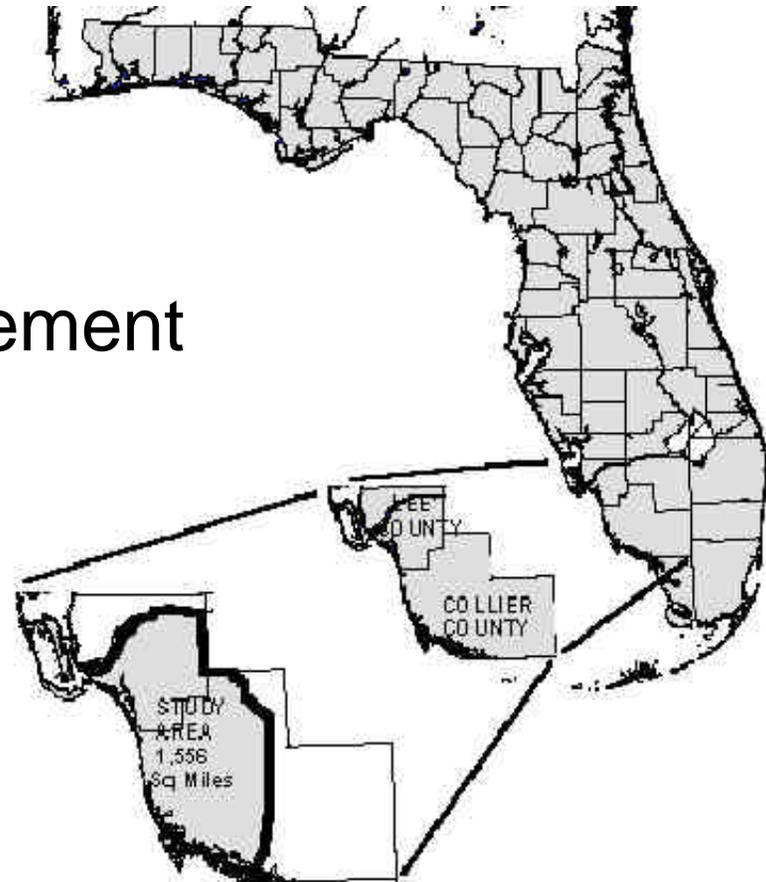




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**US Army Corps  
of Engineers**  
Jacksonville District

**Environmental Impact Statement  
(EIS)  
for Improving the  
Regulatory Process  
in  
Southwest Florida**



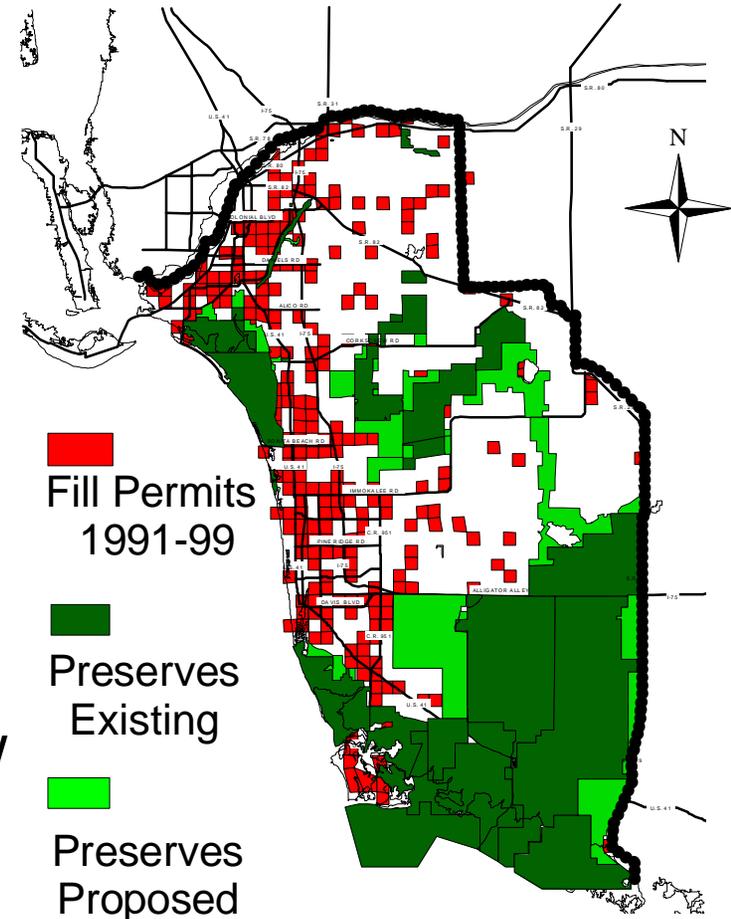
# To Better Understand Effects of Permit Decisions

- ◆ Many applications for fill.

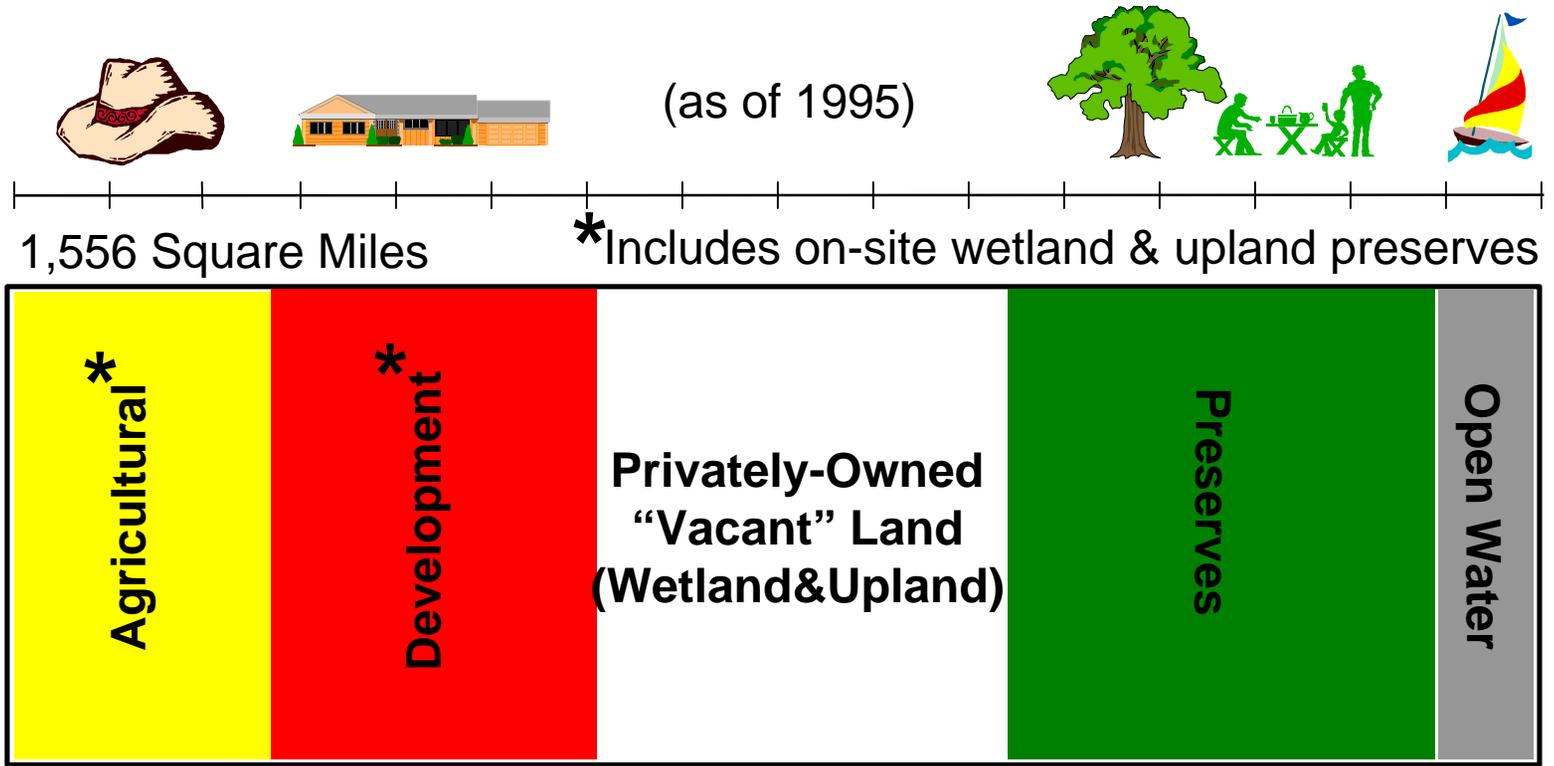


- ◆ Recurring issues:
  - Wetland loss
  - Wildlife habitat
  - Water quality

- ◆ Improve permit by permit review to adequately address cumulative effects of decisions.



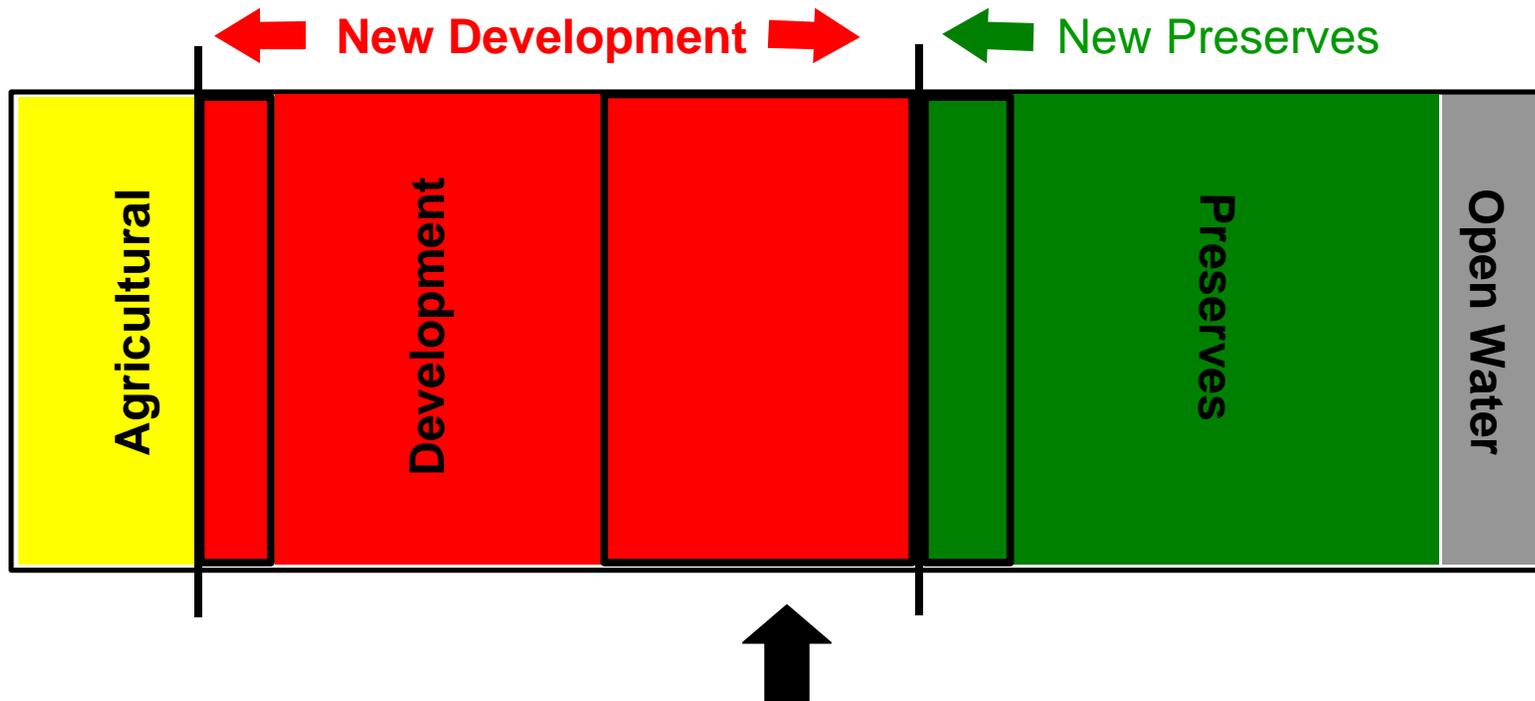
# The Present



◆ 30% of Study Area.

# The Future

Comprehensive Plan prediction (20 years +)



◆ Many New Developments Require Fill Permits.

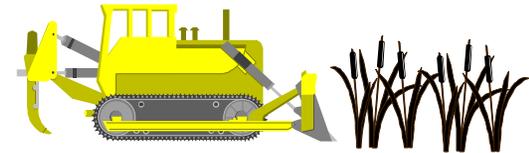
# The Corps' Duty

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- ◆ Clean Water Act of 1972 (Section 404).

Permit required to fill wetlands.



Consider benefits & detriments to many public interest factors, including cumulative effects.



- ◆ Endangered Species Act: Use authorities to further conservation.

- ◆ National Environmental Policy Act: Disclose impacts, including cumulative.



# Alternatives Development Group (ADG)

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◆ To identify total effects, must predict what applications will be submitted.



◆ Corps asked a group of citizens from the community and agency representatives to:

Identify issues

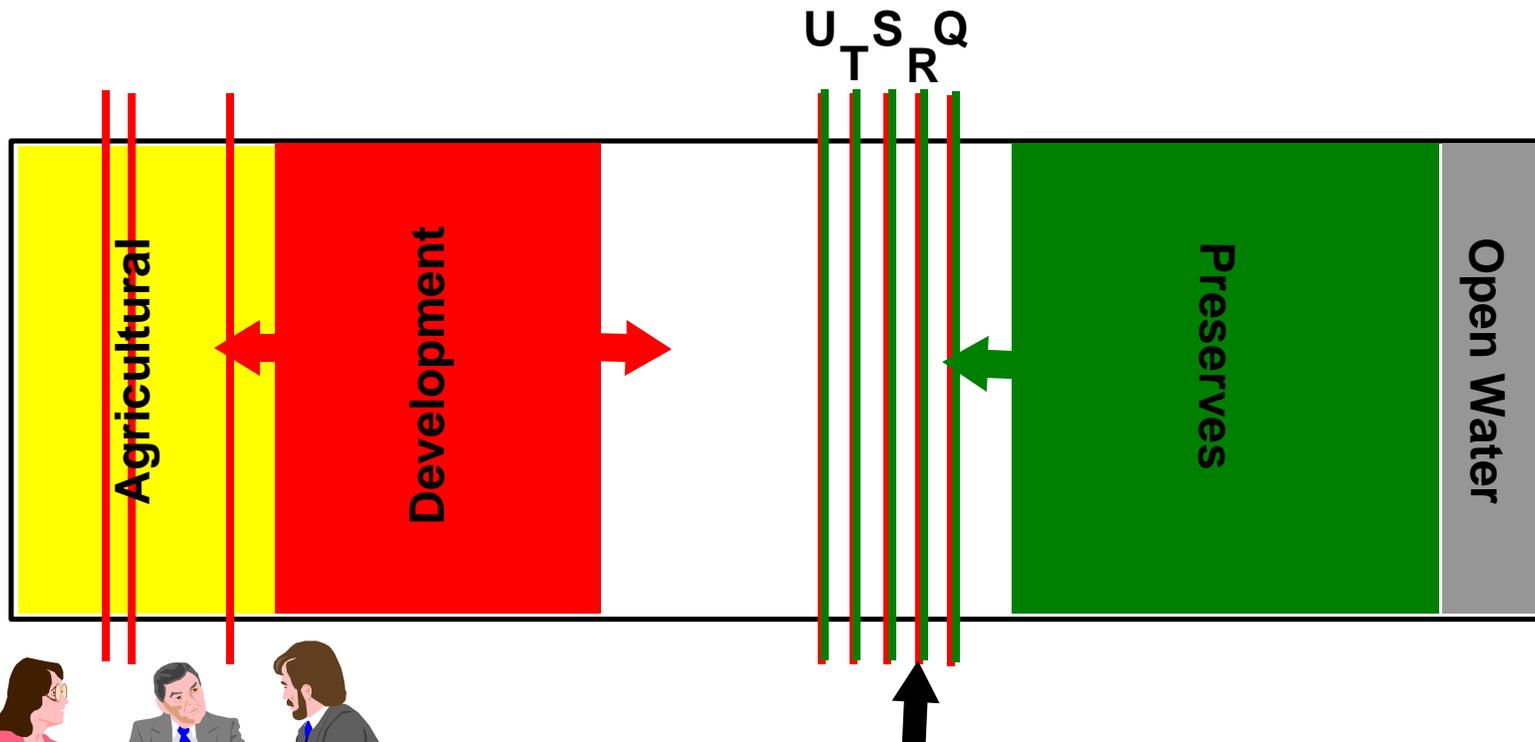
Develop evaluation criteria

Create several predictions of the future (“alternatives”)

Evaluate effects.



# Many Predictions of How Will “Fill In”



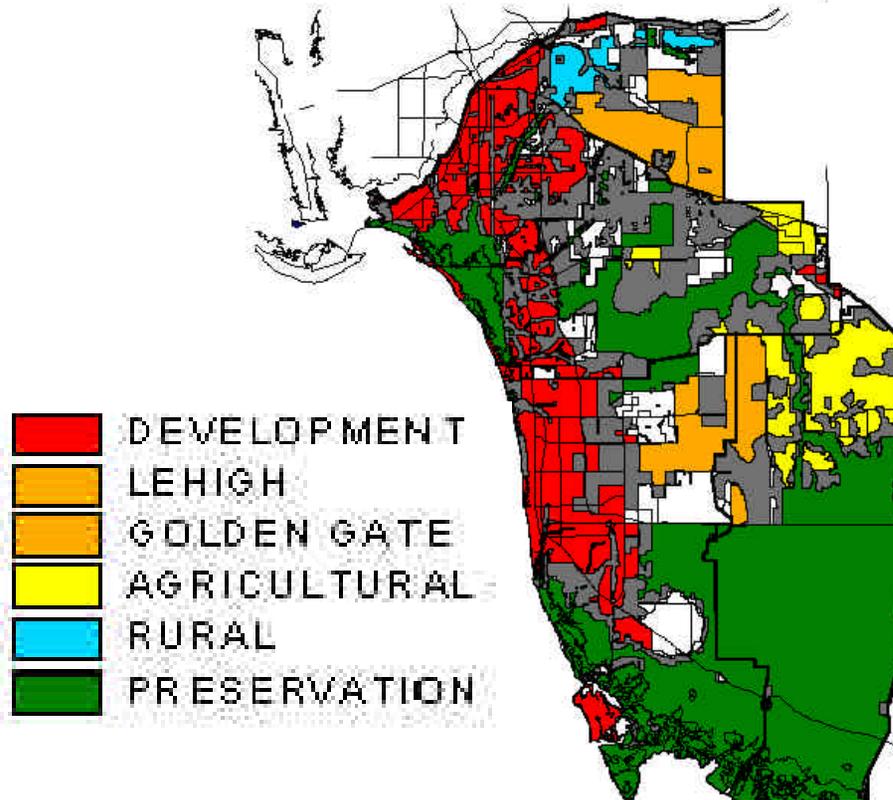
“R” represents local preferred alternative  
(County Comprehensive Plans)

## ADG's Work Identifies Areas of Concern

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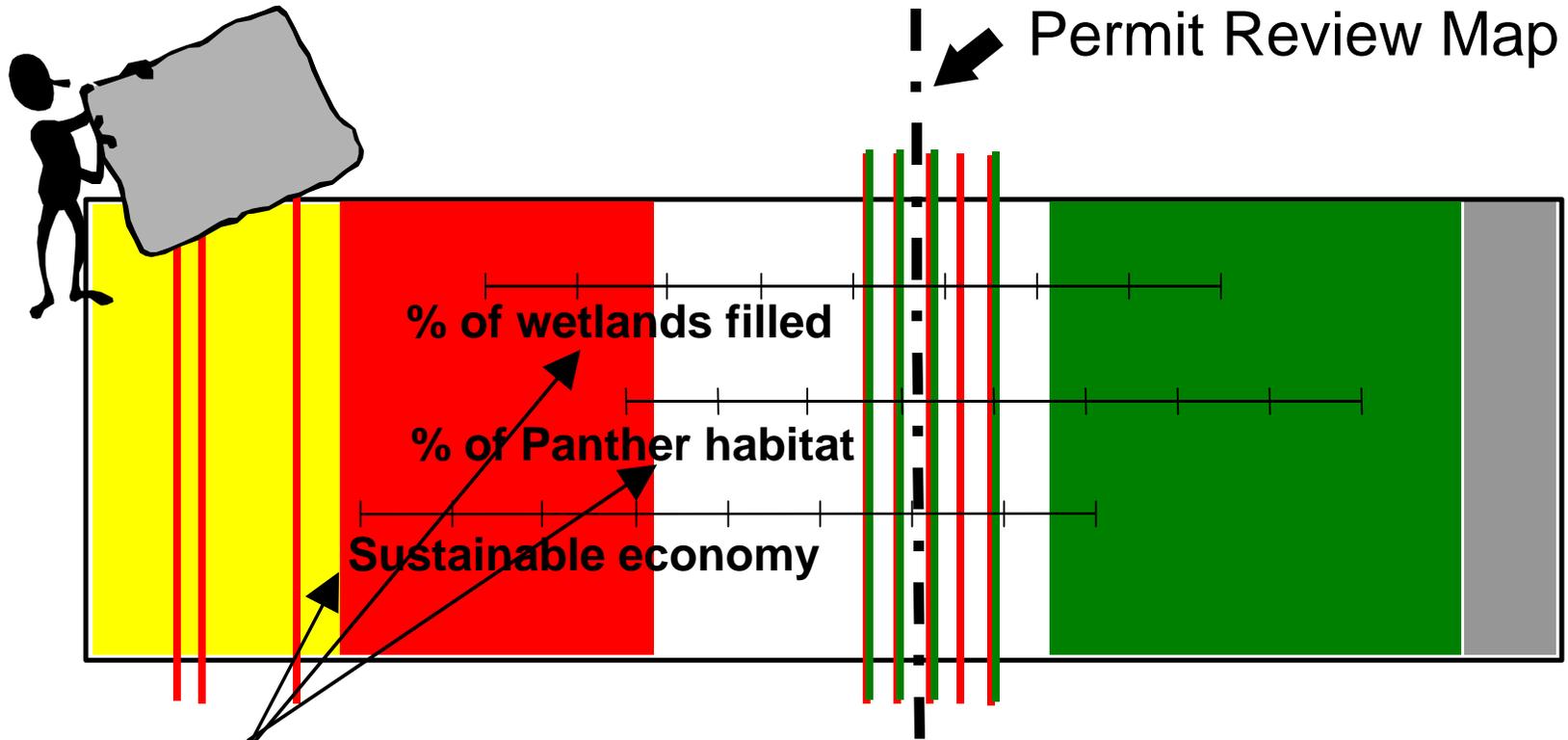
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- ◆ Overlay of ADG Alternatives shows shared vision of future land cover types for large portion of area



- ◆ Colored areas: could expedite permitting.
- ◆ Gray areas: some envisioned preserve but others expect other uses.
- ◆ White areas: multiple visions presented. Challenging permitting.

# Corps Proposes a Permit Review Map & Criteria



- ◆ Corps developed Criteria out of the 69 factors used by the ADG to evaluate their alternatives

## Review depends on location of project

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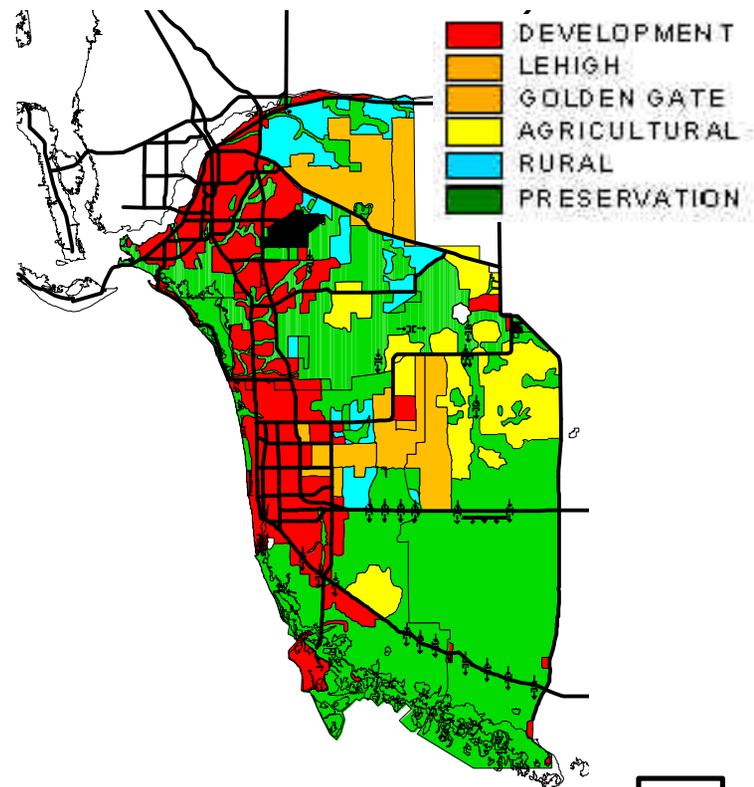
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◆ Example: applications in red area requesting permits to fill wetlands for housing would receive less rigorous questioning of availability of alternative sites.

◆ Criteria keyed to location on a Permit Review Map.

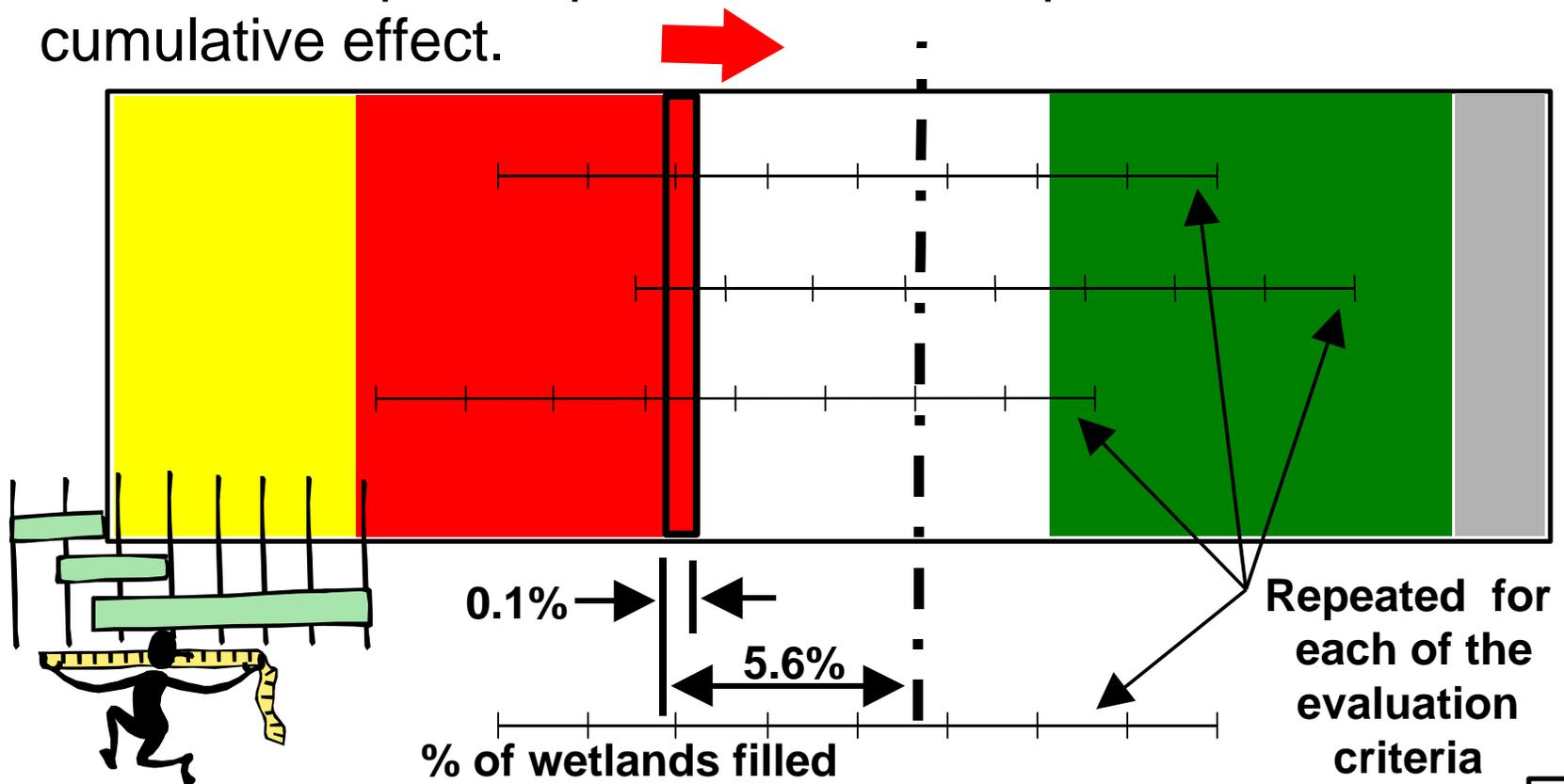
NOT saying what the Corps will permit

IS saying which questions will be asked.



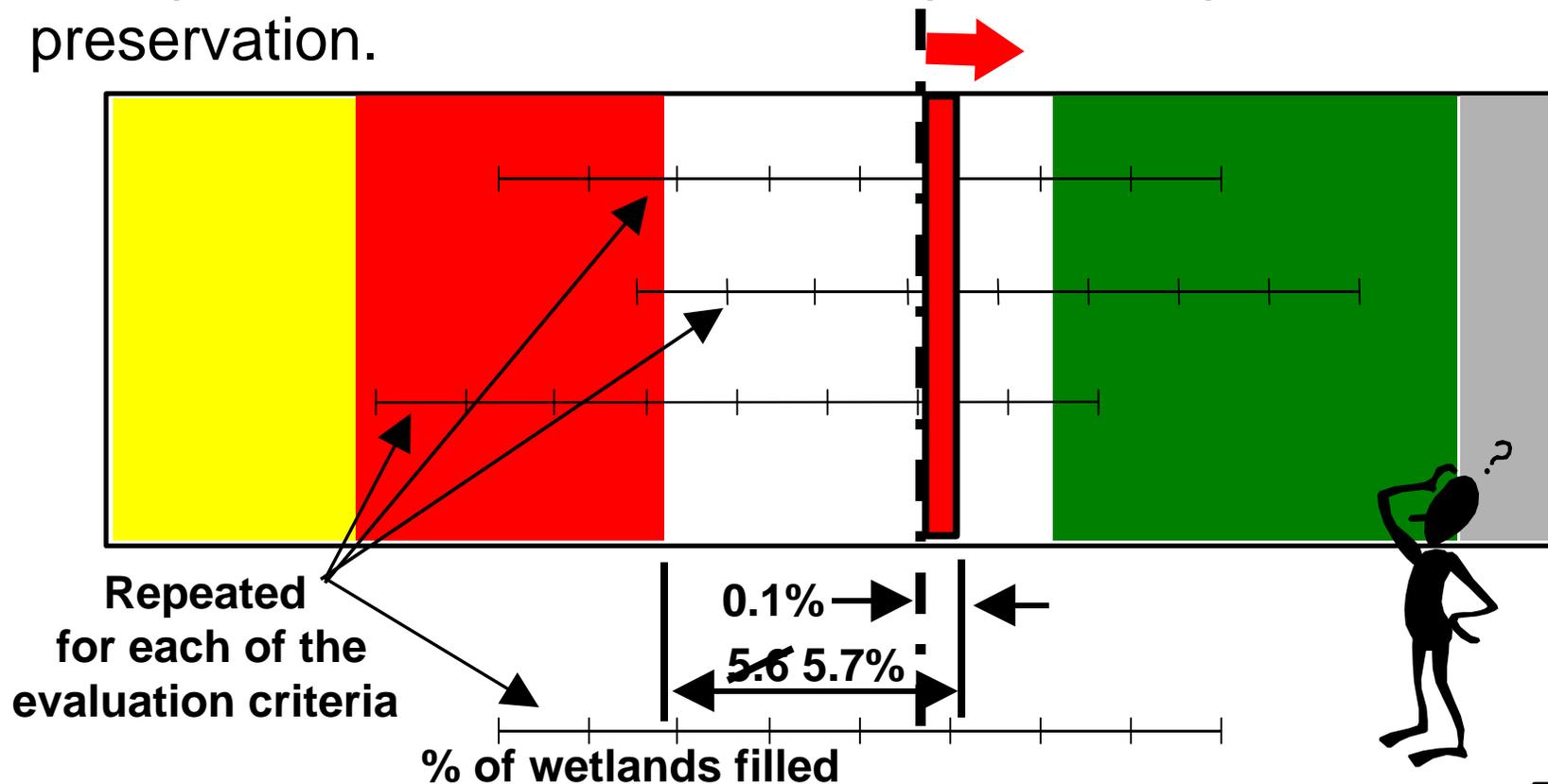
# Example #1 Houses Proposed in Red Area

◆ Less review since is located in area of lower ecological value and impact is part of total anticipated and disclosed cumulative effect.



## Example #2 Houses Proposed in Green Area

◆ Will spend more time reviewing since proposal increases anticipated cumulative effect and precludes potential for preservation.



## Additional Review Clarifies Proposal's "Balance"

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◆ Permit decision based on whether, after balancing the benefits (pluses) and detriments (minuses), the proposal is not contrary to the public interest and to other laws.



◆ Answers to the Permit Review Criteria provides pluses and minuses related to cumulative effects that are added to the other evaluations of the direct effects.

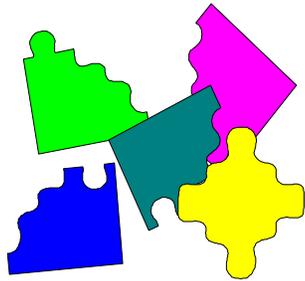
◆ Corps cannot predict what decisions will result from implementation of the criteria since decisions depend on how the individual proposals address the factors.

## The EIS IS . . .

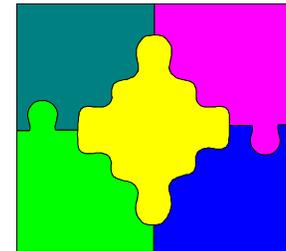
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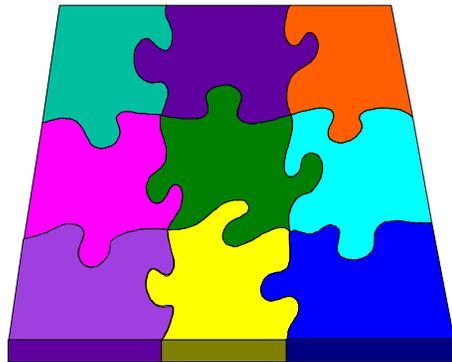
- ◆ IS proposing a standardized list of questions/factors.



To identify issues up front  
To focus on what is important  
To prioritize staff time



- ◆ IS disclosing information for public dialog/comment.



Presents several predictions of future.  
Lists issues important to community.  
Compares effects of predictions.  
Identifies evaluation methods.

## The EIS IS NOT . . .

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- ◆ NOT setting a limit on cumulative impacts.

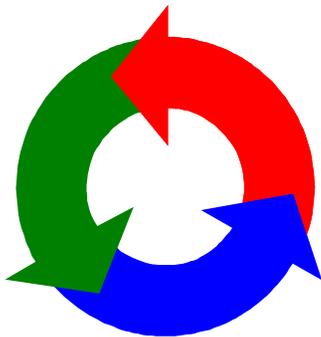


More science & public dialog needed.

Corps will not set a limit in advance.

But CAN deny “straw that breaks back”.

- ◆ NOT replacing/overriding Comprehensive Plans.



Corps must accept applications for uses even if contrary from County Plans.

Plans reference and defer to State and Federal wetland permitting.

## Major Issue: Wetlands

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- ◆ Some wetlands are not publicly owned but are mapped as preservation (“new preserves”).

These wetlands are preferred locations for compensatory mitigation for losses.

Large acreage of new preserves, compared to expected impacts, provides greater selection and assurance that losses will be replaced.



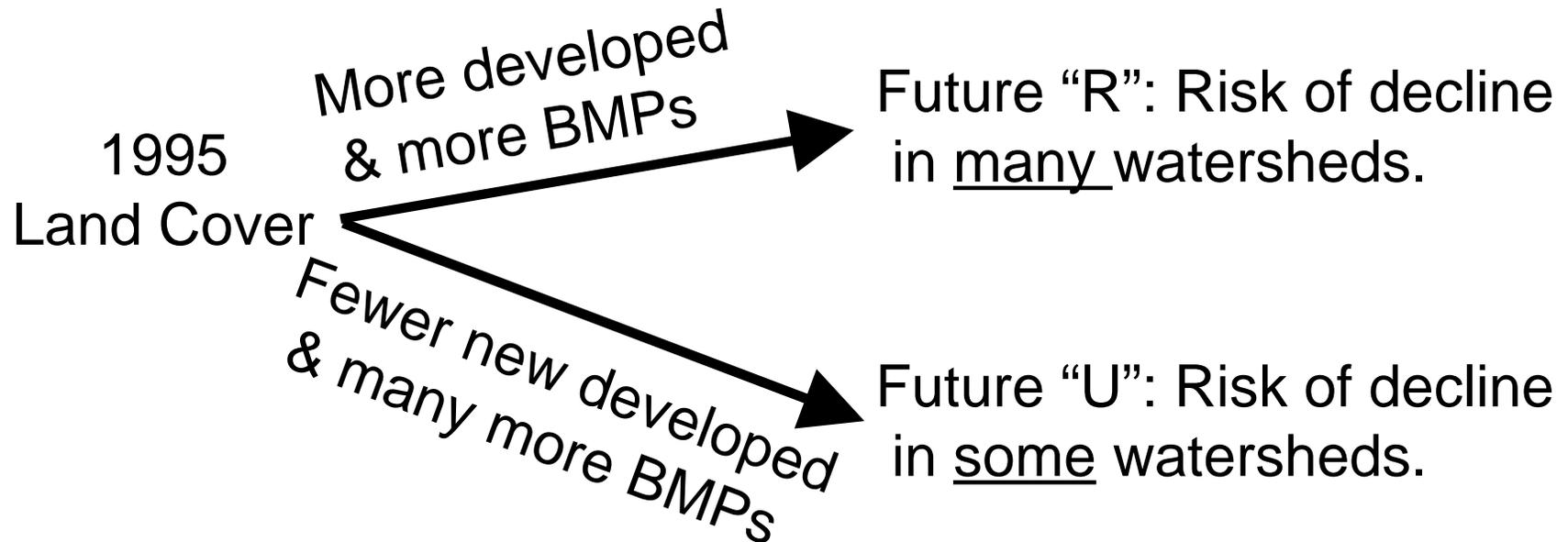
- ◆ Restoration of wetlands within project boundaries plus in these “new preserves” will provide no net loss in ecological functions even with a loss of wetland acres.

## Major Issue: Water Quality

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- ◆ Used a model to predict change in water quality resulting from changing acres or Best Management Practices (BMPs).



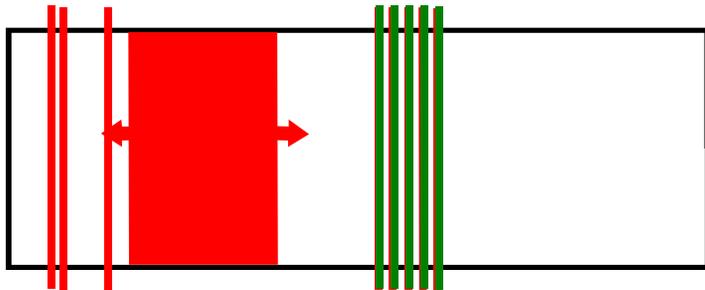
- ◆ Model limited by unavailability of actual data and does not include all pollutant sources and chemical interactions.

## Major Issue: Sustainable Economy

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◆ Some argue that increasing the area of preservation increases costs to local government and concurrently reducing the area of development results in higher property taxes and less opportunity for job creation.



◆ Influence of adding the next acre of development diminishes as total developed area grows.

◆ Corps permit decisions also have limited influence on economy since only a portion of the predicted total land use change requires filling of wetlands.

## Major Issue: Wildlife

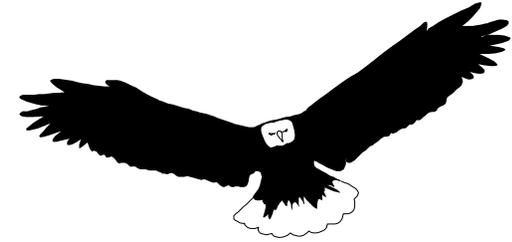
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- ◆ Area has unique richness of habitat.

Area of habitat will be reduced.

Remaining habitat affected by width of buffers from intense land use and by maintenance of connections.



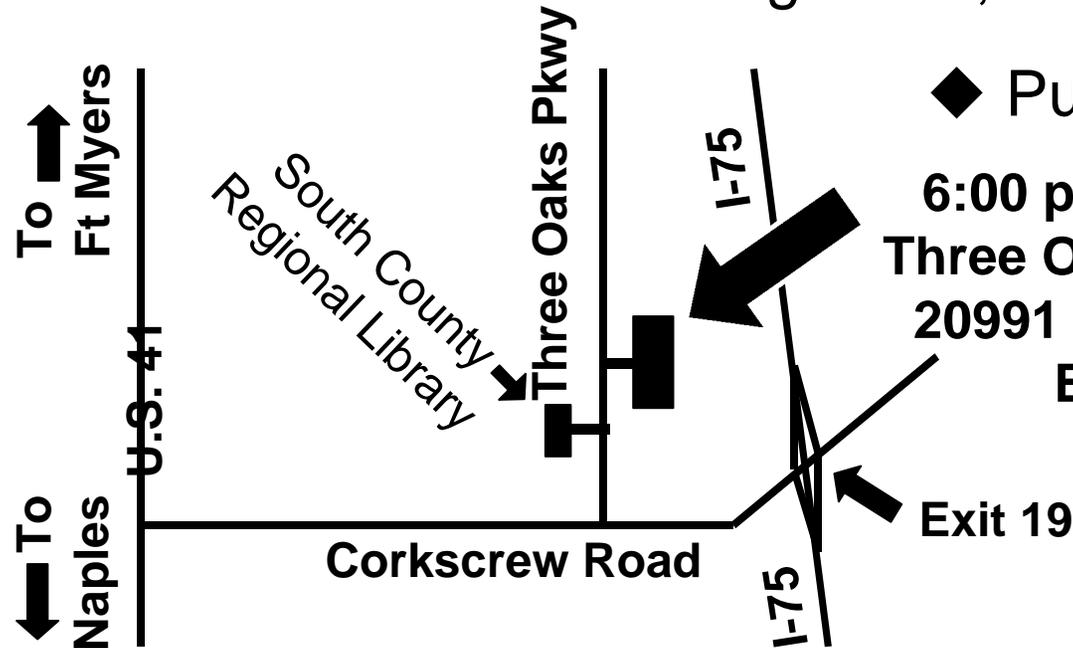
- ◆ Magnitude of habitat loss for some Federally-listed Threatened & Endangered Species is especially worrisome.

Reduced habitat increases challenge for recovery of species and removal from listing.

Corps working with U.S. Fish and Wildlife Service to develop analysis to determine if adverse effect.

## Remaining Steps for EIS Process

- ◆ Written comments due August 23, 1999.



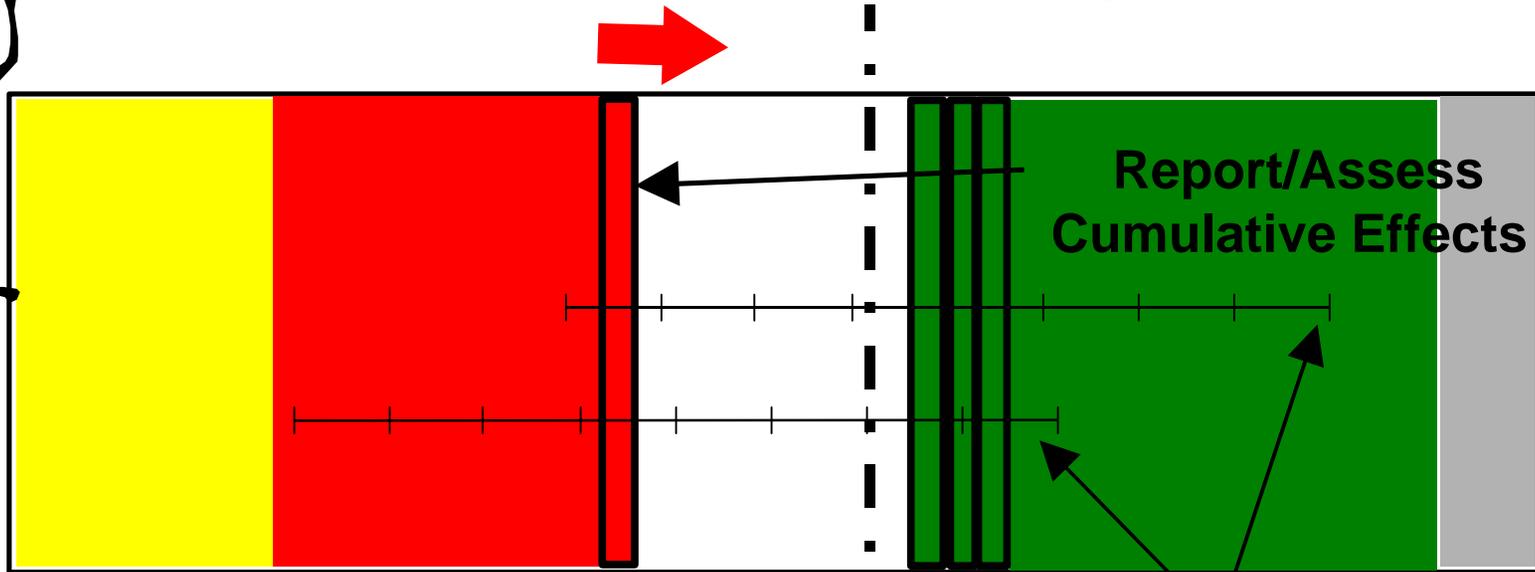
- ◆ Public Hearing.

**6:00 p.m., August 23, 1999**  
**Three Oaks University Center**  
**20991 Three Oaks Parkway**  
**Esterro, Florida**

- ◆ ADG will also meet to discuss.
- ◆ 30 day comment period on Final EIS.
- ◆ Then, Corps reviews & issues Record of Decision.

# What is Next?

Corps and community can better coordinate actions to conserve natural resources on a regional basis.



## Identify Opportunities

Public Acquisition and Preservation  
+ Permit #1 Compensatory Mitigation  
+ Compensation via Mitigation Bank(s)

Develop standards and guidelines

## Post Draft EIS: Improve Analysis

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- ◆ The permit review map and criteria are not limits. Are essentially a set of reporting thresholds. Describe orders of magnitude of effects. Difference between alternatives are small for some factors but large for others. Indicates which to focus on.
- ◆ Corps committed to working with other agencies to build on this work by expanding and refining the evaluation factors.





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**US Army Corps  
of Engineers**  
Jacksonville District

**Thank You**

<http://www.saj.usace.army.mil/permit/swfeis/contents.htm>

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