

22E - ENVIRONMENTAL STUDIES (NEPA)

This appendix describes the activities required for preparation of the National Environmental Policy Act (NEPA) documents that will be integrated into the Feasibility Study, including data collection and evaluation of the environmental character of the study area, and the cost of environmental baseline development and impact assessments. The various activities are associated with different aspects of evaluating the restoration alternatives. The level of detail will be sufficient for use in the development of detailed engineering and designs adequate to obtain Congressional authorization for construction.

In general, study alternatives will consist of several components to be evaluated, both individually and in combination. Studies will be conducted cooperatively with the U.S. Fish and Wildlife Service (USFWS), National Park Service, Florida Fish and Wildlife Conservation Commission (FWC), Florida Division of Forestry (FDOF), U.S. Environmental Protection Agency (EPA), Florida Department of Environmental Protection (DEP), U.S. Department of Agriculture – NRCS, Florida Inland Navigation District, Florida Department of Transportation, and the National Oceanic and Atmospheric Administration (NOAA). All activities will be completed in accordance with the *National Environmental Policy Act (NEPA) of 1969, as amended (91-190)* and the Council on Environmental Quality (CEQ) NEPA regulations (*40 CFR Parts 1500 - 1508*). The NEPA document will follow the format described in *ER 1105 - 2 - 100* and *ER 200 - 2 - 2*. Formal coordination with the state will occur at several points during the study to insure consistency with state programs, including the *State Coastal Zone Management Act and Chapter 99-223, Laws of Florida, i.e., The Watershed Management Act*. It is anticipated that coordination will be accomplished by scoping; follow-up letters, and subsequent meetings that will insure state participation in the study process, alternative development, and evaluation.

Coordination with the state under the *Clean Water Act (CWA)* will be required if material is placed within a wetland or waters of the United States and/or if plan implementation affects any water bodies that have established Total Maximum Daily Loads (TMDL's), Section 303(d), CWA. The CWA requires two actions, a 404(b)(1) evaluation and state water quality certification.

The following activities are required to conduct the *NEPA* impact assessment:

Initiate Scoping - Initiate the necessary coordination with Federal, state, and local agencies and the public, including coordination needed for compliance with the NEPA.

Scoping Workshops - Meet with project partners regarding the scope of the environmental studies. Provide initial opportunities for the public and interested agencies to recommend environmental studies and issues to be addressed in the study efforts.

Prepare/Modify Scope of Work - Add/delete/modify environmental study efforts following comments from the previous activity.

Biological and Field Investigations - A literature search of environmental resources of the area will be conducted. Field investigations of each project site will include inventory of habitats and species occurrence to determine existing conditions. Work will be accomplished in cooperation with the USFWS, FWC, and other appropriate agencies and will be done in conjunction with fieldwork to be performed for the Fish and Wildlife Coordination Act Report (FWCAR).

Review Impact Assessment Models. - Review procedure(s) or models for use in environmental impact assessment. An inventory of the study area attributes and problems will be accomplished and the required attributes of the impact assessment methodology will be determined. An inventory of existing models, as well as models currently under development, will be completed. If appropriate, criteria for a new impact assessment model will be specified.

Select Impact Assessment Method - Meet with the local sponsor, USFWS, and FWC to determine the impact assessment method to be used to evaluate specific environmental responses to project alternatives in the FWCAR.

Initial Assessment - Evaluate project sites and impacts according to impact assessment method. All work will be done cooperatively with the USFWS and FWC.

Input for Preliminary Assessment of Alternatives - Conduct analysis to reduce project impacts with USFWS and FWC and provide feed back into project design process.

Biological Assessment - This work will include a review of information on species listed as threatened or endangered that may occur in the study area. A Biological Assessment (BA) will be prepared to address potential impacts to threatened and endangered species. Based on the information provided in the BA, a determination will be made as to whether the proposed action may affect any listed species. If any listed species may be affected, then consultation with the USFWS will be initiated and a Biological Opinion will be requested of the USFWS. No funds are provided to the USFWS for completion of a Biological Opinion.

Sediment and Water Quality Data Collection and Evaluation - This work will include data collection and analysis for development or adoption of an existing water quality model.

Aesthetic and Recreation Resource Analysis - An aesthetic and recreation resource analysis will be completed and will include a discussion of existing conditions, a comparative resources analysis of impacts of study alternatives and the selected plan, and a delineation of any mitigation design measures, if needed.

Prepare for In-Progress Review (IPR) - Prepare for and attend Feasibility Study meetings. Request USFWS and FWC attendance.

Modify Studies Accordingly - Develop additional environmental studies to reflect IPR review comments.

Additional Environmental Sampling - Conduct additional environmental sampling following the IPR and incorporate into impact assessment analysis.

Input for Final Alternatives - Identify additional beneficial environmental features and include in the final project design.

Preliminary Draft NEPA Documentation - Complete preliminary draft NEPA documentation (integrated with preliminary draft Feasibility Report) and forward to USACE higher authority and SJRWMD for review prior to the Alternatives Formulation Briefing (AFB).

Prepare for Alternatives Formulation Briefing - Ensure environmental personnel attendance at the AFB. Request other Federal and state agencies to attend.

Respond to Higher Authority Comments - Incorporate comments from higher authority review of the preliminary draft Feasibility Report and the AFB into draft NEPA document that is integrated with the draft Feasibility Report.

Draft NEPA document - A draft NEPA document (integrated with the draft Feasibility Report) will be submitted to the EPA, Region IV.

404(b)(1) Evaluation - Excavation and any fill volumes from engineering designs will be obtained and a 404(b)(1) evaluation will be completed and included in the EIS.

Coastal Zone Management Evaluation - Obtain technical information needed and complete a Coastal Zone Management Act evaluation, including a determination of consistency in the NEPA document.

Water Quality Certification Pre-Application Coordination – Water quality certification will be sought from the FDEP at the conclusion of this study. The Governors

Clearing House Review, conducted by the Florida Department of Community Affairs, will provide a process by which the Recommended Plan can receive preliminary approval from the State of Florida. Close coordination with the state will be required throughout the study process to facilitate this preliminary approval, which is essentially the equivalent of FDEP conceptual permit, as sufficient detail is not available at the completion of the study phase to obtain final state approval.

Comment Period for NEPA documentation - Respond to questions from agencies/public during review, respond to questions/inquiries from higher authority, and attend public meetings.

Final NEPA document - Transmit the final NEPA documentation (integrated with final Feasibility Report) to South Atlantic Division.

ROD - Record of Decision is prepared and signed by Assistant Secretary of the Army for Civil Works.