing and related office support	
870 Include Monitoring and Re-evaluation provisions				
	34	13	More monitoring of permitted work.	Noted.
	63	22	EIS does not contain a plan for monitoring.	EIS is identifying issues. Monitoring will be developed based on decision how information is implemented.
	390	116	No monitoring plan for assessing success.	Noted.
	480	152	Include provisions for monitoring and re-evaluation on application and the EIS level.	Noted.
	543	185	How the EIS will be implemented? What procedures to ensure EIS is effective? Include process to revise the EIS.	Added narrative to implementation section. Anticipate will develop tracking of key habitat and other indices linked to Permit Review Criteria if those criteria implemented.
	652	250	Establish guidelines for monitoring programs for permit compliance and for mitigation projects.	Already a current enforcement program.
	671	261	Does not have a program for monitoring and/or enforcement of decisions based on this study.	See response for comment 543 above.
	720	291	No monitoring plan for assess success.	Noted.
	733	303	Although is difficult to develop implementation strategy when review process is mutational...measure effectiveness.	Noted.
	736	306	No mechanism to insure that the end result will be less placement of fill than without the EIS.	Cannot predict if will result in less fill.
	772	322	Indicate how progress toward meeting the goals will be monitored.	See response for comment 543 above.
	870	441	EIS should contain strategy to revise EIS if found resources are not being protected.	Corps expects to perform periodic review of activities.
	894	461	Would like to see specific plans for enforcement of permitting decisions as well as for monitoring.	Already a current enforcement program.
	951	477	Is there some mechanism that will update or revise its predictions?	No formal mechanism.
	1106	597	adopt a monitoring program to assess the implementation of the program changes adopted pursuant to the EIS	See response for comment 543 above.
	1150	713	EIS and ROD must include monitoring and re-evaluation provisions to update the...analysis with new information	Permit Review Criteria designed, by use of multiple maps, to allow each section to be revised as new information arrives.
	1192	944	EIS does not provide for periodic review and revision based on changing conditions	Corps expects to perform periodic review but details will be developed based on decision how EIS information implemented.
	1325	1038	Recommend that at regular intervals meeting of involved agencies be held to evaluate progress..changes to PRC..	Corps expects to perform such a periodic review.
	1363	1080	Plan monitoring and changes in actual land use should be closely followed and reflected in map used by Corps...	Permit Review Criteria maps revised to be based on a base map that is expected to be periodically revised. Will make revisions easier.
	1381	1083	Agree with recommendation to meet semi-annually to continually evaluate and modify the criteria and implementation	Semi-annually may be too frequent to identify trends.
	1388	1085	Section 4.29: recommend incorporate monitoring plan...	Narrative added.
871 Sunsetting and revision provisions				
	289	85	Document does not allow for any type of sunsetting or subsequent revision.	Permit Review Criteria designed to allow each section to be revised as new information arrives. Most current information will be used in permit reviews.
872 Supplement every five years [also 161]				
	312	89	Perhaps every five years have a supplemental EIS.	Too early to speculate on need.

Comments on Draft EIS

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880 Implementation					
	62	22	EIS does not contain a plan for implementation.		
	259	80	Corps adopt the word "prevention" much like it adopted the word "restoration" in the Everglades.	Section on implementation rewritten and clarified. Decision on implementation made at Record of Decision issued after public has opportunity to review Final EIS.	
	281	84	Implement quickly. Positive method to sanely control the growth in this county.		
	297	87	Issue is not stopping growth...but is about quality of life just as much as how Corps goes about doing this.		
	298	87	I think message is pretty clear that people want a quality of life here that they can enjoy.		
	428	124	Implementation deferred pending complete determination of the economic impacts.		
	601	224	Implementation deferred pending complete determination of the economic impacts.		
	651	250	Address ways the changes in the procedure will be implemented.		
	661	251	Should not implement regulatory process that results in an inordinate amount of negotiation.		
	670	261	Does not have an implementation plan or time line for initiation.		
	719	291	No timeline or strategy for implementation.		
	771	322	Indicate how criteria will be used by Corps staff.		
	893	461	Would like to see more discussion on plans for implementation.		
	1362	1080	Management entity to administer criteria should be clearly identified.		
881 Postpone permits until complete EIS [also 898, moratorium until establish criteria]					
	645	247	Five year permit moratorium to establish WQ flows, levels & standards. Then applicant prove not degrading.		There will be no moratorium. Most recent information will be used in permit reviews.
	713	288	Ask provision be made for interim protection while deliberations continue.		
	786	334	Issue moratorium on wetland permitting until clear guidelines set, then do not deviate when tempted by money.		
	871	442	Postpone issuance of 404 permits until completion of EIS.		
	1107	597	postpone issuance of 404 permits pending completion of the Final EIS...particular for outside consensus areas		
	1151	714	Corps must postpone permit authorizations pending completion of the EIS.		
	1277	1000	Agree to postponement of your report only to extent County Commissioners agree to a development moratorium		
	1284	1006	Request you immediately begin using all new or recently acquired information on applications...deny extending..		
882 When will be implemented?					
	12	9	When do you envision the application of the PRC to real life developments?	As stated in PRC, apply to new applications. Decision to implement PRC made after Final EIS published.	
	389	115	Does not include timeline for implementation.		
883 Reconcile with SFWMD process					
	13	9	Reconcile Corps process with water management district process.	Still many legal differences between State and Federal.	
884 Apply to all permits?					
	26	12	Will PRC be applied to all permits or will nationwides, etc., be excluded?	For individual permits, to all applications. The PRC would be used in writing General Permits, and also to determine the nature and type of special conditions. For an individual landowner who is constructing a project that meets the terms	
	27	12	Will PRC be applied to individuals seeking general permits?		
	134	48	Are criteria going to be applied to nationwide permits or only individual permits?		
	611	230	Will Permit Review Criteria be applied to all permits or will NWs be excluded?		

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	612	230	Will Permit Review Criteria be applied to each project requesting a General Permit?	and conditions of a General Permit or a Nationwide Permit, the PRC will be considered to have already been taken into account and therefore will not be used on the landowner's application for a letter of verification. (The nuance here is that what is commonly referred to as "issuing a General Permit" is really the Corps issuing a letter verifying in advance that the landowner's plan matches the General Permit and so the landowner is assured has met requirements of law). The General Permit is actually "issued" by Jacksonville for a group of construction activities and is good for five years. Nationwide Permits are similar except the permits are issued by Army HQ and landowners receive their verifications from Jacksonville.) For nationwides, elements of the PRC may be useful in demonstrating compliance by a project with some of the Nationwide condition
885 Can change PRC without public comment in future?				
	28	12	Can PRC be changed without public comment in future?	The proposed use of the PRC is by Corps staff. However, Corps expects others to find this useful so will keep public informed and give opportunity to comment.
	136	48	Can the Corps change the criteria later without public notice?	
	613	230	What assurance Review Criteria will not be changed in future without giving public opportunity to comment?	
886 Will result in strict numeric limits on wetland impacts?				
	29	12	PRC result in strict numeric limits on wetland impacts?	Will not result in a numeric limit on impact.
	135	48	Will there be specific acreage limits for impacts?	
	838	423	How will % figure be used. How will projects in excess of this figure be treated?	
887 How interface with DCA's review of agricultural lands?				
	50	17	How does Corps process and EiS interface with DCA looking at rural sectors of our region now and in long-term?	DCA may find information in the EIS useful to them.
888 Match up county permits with state and federal requirements [also 116 and 610]				
	80	36	If you get a permit from the County, somehow our plans match up with state and federal agencies	One of the goals of this EIS is to better coordinate with local and State processes. For example, both Counties refer the landowner to state and federal permitting programs. Therefore, landowner looks to other parts of the County Plans for criteria on density, type of activity, etc., and, we hope, will be able to look at the EIS for criteria on wetlands and wetland related issues. An overlay map is included in the Permit Review Criteria that shows where these issues overlap areas identified for development by the Comprehensive Plans. A potential conflict may occur if a project proposed in an area deemed appropriate by the Comprehensive Plan is determined by the Corps, after its review of the the application, to have not addressed the natural resource degradation. The Corps hopes that by publishing its concerns via the EIS, that this information can be used by other agencies in the administration of their programs or
	202	68	Be sure have a simpler process for permits, more consistent with local level, not jumping multiple hoops.	
	205	69	Make sure the local processes and the federal process are headed in the same direction and indeed streamlined.	
	209	71	Our concern is that the right planning is done so that in future people don't say where were we to allow problems.	
	244	78	Corps adopt the Lee and Collier comprehensive plans as the basis for permit process.	
	344	96	Integrate the EIS and the Corps into our local processes.	
	426	124	Corps adopt the Lee and Collier comprehensive plans as the basis for permit process.	
	500	168	Ensure consistency between federal and local governments.	
	599	224	Corps adopt the Lee and Collier comprehensive plans as the basis for permit process.	
	794	348	Should revolve how to make Corps process more efficient within the comprehensive plan framework.	
	817	414	Why not unify federal and state jurisdictional criteria in the study area?	
	819	414	How will federal and state decisions be reconciled if starting point and measuring unit is different?	
	914	468	Lee County requires FDEP permit for single family lots with wetland characteristics. Will EIS require change to this?	
	1039	519	Review of document reveals that regulatory issues...are more confusing than before the EIS.	
	1280	1001	Don't expect Collier Commissioners to agree to anything meaningful about saving our water quality or environment	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	1309	1026	No reason to increase permitting requirements when already multiple fedl, state, regional, and local govt reviews	revision of their plans.
	1343	1074	Urge Corps utilize resources in our communities and the state.	
	1364	1080	Outline methods to know local land use ordinances and require and encourage compliance with those ordinances.	
889	Ensure goals are achievable			
	93	38	Whatever goals that are set for us here sciencewise have to be real and have to be able to be attained.	The Corps is not implementing via the EIS any particular construction or acquisition or other fix. Corps is describing information that can be used in permit reviews.
	99	41	We welcome you to come and help us improve things, but don't fix it where won't work	
	346	97	Whatever you do, hope its done after due deliberation and will be something we can work with and live with.	
	854	435	Fully look at the possible ramifications (desired results and negative) before any actions are taken.	
890	Base decisions on ecosystem			
	3	6	Foremost in decisions should be that ecosystem means that everything is connected to everything else.	Agree.
	44	16	Permitting decisions must be made with ecological systems in mind.	Agree.
	54	19	Why don't developers develop complete environmental impact plans for their developments?	An environmental assessment is prepared by Corps for effects of wetland fill in the project.
	503	169	Recommend holistic view of land use and permitting decisions rather than current piecemeal.	Corps does not have that authority.
	660	251	Permitting process must allow time to answer impacts of loss of foraging habitat.	Noted.
	781	330	Corps must strengthen the (protection of wetlands, etc.)	Noted.
	887	459	Stop loss of wetlands. Consider cumulative impacts of permitting decisions. Protect..ecosystems...	Noted.
	1222	957	Maintain an objective and balanced perspective..don't cave in to radical agenda of some in environmental movement	Noted.
	1223	958	Permitting authorities must be required to consider cumulative impacts...	Noted.
	1266	990	Support a new way of permitting that will protect all areas vital to wildlife and wetlands...	Noted.
	1886	1008	Published findings of PEER confirms that Corps is becoming more reluctant to carry out its mandate..	Noted.
891	Address protection of wetlands			
	5	7	Hope final EIS will be adequate to address the protection of these invaluable resources (wetlands).	Noted.
	14	9	Biggest concern is the great loss of wetlands that is taking place.	
	66	23	We ask for greater protection of wetlands.	
	352	99	Don't let Audubon build a three-story building on wetlands.	
	453	143	Support Kris Thoenke for fighting for increased protection of wetland areas.	
	472	149	Urge you to protect the wetlands.	
	475	152	Too much wetland destruction is assumed in the DEIS. The goal should be much lower impacts.	
	513	172	We urge you to act to protect (our remaining wetlands).	
	554	191	Eliminate harvesting of old growth cypress.	
	557	193	Improve the EIS to protect wetlands.	
	607	226	Why is any development permitted in wetlands.	
	610	228	Urge Corps to halt wetland loss and protect watersheds and wetlands ecosystems.	
	616	231	There should be no more development on wetlands.	
	628	240	Urge you to change the current system of permitting to one that protects wetlands.	
	691	273	Leave streams in their natural habitat.	
	692	274	The 15 foot buffer around wetlands is a joke.	
	700	280	Our wetlands need stronger protection.	
	701	281	I want to see a new way of permitting..one that protects wetlands.	
	702	282	Support for a stringent policy regarding wetlands protection.	
	703	283	We really need the Corp's new look at the impacts of future development on wetland areas.	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	704	284	Preserve the SW Florida wetlands.	
	705	285	I want our wetlands protected from development.	
	708	288	Strong opposition to continued illegal degradation of wetlands here in our area.	
	788	342	Complete EIS process. 1000 sqmile here, 500 sqmile there, you are talking about some serious acreage lost.	
	790	344	Strengthen EIS to preserve wetlands.	
	800	352	Need a new way to issue permits, if we don't we won't have any wetland left.	
	804	356	Serious consideration must be given to the loss of wetland areas in Collier County.	
	876	446	Strengthen the EIS and stop the loss of wetlands.	
	880	452	We need action to stop wetlands development.	
	881	453	We cannot afford to lose any more wetlands.	
	882	454	Be very diligent about granting permits to allow degradation of wetlands in SW Florida.	
	883	455	Take whatever steps are needed to stop the rapid loss of wetlands.	
	884	456	Strengthen the EIS...future of what is left of the wetlands is crucial.	
	885	457	Begin implementing results of the eis in favor of protecting wetlands.	
	888	460	We need a new way of permitting..to protect Florida's wetlands.	
	973	491	Consider an alternative way of permitting and help save our wetlands.	
	1062	535	Please protect the wetlands.	
	1083	569	I wish you would put a hold on any building on it (wetland on my street).	
	1087	581	Urge Corps not to violate the CWA and ESA in filling more wetlands in SW Florida.	
	1090	584	Please save our wetlands...	
	1093	587	Please stop rapid loss of wetlands..	
	1098	591	Wetland loss must be drastically checked..	
	1154	720	Please utilize the "new way" of permitting to stop the loss of wetlands...	
	1155	721	Please...protect the wetlands	
	1231	960	Has to be a stop to the wholesale rape of the wetlands	
	1233	962	We are very concerned about the FL wetlands.	
	1263	985	We need to stop the loss of wetlands...	
	1271	993	Strengthen the EIS to consider the cumulative impacts of permitting decisions (wetlands)	
	1272	994	Tighten up permitting...preservation of wetlands	
	1273	996	EIS needs to be strengthened if it is to be successful in protecting wetlands...	
	1274	997	I am very concerned about the rapid loss of wetlands...	
	1275	998	We cannot afford to lose any more wetlands...	
	1283	1003	Stop the rapid loss of wetlands..	
	1297	1013	I want to support preserving south Florida wetlands...	
	1314	1028	We cannot afford to lose any more wetlands...	
	1331	1043	Implore you to insure the final position "once and for all" stop to the piecemeal loss of wetlands in our area...	
	1338	1068	Urge you to institute increased protection of wetland areas..concerned about destruction of habitat..	
892	Take action to maintain and restore water quality			
	86	36	Public works projects important to water resources be encouraged and streamlined in permit review process.	Noted.
	182	60	Cannot trust the Corps to tell us what is good for us now (water quality)	
	208	70	Is the Corps going to help save the aquifers and water resources of SW FL? (lists issues)	
	231	77	EPA says have concerns about issuing additional permits without additional study. If that is the position of EPA...	
	250	78	Delegate water quality and quantity analysis to the SFWMD and local governments.	
	301	87	No question in my mind that water quality is deteriorating.	
	377	113	How can State of Florida and Corps issue permits that will result in increasing the pollutant load from runoff?	

Comments on Draft EIS

Topic	Cmt#	Pg#	Synopsis or Extract of Comment	Response
	432	124	Delegate water quality and quantity analysis to the SFWMD and local governments.	
	496	165	Commit to monitor, consider, and mitigate cumulative effects of development on WQ.	
	509	169	Include in the plan design lands deemed necessary for water quality preservation/enhancement.	
	546	186	Request Corps not issue permits in watersheds that have impaired waterbodies under 303(d)	
	605	225	Delegate water quality and quantity analysis to the SFWMD and local governments.	
	620	234	Mandate more buffer space between natural water bodies and development.	
	621	234	Mandate that development does not increase the speed of rainwater flowing into these water bodies.	
	622	234	Mandate filter or settlement areas be made a part of any new large development.	
	681	263	In areas where development is taking place, employ stringent criteria for land uses that impact water quality.	
	724	292	Corps needs to make sure permitting process recognizes detrimental secondary&cumulative impacts.	
	791	345	Support concept of protecting lands which would allow opportunities for water resources management.	
	878	448	Water quality and quantity is the overriding concern and is the reason that federal regulation is needed in this area.	
	907	464	Public works projects that are designed to further goals of EIS should be streamlined through permit process.	
	1099	592	Corps must exercise its authority to deny permits that will worsen pollution and to mandate waters be cleaned up..	
	1134	679	None of the DEIS alternatives will stop water quality degradation.	
	1135	679	To maintain water quality, development must be limited and stormwater treatment requirements must be applied	
	1136	680	Improve water quality and stormwater treatment monitoring and analysis.	
	1137	681	EPA must take lead in improving water quality, stormwater monitoring, reporting, and treatment.	
	1138	683	Corps permit program must implement development limits and stormwater treatment limits.	
	1220	950	Like to see Corps take steps to assure the maximization of water safety (quality).	
893 Take action to further limit adverse impacts				
	45	16	Come up with an EIS so can evaluate permits so doesn't come down to the last straw.	Noted.
	207	69	Put out the ROD soon and add more science later on. Delay is buying time to get more development in.	
	220	75	Is bogus that we're going to be sneaking development in here in the meantime.	
	223	75	Rate of wetland destruction is increasing. This is irresponsible.	
	230	77	The permitting process is still as stringent at it always has been. I do not see any rush to permit willy-nilly.	
	252	79	Complete swiftly. Cumulative&secondary impacts to wetlands have already put Corps program in noncompliance.	
	254	79	Corps must make immediate and substantial changes to its procedures to protect the environment.	
	256	79	That the translation of this document into a meaningful permitting process will represent real change.	
	263	81	We have a moratorium in Collier County, but not all over the County (referring to comment 220).	
	278	84	I see population increasing beyond supply of the environment, of the water supply.	
	280	84	Put the most stringent plan in pace and err on the conservative side.	
	292	86	Looking to the Corps to protect citizens from the destruction of all the natural resources.	
	293	86	Collier County was not a self imposed moratorium (reference comment #220)	
	302	87	We have to preserve critical wildlife habitat. Corps needs to act now to deal with these cumulative impacts.	
	304	88	What we are setting us up for is a repeat of what happened in Southeast Florida with Dade and Broward Counties.	
	318	89	Stay in Collier County and stop this greedy bunch. Put a halt to it now.	
	324	90	This is not about acquifers...this is simply look out, I am here, shut the door behind me.	
	327	91	Corps should take action now. Cumulative impacts of projects resulting in unacceptable wetlands & habitat loss.	
	349	99	Move forward on EIS. Once you develop, can't go back. If spend next years doing what done in past, lost battle.	
	378	114	Extension of time before Record of Decision seen as stalling tactic to allow permits to be grandfathered in.	
	473	150	Imperative that this growth be managed in a way that protects the invaluable natural resources.	
	548	187	Additional loss of upland&wetland is unacceptable. Future growth must be restricted to current urbanized areas.	
	556	192	Urge Corps to strengthen the EIS.	
	617	232	Very interested in any proposals that will slow the urbanization of the area.	

Comments on Draft EIS

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	624	236	I support a new way of permitting, one that protects wetlands.	
	625	237	I urge you to continue with your original plans and to follow through laws and strict guidelines.	
	626	238	Please strengthen the DEIS by protecting the wildlife habitats...	
	627	239	Please help SW FL from becoming more overcrowded.	
	641	244	Strengthen the EIS draft..rapid loss of wetlands must be curtailed. Also protecting the watersheds and ...	
	642	245	Please protect our system..wetlands, water quality and wildlife.	
	643	246	If extend comment period, request Corps immediately begin enforcing the permitting criteria now in place.	
	644	246	Request Corps begin conducting adequate surveillance of clearings for sing-family dwellings.	
	693	276	Place strict controls on the indiscriminate development of our irreplaceable resources in Lee County.	
	742	308	If Estero ABM map were adhered to in Corps permitting, watershed, resources and people would benefit.	
	784	332	Our quality of life depends on better management and permitting of future development.	
	785	333	We cannot afford to lose any more wetlands in southwest Florida.	
	802	354	Corps permit system must be strengthened to protect wetlands, water and wildlife.	
	822	419	Do what you can to curb growth or at least minimize the effect.	
	864	441	Adopt permitting reforms to reduce cumulative adverse environmental impacts.	
	874	444	Don't delay this study. Call this phase complete and move forward.	
	875	445	Like to see the EIS strengthened to protect wetlands, water quality, and wildlife.	
	1063	536	EIS must be strengthened to protect SW FL from excessive development.	
	1088	582	Now there is a chance to undo the damage..	
	1091	585	Strongly support the Corps plans to improve permitting process, protect wetlands, water quality,....	
	1092	586	Please help us (control negative impact on the environment)...	
	1094	587	Protect habitat of (listed) species by providing interim protective measures while gathering information for EIS	
	1095	589	Halt all further development in Collier County...	
	1100	592	Loss of habitat is harming our efforts to save the Florida panther...and other endangered species.	
	1140	684	Corps must revise the Project Review Map to limit cumulative adverse impacts.	
	1141	684	Put additional wetlands and wetland-dependent wildlife habitat in the "preservation" category in permit review map.	
	1142	685	Put additional coastal waters in "preservation" category in permit review map to maintain water quality and manatee	
	1143	685	Put in "preservation" in permit review map remaining habitat of Panther, RCW and Florida scrub jay.	
	1144	686	Put in "preservation" in permit review map additional historic flowways and groundwater recharge areas.	
	1232	961	Wetland loss must be reduced...habitat suitable for threatened and endangered species must be protected..	
	1268	991	The critical component of reducing cumulative losses is to stress avoidance in the permitting process.	
	1278	1000	So called moratorium is nothing more than a group..looking for a way to wait for you to go away...	
	1281	1001	You are our last hope for clean water and for the survival of many creatures..	
	1282	1002	Support strengthening of EIS to more fully protect our wetlands, water quality, wildlife	
	1317	1033	We are rapidly losing habitat...	
	1321	1036	Please protect our precious environment..	
	1328	1040	If you do not do this (implement Lehigh EIS) there will be no wild turkeys, deer, hogs, quail, etc., in Lee County at all	
	1329	1040	Come out against Del Prado extension. Daniels Road extension should not be built because...Panther habitat	
	1332	1044	Finish with all due speed the final EIS...time is of the essence to protect our environment...	
	1333	1045	We need you to...enforce all Federal laws pertaining to water quality and environmental issues..	
	1337	1067	We urge you to protect our environment...	
	1340	1073	These gems (wetlands and wildlife) need to be protected.	
894	Protect the water supply			
	172	57	We need to protect our water supply.	Noted.
	179	59	Lehigh Acres is sitting on the biggest aquifer in Lee County. It will never go dry.	

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895 Protect from flooding.				
	186	60	Lehigh must be made to retain water in their community & take responsibility for impact to neighbors downstream.	Noted.
	666	256	Hope problem of Lehigh flooding my property has been address in your study and action taken to correct.	
	686	272	Address mitigaton of surface water problems of new construction filling land for flood but older at pre-flood elev.	
	1264	987	As we watch the growth in Lehigh, we are certain our flooding problems (downstream) will worsen.	
	1265	989	Lehigh must be made to retain water in their community and take responsibility for impact on neighbors downstream	
896 Commit to MSRP and Closing Gaps in decisions [also 370 and 719]				
	491	164	Must be commitment by Corps to incorporate the MSRP into its permitting decisions.	Noted.
	492	164	DEIS fails to commit to coordinate GAPS information into future permitting decisions.	
897 Integrate EIS with Restudy				
	552	187	Integrate the EIS with the Everglades Restudy.	Restudy team has this EIS for their use.
900 Other Interest				
910 Golden Gate Estates				
	322	90	Are they (EPA) using you to take a shot at Northern Golden Gate Estates [to buy out like SGGE]?	No.
	345	97	Been 25 years since looked at GGE. Time to take another look, what's going on, what we can accommodate.	Noted.
	1252	967	What kind of impact you are going to have on my property, if any.	If you have wetlands on your property, under current law you cannot fill those wetlands without a permit from the Corps. The wetlands in GGE also have a high potential for use by wildlife in the region, some of those species are listed under the Endangered Species Act. The Permit Review Criteria found as an appendix describes those species as well as other natural resource issues. If your wetland location intercepts the map, the Corps will spend more time in the review of your application than other applications and you will have more questions to answer. The Corps is working on and hopes to propose a General Permit for GGE to provide an abbreviated administrative process.
	1298	1014	We gladly accept this invitation (to participate in developing a general permit in GGE)...	Thank you.
911 GGE Zone 2 map matches FEMA .. Indicates collusion with other groups				
	444	140	GGE Zone 2 matches FEMA map, indicating prior knowledge of outcome or participant goals extremist groups.	FEMA map was not consulted when Zone delineated.
912 No evidence to support Zone 2				
	445	140	No scientific or historical evidence to support Zone 2	Zone 2 is less built out and generally has higher proportion of wetland.
	446	141	Difference in pine trees north and south of GGE Blvd yet no difference in map. Therefore, no science used.	Difference did not show up on maps used. Both are forested cover used by wildlife.
913 Irresponsible to tell landowners go back to original seller for losses from regulatory				

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	447	141	Inaccurate&irresponsible to tell current landowners to go back to original seller for loss due to regulatory dictates.	The requirement for a Corps permit to place fill in wetlands was initiated by passage of Section 404 of the Clean Water Act of 1972. There are those who purchased lots before then that have been affected by this new law. Those who purchased after 1972 may unfortunately may not have been aware of this.
	715	289	Change location of GGE zones proposed.	Zones deleted in Permit Review Criteria. Are retained in EIS Ensembles since were ideas proposed and evaluated to reduce acres of wetland fill.
914 Requiring Individual Permits is unwarranted intrusion by government				
	448	141	Requiring Indiv Permits is unwarranted intrusion of government into private conduct of families in GGE	The requirement for a Corps permit to place fill in wetlands was initiated by passage of Section 404 of the Clean Water Act of 1972.
920 Property Rights [also 443 for economic, 620 for Lehigh specific]				
920	218	73	Be very careful when taking away the rights of people in any form, limited or extension.	The Permit Review Criteria has been substantially revised.
920	279	84	I don't think is plan to hamper individual homeowners, is an issue with massive development.	The Corps can and has asked these questions and analysis
920	347	97	The green is not green...belongs to property owners..You do not have loss of wetlands&habitat..You have gain.	but now the landowner has better understanding of these in advance of application by a landowner for a permit
920	350	99	Have not heard anything tonight about humans, preserving humans and their life.	authorizing fill of wetlands. The right to fill wetlands on a
920	358	100	What will the ability be to use this property in the future?	property is subject to Section 404 of the Clean Water Act.
920	511	171	Where does EIS leave us and individual property owners in regards to our property rights?	The revised Permit Review Criteria is not much different
920	664	254	No place in EIS for any evaluation of "property rights" (see narrative)	from what would be discussed during intense pre-application
920	1152	715	Those of us who own land downstream have right to peaceful enjoyment of our property...	meeting, only now the Corps is placing this information in the
920	1253	967	Is it possible that the government can just ruin this property (purchased with set of deed rights) for us?	public arena for wider comment and use. The EIS reflects the
921 Gives undue weight to private property rights				
	258	79	EIS exaggerates the effects of permitting on private property rights.	The Corps must and will ensure its actions that restrict use of
	482	153	DEIS puts too much weight, in its analysis of alternatives, on private property factors.	property are just those that are authorized by law. The
	680	263	Minimize the value of Property Rights factor or replace with criteria that do not omit individual/community goals.	presentation in Section 4 of the evaluation issues are not in
	1122	658	Gives undue weight to private property rights in alternatives evaluation, permit review map&criteria (10pp)	any particular order of importance nor are they assigned a

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	1279	1000	Re: property rights..the greater good of society can cause..you..to intervene..contention landowner can do anything	weight. However, the Corps will, within the limits of the law, fully consider the natural resource impacts that may result if a requested wetland fill is authorized. Section 404 of the Clean Water Act is a restriction of the right of a landowner. But that restriction is limited to placement of fill in wetlands on the property. (The Endangered Species Act and other laws also are restrictions within designate limits). The EIS does include the factors identified by the ADG subgroup (in the first paragraph of the Socio-economic section) but also includes many additional pages of other factors.
922 Compensate for loss of property rights due to regulations				
	25	12	How persons compensated if property taken due to regulatory application of EIS?	The EIS is not pre-determining a Corps permit decision. The decision to issue or deny a permit can only be made after receipt of an application and a review of site-specific information. If an application is denied, the landowner can appeal.
	36	14	Compensate me for the property you take.	
	43	15	Protest the more complications on private property. If can't leave along, pay for it at fair market value.	
	56	20	How will the landowner be compensated for the loss of value caused by tightening/restricting land development?	
	247	78	The economic analysis must provide a strategy on how to compensate property owners.	
	429	124	The economic analysis must provide a strategy on how to compensate property owners.	
	602	224	The economic analysis must provide a strategy on how to compensate property owners.	
	608	227	What compensation will be made to property owners for any restrictions placed on properties?	
	857	436	If new rules not in effect when land was purchased, the owner should be compensated.	
	923	472	If restrictions on land use are intended to benefit society as a whole, then (consider) some form of compensation	
	987	501	Explain..the method..the owner of a lot for which a permit was denied will be compensated for loss of value..	
923 Obligation to provide offsetting benefits.				
	64	23	A win-win situation when developers convinced they had to provide infrastructure, offsetting benefits, etc.	Agree.
924 Not adequately analyzed				
	121	45	Property rights not adequately addressed in the analysis.	Expanded.
	122	46	How will goal to move people to central Lehigh, contrary to redevelopment plan, affect their property rights?	Is presented as one of many ideas. Recognize that implementation would need to provide compensation or other method to address rights of existing landowners.
	497	166	Perform more thorough legal analysis of regulatory takings. Weight given is too high.	Regulatory takings are beyond the scope of the EIS.
925 Compensation ten cents on the dollar				
	155	53	If land is seized, people are paid ten cents on the dollar.	Noted.
	158	53	Re: they pay ten cents on the dollar. That is a big lie.	Noted.
926 Identify source of revenue and buy areas designated preservation				
	165	56	Identify a source of revenue for the areas mapped preservation	Have removed designation of "preservation" from Permit Review Criteria. "Preservation" still found in five Ensembles but as ideas that if implemented would result in less wetland fill or greater wildlife benefits. Evaluations also note concern would cost money, reduce tax base, etc. to implement. Actual source of revenue not needed at this time since Corps does not intend to implement as a result of the EIS.
	194	62	If areas are to become part of additional wetlands areas that benefit their neighbors, then they should be bought.	
	288	85	How will private property in the EIS area would be acquired?	
	354	99	There are willing sellers out her also if you pay them enough to replace what we have.	
	417	123	Cost of purchase and maintenance of "preserve" lands must be addressed.	
	460	146	Fail to discuss mechanism to generate funds to compensate landowners for taking of lands designated preserve.	
	514	173	Land presently farmed identified preserve. Corps intends to purchase this property and create a different use?	
	571	199	Identify source of revenue allocated to land acquisition.	
	590	223	Cost of purchase and maintenance of "preserve" lands must be addressed.	

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	778	325	RE: flowways, coordinate efforts with FDOT but seek federal funding to cover costs of renovations/retrofits.	
	799	350	Effort should be placed to fund mitigation ideas (acquisition of lands for preservation)	
	886	458	Is it true you would pay for our land and how much would we receive?	
	969	482	Many ideas (in ADG process) were wish list..did not consider property rights nor funding to accomplish..	
	983	501	Explain who you envision will fund and perform the work to remove roads and canals.	
	1215	948	Discussion of mechanism for generating funds to compensate affected landowners is necessary...	
927 Intend to confiscate through overregulation				
	184	60	You don't intend to acquire that land, but you intend to confiscate it from us through overregulation	Questions in Permit Review Criteria can be and have been asked by the Corps in permit reviews. No increase. By making available to public in advance of application, hope to remove some of the burden of regulation.
928 Corps is implementing United Nations Agenda 21				
	348	98	EIS is implementing Agenda 21 of the United Nations. Looks like local input but they just mandated you do things.	Not working under UN mandate. Did not even know of this until comment made.
930 Seminole Tribe				
	1078	551	Tribe agrees with the inclusion of this language (regarding Immokalee Reservation) in the final EIS.	Noted.
	1079	551	Add that classification of surrounding land will not be considered when evaluating projects on tribal lands.	Have removed classification of "preservation" from Permit Review Criteria.
	1376	1082	Include Immokalee Reservation and the SWFI Airport in the "development" category.	Have removed classification of "development" from Permit Review Criteria.
940 Corps role in hurricane preparedness				
	40	14	Like to see more comment on Corps role in hurricane preparedness.	Comparison of Ensembles indicates that very little difference on hurricane preparedness results from changes in wetland fill so did not elaborate further.
941 Hurricane shelters not provided for in EIS				
	890	461	Problem of hurricane shelters is raised but no provision for providing them or roads to reach those shelters.	Provision to provide these not within authority of Corps Regulatory Program so did not elaborate further.
950 Other agencies may mis-use the EIS				
	124	46	Other agencies will cite the EIS as gospel in their decisions.	Noted.
960 Bring revised EIS document back to public for comment.				
	166	56	Bring changes to the Draft back to the public.	The focus of the comments dealt with the how or under what authority the Corps was implementing
	251	79	Request review and comment period following revision of current draft.	the information in the EIS. The Permit Review Criteria
	606	225	Request a review and comment period following the revision of the DEIS	causes many of those comments and that has been
	1060	522	Encourage Corps provide an additional draft with public review before proceeding to draft a final version.	

Comments on Draft EIS

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	1344	1074	Provide a review and comment period if current document is revised.	substantially revised and the revision is attached to this EIS. However, the basic concept of permit review criteria remains unchanged. Comments will be considered and revisions may occur before implementation, if implemented. The Record of Decision will describe implementation and will be issued after the comment period closes on the EIS. Other revisions have been made to the other portions of the document but are not considered to be to the degree of needing to reissue the document as a Draft. The Corps wants to finish the EIS as a document that represents available knowledge
961	Issue another Draft EIS before proceeding to final			
	229	76	Come up with an additional draft for public comment before a final draft is issued.	See response immediately previous.
	469	147	Provide another draft document prior to publishing a final version.	
	558	195	Request a second public input period prior to DEIS being posted in Federal Register for final comment.	
	629	241	Recommend Corps incorporate comments into a second draft EIS, redistributed and comment period reopened.	
	910	467	Initial round of comments be incorporated into a second draft document due to complexity, volume and implications.	
	1219	949	Recommend an additional draft with appropriate comment period..	
	1257	973	Request the next version of the EIS also be considered a "draft" and issued for another public review.	
962	Provide public review and comment on additional information to be provided by USFWS			
	468	147	EIS says FWS providing additional information after comment period. Provide opportunity for public review.	Additional information provided by USFWS incorporated into this revision for public review and comment.
	1059	522	Reference FWS providing additional information on wildlife issues..inclusion without public review is inappropriate	
	1203	946	re: FWS providing additional information...(provide) opportunity for full public review and comment..	
	1379	1083	FWS appreciates Corps inclusion of affirmative actions in DEIS (language in Section 2.2.2, 2.2.3, and 2.2.4)	
963	Involve public agencies in development of analytical tools (e.g., DOT)			
	780	325	Include representatives from FDOT on interagency groups developing more detailed analytical tools.	Noted. Corps is also participating in a DOT interagency initiative related to permitting.
970	Corps go to Bonita and solve their flood problem.			
	168	56	Corps needs to go to Bonita and solve their flooding problem.	Subject of a separate Corps project.
980	Port-Au-Prince			
981	How is it that the rich developers..are permitted to destroy property?			
	316	89	How is it that the rich developers...are permitted to destroy property, water quality, wildlife and wetlands?	Issues are related to separate individual permits.
	317	89	Do they have to flood us out for 23 acres more (development)?	
990	Other			
991	Reviewed air quality / respiratory problems from construction equipment exhausts?			

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	471	148	Number of increasing respiratory problems & cancer from particles in exhausts of construction vehicles?	Each permit application is analyzed for conformity applicability pursuant to regulations implementing Section 176(c) of the Clean Air Act. Typically the activities proposed under Corps permits will not exceed de minimis levels of direct emissions of a criteria pollutant or its precursors and are exempted by 40 CFR Part 93.153. Any later indirect emissions are generally not within the Corps' continuing program responsibility and generally cannot be practicably controlled by the Corps. Also, predicting the cumulative effect of air emissions of projects placed on fill pursuant to a Corps permit would be sheer speculation.
992 Analyze appropriate location of agriculture near residential.				
	502	169	Analysis of appropriate location of agriculture in proximity to residential development to avoid zoning nuisances.	Corps authority not extend to zoning nuisance issues.
993 Project Review Map shows flowway to Estero Bay severed.				
	740	308	Both Project Review and Overlay maps show flowway connection between Rookery Bay and watershed severed.	Noted.
994 Change "Florida Game..." to "Fish and Wildlife Commission..."				
	769	321	Change Florida Game...to Fish & Wildlife Commission...	Where the old name was used when describing the author of a document, the old name was retained. Otherwise name was changed.
995 Change name to "Florida Division of Historic Resources.."				
	775	323	Page 82 name changed to Division of Historical Resources.	Changed.
996 Suggestions for improving process (lessons learned)				
	793	347	To get more County involvement, clearly state specific objectives.	Thank you for suggestions.
	795	348	Suggest a limited number of agency personnel in future ADGs	
	796	348	Jump-start future ADGs with specific goals.	
	798	350	ADG scope of effort was too broad, prevented accomplishing many tasks.	
997 (spare)				
998 Global warming not addressed				
	891	461	Hear about danger of global warming, but we do not see that problem addressed in the EIS.	The issue is larger than the study area and the Corps authority.
999 Revise boundary of SWF International Airport				
	972	484	Revise the SW Florida International Airport expansion boundary shown on the project review map.	Changed.
END OF DOCUMENT				