

SECTION 10
PUBLIC INVOLVEMENT

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SECTION 10 PUBLIC INVOLVEMENT

10.1 INTRODUCTION

Public involvement is a critical component of the Picayune Strand Restoration Project [formerly called the Southern Golden Gate Estates (SGGE) Ecosystem Restoration Project, Collier County, Florida] due to the public, political, and media interest in the restoration of the ecosystem. The failed subdivision was the topic of study, court cases, and discussion by both the county and the state before inclusion under the Comprehensive Everglades Restoration Plan (CERP). The environmental impacts of the subdivision were first addressed in an engineering study for Collier County in 1974, and the public has historically had multiple opportunities to be involved with the development of the project, including the Golden Gate Estates Feasibility Study, the Central and Southern Project Comprehensive Review Study (the “Restudy”), and the SFWMD conceptual restoration plan prior to inclusion in CERP. Under CERP, public input continues to be a very important and integral part of the development of this integrated PIR/EIS and will continue to be important throughout implementation of the preferred plan components.

Public involvement is a process by which interested and affected individuals, organizations, agencies, tribes, and governmental entities participate in a decision-making process. Public involvement has been, and will continue to be, a critical component of the Picayune Strand Restoration Project, scoping, plan formulation, report writing, and implementation process. The agencies involved were responsible for developing plans and strategies that effectively addressed the expressed issues and concerns of the public, including targeted stakeholder groups. Five goals for public involvement were identified and implemented throughout the process:

- Inform the public about the Picayune Strand Project and generate input on key issues and concerns. This input involves diverse groups outside of the Project Delivery Team (PDT) who assisted early on in the process of problem definition, issue and opportunity identification, as well as providing input on potential solutions.
- Develop relationships critical to the success of the study and implementation of the recommendations of the study.
- Facilitate open and honest discussions that enhance efforts to foster public understanding of the tradeoffs and complexities of developing multi-purpose water resources.

- Support an exchange of ideas and information among interested individuals and stakeholder groups critical to resolving the challenges involved in an environmental restoration effort of this magnitude.
- Develop and utilize innovative techniques to inform and engage traditionally under-represented communities and socially and economically disadvantaged individuals, including those with limited English language proficiency.

As the lead agencies, the U.S. Army Corps of Engineers (Corps) and South Florida Water Management District (SFWMD) are to:

- Keep people informed so that they can make educated choices;
- Provide visible ways to participate in the process;
- Provide equal access to information and decision-makers regardless of viewpoint; and
- Reach communities that have been under-represented in decision-making processes in the past and provide under-served communities with the information concerning aspects of the project, which may interest or affect them.

10.2 PUBLIC WORKSHOPS

The draft of the Project Management Plan (PMP) was published in May 2001. In order to involve the public in the process, a public workshop was held to inform the public of changes in the plan before implementation. The workshop was held on July 11, 2002 at the Collier County Government Center in the County Commissioner's Chambers.

The public workshop generated a large amount of input from the public. Local citizens groups have formed, local news have done numerous stories on the project, and citizens groups have invited project partners to speak at public meetings.

The draft integrated Project Implementation Report/Environmental Impact Statement (dPIR/EIS) was published in May 2004. After May 12, 2004, 14 additional requests for copies of the document were received, and the printed copies and/or CDs were mailed out. Printed copies were mailed on May 6, 2004 and made available at local libraries, SFWMD offices, the local community center, and the local county extension office. The comment period dates and availability of the document on the Internet were highlighted on the May 14, 2004 "What's New" section of the evergladesplan.org homepage. The opening of the comment period for the draft document was May 14, 2004. The public had the opportunity to review the document for 34 days prior to the public workshop.

A public workshop was held at seven o'clock on the evening of June 17, 2004 at the Best Western Naples Plaza Hotel. The purpose of the meeting was to provide an update and overview of the project, present the tentatively recommended plan, and provide an opportunity for the public to comment on the project and the draft PIR/EIS document. The public had the opportunity to speak and provide comments during the public meeting, provide written comments, and take comment sheets (with directions for submittal) to use for additional comments at a later date. The closing date for comments and information on how to submit comments by mail or via the Internet was provided verbally during the presentation, shown on a slide during the presentation, and provided on an additional information sheet. The question/answer and comment period lasted approximately three hours.

10.3 SCOPING

The Picayune Strand Restoration Project has had a long history of public and interagency involvement dating back to the 1978 Congressional authorization for the Corps to prepare a Golden Gate Estates (GGE) Feasibility Study. The Corps published the GGE Feasibility Study in 1986. In February of 1996, the Big Cypress Basin/South Florida Water Management District submitted the "Hydrologic Restoration of Southern Golden Gate Estates – Conceptual Plan" to the Governor of Florida. In January 1997, the Interagency Technical Advisory Committee (ITAC) convened with representatives from the Corps, U.S. Fish and Wildlife Service (FWS), U.S. Geological Survey (USGS), Florida Department of Environmental Protection (FDEP), Florida Game and Fresh Water Fish Commission, and others to provide input and assistance for the Cooperative Watershed Planning Assistance Study led by the Natural Resources Conservation Service (NRCS) and SFWMD. NRCS published this study in September 2001. In September 2000, utilizing the expertise of the ITAC, the Corps and SFWMD jointly initiated the development of a Project Management Plan (PMP) for the SGGE project (now known as the Picayune Strand Restoration Project). The PMP was presented to the Big Cypress Basin Board of Directors at a public meeting in February of 2001. During the past 24 years, local and state agencies have held numerous meetings to gather input on issues and opportunities involving the restoration of Picayune Strand.

A Notice of Intent (NOI) to prepare a draft integrated Project Implementation Report and Environmental Impact Statement (dPIR/EIS) for the Southern Golden Gate Estates Hydrologic Restoration Project (now known as the Picayune Strand Restoration Project) was published in the Federal Register on May 24, 2002. The NOI outlined the project purposes, objectives, features, and scope; described the study area; and laid out the scoping process utilized to involve

Federal, State, and local agencies, affected Native American Tribes, and interested private organizations and parties.

A Scoping Letter dated June 26, 2002 was sent out by the Corps to approximately 3,000 interested parties. The letter solicited views, comments, and information about resources, study objectives, alternatives, and important features within the study area. During the 30-day comment period, 122 phone calls, 42 e-mails, and 9 letters were received. This correspondence covered various issues. The theme of these inquiries was invariably the same. Most respondents were having a problem locating their property on the project map that had been included in the scoping letter. A summary representative of the questions asked is as follows:

1. Is my property within the project area?
Answer: Respondents were assisted in locating their property. All property was determined to be outside of the project boundaries.
2. Why did I get this letter from the Corps of Engineers?
Answer: When the Corps of Engineers designs a project, it is customary to notify surrounding landowners. Even though your land is outside project boundaries, the Corps asks if you have any concerns that need to be addressed.
3. Is the "Government", during the implementation of the Picayune Strand (formerly known as SGGE) project, going to purchase, steal, or force me to sell my land in Northern Golden Gate Estates (NGGE)?
Answer: The State of Florida has already purchased 92% of the lands needed for the Picayune Strand Project. There was a lot of confusion between the Picayune Strand (formerly known as the Southern Golden Gate Estates Restoration Project) and two local NGGE land protection programs called Regional Offsite Mitigation Areas (ROMA) and Transfer of Development Rights (TDR). Respondents were given local phone numbers for the agencies in charge of these programs.
4. Will my property be flooded by the hydrologic restoration?
Answer: The intent of the Picayune Strand Restoration Project is to design a project that does not impact the level of flood service for any of the surrounding private property.

10.4 FOCUS GROUPS

As part of the process, the PDT conducted focus group meetings throughout Collier County. The meetings were held between May 2001 and September 2002. The purpose of these workshops was to provide information to the public about the project and gather input from the stakeholders.

10.5 STAKEHOLDER INVOLVEMENT AND OUTREACH

The Strategic Communications and Public Outreach Plan is comprised of four components: 1) stakeholder involvement, 2) media program, 3) public information/awareness program, and 4) public meetings.

10.5.1 Stakeholder Involvement

The Picayune Strand Restoration Project PDT conducted regular working meetings that were open to public observation. Public comment was permitted at the conclusion of PDT meetings. Throughout the duration of the project, numerous opportunities have been provided for the public to obtain information outside of formal workshops. Published information is available via either the www.sfwmd.gov or www.evergladesplan.org websites. Printed copies of documents are available at the Big Cypress Basin (BCB) office or from any of the PDT members. Public meetings, briefings, and technical workshops with civic associations, neighborhood associations, colleges, faith-based organizations, environmental groups, and local governments have provided, and will continue to provide, avenues for the study team to encourage public participation in this project. The BCB Board receives quarterly updates. The Basin Board meetings are open to the public and are usually televised on the government access cable channel. Elected officials, homeowner associations, and any interested party may receive the free BCB Express Newsletter with periodic updates on the SGGE Hydrologic Restoration Project (now known as the Picayune Strand Restoration Project).

The following list provides examples of the many meetings held in the stakeholder outreach effort:

- Meeting with Belle Meade Landowners - May 21, 2001
- Golden Gate Civic Association Meeting Panel Presentation - July 18, 2001
- Presentation to the Board of County Commissioners – December 5, 2001
- Meeting with Billie Cypress/Tribal Council - February 5, 2002
- Updates to the BCB Board – November 2, 2001; May 31, 2002; August 30, 2002; and December 5, 2002
- Meeting with the Florida Attorney General and staff – April 17, 2002
- Meeting with real estate developer Don Lester and the Property Rights Action Committee – August 7, 2002

The following stakeholder meetings were held to gather detailed comments on the draft PIR document prior to the public workshop in Naples on June 17, 2004:

- Collier County - April 29, 2004
- Port of the Islands - May 6, 2004
- Port of the Islands RV Resort and Gun Club - May 17, 2004
- Collier Enterprises/Barron Collier - June 7, 2004
- Environmentalists - June 7, 2004
- Public Land Managers - June 8, 2004
- 6L's Farm - June 8, 2004
- Property Rights Action Committee - June 8, 2004
- 6L's Farm, Deseret Farm, Sunny Grove Civic Association - June 17, 2004

The Miccosukee Tribe of Indians have been involved with the development of the project. The Miccosukee Tribe owns land within the project footprint that is the subject of a condemnation action and has been a much more active participant in the development of the project. The Corps of Engineers understands its responsibilities to the Seminole Tribe of Indians and the Miccosukee Tribe of Indians regarding the Tribes' sovereign nation status and abides by the guidelines set forth in the U. S. Army Corps of Engineers Tribal Policy Principles when dealing with the Tribes. Representatives for the Miccosukee Tribe have been involved in numerous stakeholder meetings with the SFWMD. Several representatives of the Tribe were invited to and attended Project Delivery Team (PDT) meetings. In addition, representatives for the Miccosukee Tribe attended the June 17, 2004 public workshop. Counsel for the Miccosukee Tribe gave verbal comments at the workshop and written followup at a later date. Concerns of the Miccosukee Tribe include compliance with the Indian Trust Doctrine, the National Environmental Policy Act (NEPA), the Water Resources Development Act (WRDA), the Administrative Procedure Act, the Endangered Species Act, and Programmatic Regulations, as well as concerns regarding the 5th Amendment, due process, environmental justice, and the Tribe's cultural resources, and water quality and quantity.

Several members of the Corps staff have had discussions with representatives of the Miccosukee Tribe regarding their comments, and a detailed response to comments was sent to the Tribe.

On June 29, 2004, the Corps sent a request to Tribal Chairman Billy Cypress requesting government-to-government consultation on the draft PIR so that the Tribe and the U.S. Army Corps of Engineers could collaboratively work to develop resolutions to the Tribe's concerns with the project at this pre-decisional stage. A similar request was sent to the Chairman Mitchell Cypress of the Seminole Tribe of Indians of Florida.

10.5.2 Stakeholder Group Meetings

Meetings in Collier County included staff from the Florida Wildlife Federation, Audubon, and The Conservancy of Southwest Florida. Members of the general public were also included in meetings, especially those interested in property rights or recreational opportunities in the Picayune Strand State Forest.

As required, the SFWMD has coordinated a series of ongoing stakeholder meetings with local utility companies (refer to Section 10.7 “Other Required Coordination” and Section 12.6.4 “Coordination Of Project With Existing Utilities And Public Infrastructure”).

10.5.3 Small Group Meetings

Throughout the alternative plan development process, informal meetings were held to maintain dialogue, clarify issues, and identify concerns. Meetings were held with groups such as the Property Rights Action Committee, Environmental Groups, Homeowner Associations, and the Rotary Club.

In addition, the SFWMD has had an ongoing dialogue with representatives for the Miccosukee Tribe of Indians regarding a variety of water management district and Tribal issues and concerns. One of the items discussed at the meetings is the Prairie Canal Project, which is part of the proposed Picayune Strand Restoration Project. A letter dated Sept. 3, 2003 was received from the Miccosukee Tribe detailing their concerns regarding coordination associated with the restoration of the Prairie canal (Phase 1) in the Picayune Strand. Tribal representatives and SFWMD members met on September 18, 2003 to discuss early start of Phase 1. Modeling results were presented that showed no impacts to Tribal lands. On October 24, 2003, there was a follow-up meeting at the Miccosukee Tribe office to discuss the Prairie Canal Project.

10.5.4 Local Government Briefings

Formal presentations have been made periodically and will continue throughout the life of the project. Presentations were made during regularly scheduled county commission meetings in Collier County. Local government officials were briefed several times through personal meetings, the BCB Express Newsletter, and via televised BCB Board Meetings.

10.5.5 Project Team Briefings

Briefings of PDT members were made on a quarterly basis throughout the process to provide updates on plan development activities and to discuss stakeholder concerns and possible remedies.

10.5.6 Water Management District Governing Boards

As the non-Federal sponsor of the Picayune Strand Restoration Project and the state governmental body charged with water resource management in South Florida, the SFWMD Governing Board provided policy guidance during the course of the study. Periodic presentations were made to the BCB Board throughout all phases of the project. These meetings were open to the public and public comment was welcomed. The SFWMD's Board Members were also kept informed of the project.

10.5.7 Public Information and Outreach

Because of the intense public interest in the Picayune Strand Restoration Project, there have been a wide variety of outreach efforts. The District and the Corps utilize printed and electronic media to provide written reports. Staff from the Big Cypress Basin (BCB) and Lower West Coast Regional Service Center offices are available to make presentations to interested parties.

10.5.7.1 Written Publications

Newsletters and other informational pieces were developed to provide information and updates to the public. Written publications included public notices identifying the purpose and location of the workshops/public meetings, fact sheets describing study progress, and multiple reports. In addition, the draft and final PMP and PIR documents were made available to the public for comment in a variety of formats, including print copies, CDs, and copies available over the Internet.

Prior to the beginning of the comment period on May 14, 2004 and the June 17, 2004 public meeting, printed copies of the draft integrated PIR/EIS for the Picayune Strand Restoration Project (formerly called the "Southern Golden Gate Estates Ecosystem Restoration Project, Collier County, Florida") document were made available for public review at the following locations:

- SFWMD Administrative Offices, 3301 Gun Club Road, West Palm Beach, FL
- SFWMD Lower West Coast Service Center, 2301 McGregor Boulevard, Fort Myers, FL
- SFWMD/Big Cypress Basin, 6089 Janes Lane, Naples, FL
- NGGE Max Hasse Community Park, 3390 Golden Gate Blvd. West, Naples, FL
- Collier County Extension Office, 14700 Immokalee Road, Naples, FL
- Collier County Library Headquarters, 2385 Orange Blossom Drive, Naples, FL
- Collier County Library Golden Gate Estates Branch, 266 Golden Gate Blvd., Naples, FL
- Collier County Public Library, 650 Central Avenue, Naples, FL 34102

10.5.7.2 Electronic Publications

A web page has been developed and is maintained for information access by the general public on the Comprehensive Everglades Restoration Plan (www.evergladesplan.org). Portions of that website specifically address the Picayune Strand Restoration Project (formerly known as the SGGE Hydrologic Restoration Project). Electronic versions of interim study products have been, and will continue to be, posted there to facilitate greater public access to informative documents. Information, including a calendar with scheduled meetings, has been and will continue to be posted at this website. New items of interest were posted on the homepage of the www.evergladesplan.org website, including the availability of the draft PIR document online; the dates of the comment period; a contact, mailing address, and e-mail address for comments; and updated fact sheets in both English and Spanish.

Information and reports are also available at the BCB homepage as part of the SFWMD web site. The web address is www.sfwmd.gov. Dates for public workshops were listed on the website's calendar.

10.5.7.3 Media

The overall public involvement strategy included a media plan for the restoration project. Various news interviews have been conducted throughout the study to explain the purpose and strategy for addressing the study's objectives. In addition, the media has had the opportunity to attend PDT meetings to observe the actions and discussions of the PDT. Opportunities have also been made available for the media to be briefed on concerns and important issues. Press releases in English and Spanish have been sent out to announce

public meetings and comment periods, and public meetings have also been advertised in newspapers of general and local circulation. Corps staff have worked in partnership with local newspapers to provide information to the public regarding public workshops and comment periods.

10.5.7.4 Minority Outreach

The Southern Golden Gate Estates area did not have a significant number of developed home sites, so much of the outreach for the project involved providing information to landowners whose primary residences were in other areas and to people who lived in the adjacent Northern Golden Gate Estates area.

Spanish speakers represent the largest minority group in the local area. To reach this group, informational post cards, fact sheets, and the executive summary of the draft PIR have been translated and made available in Spanish in public workshops and on the Internet. In addition, advertisements (not small notices) have been placed in Spanish language newspapers, and translation services have been available at public workshops. Spanish speaking staff members have been also available to receive and answer questions.

10.5.7.5 Educational Institution Partnerships

On April 11, 2002, the SFWMD entered into two-year cooperative agreements with five community colleges and Florida Gulf Coast University (FGCU). The agreements put into action a creative public partnership that expands community outreach, environmental education, and job training in local communities throughout the SFWMD's 16-county region. Through this partnership, the SFWMD will collaborate with the selected institutions to increase environmental awareness, while at the same time supporting the creation of environmental science degree programs designed specifically to prepare Florida's workforce for opportunities related to the SFWMD's major projects, such as Everglades restoration. FGCU is working with Edison Community College on environmental issues that are of interest to Florida's western coast, including water conservation and Everglades restoration.

The innovative partnership initiative began in January 2001 as a pilot effort at Florida Memorial College in Miami, the only Historical Black College in South Florida. The partnership agreements also include aggressive community-driven outreach strategies to inform the region's diverse communities and businesses.

10.6 PUBLIC MEETINGS

Public meetings or workshops are one of many methods that have been utilized to engage and involve the public and obtain public comment during the development of the Picayune Strand Restoration Project.

The National Environmental Policy Act (NEPA) of 1969 regulations and Council of Environmental Quality (CEQ) Regulations (40 CFR 1506.6 of the Code of Federal Regulations) do not require a specific number of public meetings. However, Section 1503.1(a)(4) of the Army Regulation ER 200-2-2 states that the proponent agency for a Federal Action, such as the Corps, should solicit comments on the draft EIS from the public, especially “those persons or organizations who may be interested or affected.”

Public workshops were held to solicit comments on both the draft Project Management Plan (PMP) and the draft integrated Project Implementation Plan and Environmental Impact Study (dPIR/EIS), and were noticed in compliance with 40 CFR 1506.6.

A public workshop was held July 11, 2002 to provide an overview of the restoration plan including alternative plans, and provided an opportunity for public comment on the SGGE Hydrologic Restoration Project (now known as the Picayune Strand Restoration Project) draft Project Management Plan. The workshop was held at the Collier County Board of County Commissioners’ Chambers. Approximately 80 people signed in at the workshop with 26 people providing public comments. Some attendees chose not to sign in since the chamber seats were all filled and the room held 135 audience chairs. A comment sheet was distributed during the workshops in case people chose to provide input at a later date. Public comments recorded at the meeting provided a good sense of the public’s concerns and issues as well as the magnitude of each concern. This information was used to help with future outreach efforts. A video was also made of the proceedings. A full account of this and other meetings can be made available upon request to the Corps. Below is a list of the most widely held concerns expressed by the public at the workshop:

- Property rights
- Eminent Domain process
- Flooding north of the project
- Other effects to property north of the project
- Questions about the National Environmental Policy Act (NEPA) process
- Whether the final plan will include pump stations
- Support for completion of the project

A public workshop was held June 17, 2004 to provide an update on the project, present the three preferred alternatives and the tentatively recommended plan, and gather comments on the draft integrated Project Implementation Report and Environmental Impact Statement (dPIR/EIS) document.

Information on the Picayune Strand Restoration Project (formerly called the “Southern Golden Gate Estates Ecosystem Restoration Project, Collier County, Florida”) Public Workshop on June 17, 2004 was provided to the public in a variety of ways:

- The event was listed on the main Everglades restoration website calendar at www.evergladesplan.org and the South Florida Water Management District's online calendar at www.sfwmd.gov.
- Stakeholders were notified of the upcoming workshop at a series of eleven stakeholder meetings held prior to the public workshop. Stakeholders were contacted in advance by phone and notified of the public meeting.
- A joint news release was issued on May 28, 2004, and a Spanish version of the news release went out on June 7, 2004 to the local Spanish-speaking newspapers, *A Toda Marcha*, *Gaceta Tropical*, *Gente Bonita*, and *Nuevos Ecos*.
- An advertisement (not a small notice) was placed in the following local newspapers: *The Fort Myers News Press* (June 8, 2004), *The Naples Daily News* (June 8, 2004), *The Gazette* (June 8, 2004), and Spanish-speaking *Nuevos Ecos* (June 16, 2004).
- An e-notice was sent out to a list of over 1,100 people that had previously requested to be contacted regarding CERP projects (including those who attended past Picayune Strand Restoration Project meetings and indicated their interest on comment cards). The e-notice was sent out on June 2, 2004, two weeks before the meeting. It was sent out again as a reminder on June 9, 2004, one week before the meeting.
- An invitation was sent out to 35 local elected officials the week before the meeting.
- The following newspapers also published notices announcing the workshop and its purpose: *Everglades Echo* (June 8, 2004), *The Gazette* (June 8, 2004), and *The Naples Sun Times* (June 16, 2004).

To address the special needs of individuals with disabilities, a notice stating that assistance for people with special needs could be provided by calling either one of two contact names (phone numbers supplied) was included in the following:

- Press releases in Spanish and English
- Newspaper advertisements (3 English and 1 Spanish)
- E-notice (sent out twice to over 1,100 people)
- CERP events calendar at www.evergladesplan.org on the Internet

One call requesting information regarding the meeting facilities came in from an individual with disabilities, and the person's questions were answered during multiple phone calls by outreach staff. One person with visual disability attended the meeting but did not request special assistance or materials in advance.

A request was made for a copy of the draft PIR document in Braille by a person who was not an individual with blind or low vision disability (the requestor was observed using a standard printed dPIR for reference at the meeting where the request was first made). No specific individual with a need to accommodate blind or low vision disability was identified by the requestor, nor did the requestor provide contact information for such a person when that information was requested by Corps staff.

To determine how to address the issue of a general request for a copy of the two-volume document in Braille, Corps staff consulted with several agencies involved in providing access for people with disabilities. All discussions yielded the same conclusion: different users have preferences or necessities to access information in different ways. Therefore, it is essential to be able to directly discuss the needs of the individual with the visual disability, in order to be able to provide the information according to their preferences and specific individual needs. Braille is a good mechanism for providing accessible text to those who know Braille, though not all people who are blind know Braille - especially people who lose their sight when they are older. Staff from Computer/Electronic Accommodations Program (CAP) has noted that the majority of people with visual disabilities prefer to access information using screen readers that translate text on a page into speech or refreshable Braille. In addition, they suggested that even Braille readers would probably prefer to use a screen reader to access information in such a large document, simply because it is more convenient to use. Voice output provides the most widely used method for providing access to information for individuals with visual disabilities. In addition, providing materials in electronic format is the most cost-effective and convenient way of making materials available to people with disabilities. Staff from the Computer/Electronic Accommodations Program (CAP) confirmed that the dPIR document provided on the Internet was accessible and in the correct format to be used by those individuals with visual disabilities using screen readers.

Since no request came from a specific individual with a visual disability (and no contact information was provided to the Corps so they could best accommodate specific individual needs and preferences), and the Corps has already provided a reasonable accommodation, a Braille version of the dPIR was not created.

The entire public workshop lasted approximately three and a half hours, with a three-hour comment period. A presentation was given that included the three decision criteria used for selection of the tentatively recommended plan:

1. No point source discharge to the estuary
2. Restore greater than 50% of the area to its pre-drainage condition
3. No adverse impacts to the existing levels of drainage for NGGE

There were approximately 175 attendees, including representatives from community groups, local government, local businesses, homeowners, and the Tribes. There were approximately 45 speakers from the audience. There were six representatives from the media, including three major television news affiliates, two local newspapers, and one of general circulation. Some attendees chose not to sign in. Comment cards were made available to the public. The proceedings were recorded on audiotape and by a stenographer. A workshop transcript can be made available upon request to the Corps (two individuals requested and received electronic copies of the transcript). A comment sheet was distributed during the workshop for people who preferred to provide written comments at a later date. Spanish translation and interpretation services were made available but were not utilized. Fact sheets were available in both English and Spanish. In addition, information sheets were provided to the public, with information on how to make additional written comments (including the contact information, a mailing address, an e-mail address, and the dates of the comment period). Information was available on how to access the draft PIR/EIS on the Internet. The information sheets also provided referrals and contact information for other issues of local interest that are not connected to the dPIR, such as Federal Emergency Management Area (FEMA) flood insurance rate maps, the Regional Off-site Mitigation Area (ROMA), land acquisition, endangered species, and the Division of Forestry Management Plan.

Public concerns and comments at the 2004 public workshop were similar in scope to the 2002 issues listed above, with the following additional issues:

- Berms/effects on Port of the Isles community, 6 L's Farm, Deseret Farms and Belle Meade
- Emergency evacuation routes/access for emergency services
- Public access; public use; recreational use, including horseback riding and ORV use
- Request for extension of the comment period
- Meetings - current meeting conditions inadequate, request for additional meetings
- Citizens rights
- Pump function during hurricanes
- Land management plan/dumping issues, including waste cleanup

- Dewatering/wellfields/flooding of Northern Golden Gate Estates
- Noticing of public meetings
- Land acquisition/Hardy Property
- Miccosukee Tribal concerns
- Project costs
- Scientific basis for the project
- Assistance for individuals with disabilities

Follow-up articles were published in *The Golden Gate Gazette* (June 29, 2004 and July 14, 2004), *The Naples Daily News* (June 18, 2004), on Naplesnews.com (June 18 and 24, 2004), and *The Naples Sun Times* (June 30, 2004).

10.6.1 Summary Public and Stakeholder Concerns

Two-way communication with the general public and organized stakeholders has been an integral part of the Picayune Strand Restoration Project. Throughout the public meetings and other outreach efforts to gather public input, several consistent areas of concern were encountered. As areas of controversy or concerns arose, efforts were made to ensure these issues were addressed. The following are some areas of controversy or concern encountered during the project development and the efforts to resolve those issues.

10.6.1.1 Misunderstanding of the Picayune Strand Project Area

There are other environmental projects under consideration in areas adjacent to the Picayune Strand Restoration Project area, so there is confusion over the area included in the Picayune Strand Restoration Project. An extensive information campaign with maps has been undertaken to show exactly where the Picayune Strand Restoration Project begins and ends. The campaign has stated that other projects under consideration, including but not limited to a mitigation area and a project in Belle Meade, are NOT part of the Picayune Strand Restoration Project.

10.6.1.2 Responsible Agency

There was some confusion over what agency was in charge of the Picayune Strand Restoration Project. Since so many agencies, organizations, and groups are involved in the decision-making process, there has been confusion over what agencies and who in these agencies should answer questions regarding the Picayune Strand Restoration Project. In order to end some confusion, there are only two contact names on all current literature, such as the fact sheets

available in English and Spanish. The project managers and their e-mail addresses are also listed on the section of the www.evergladesplan.org website specifically associated with this project. The Corps project manager and the SFWMD project manager can either answer a question or send the person with the question to the expert who knows the answer. This has reduced the frustration of all involved and reduced the amount of red tape the stakeholders were dealing with in order to receive answers

10.6.1.3 Drainage Impacts to the Northern Golden Gate Estates Area

The plan has considered a number of alternatives, looking for the one that does the most for restoration of the Picayune Strand area, while having no significant or adverse impact on current drainage in the NGGE area. The public has been assured repeatedly that no such impacts are legally allowed in the NGGE area, and the alternative that is chosen will preserve current drainage levels in the area.

Another issue relating to flood impacts to NGGE was encountered when Federal Emergency Management Agency (FEMA) released updated flood maps for this area. FEMA's update to the flood maps for NGGE would require the NGGE residence to have increased flood insurance. Due to concerns generated by this action, Commissioner Jim Coletta held a public meeting on June 11, 2003 at Gulf Coast High School on Immokalee Road in Naples, Florida. The Corps and SFWMD staff attended this workshop in order to clear up misinformation relating these categorization changes and the Picayune Strand Restoration Project. During this workshop, it was stated by the SFWMD that FEMA's change in the flood classification of NGGE was in no way related to any work or study being conducted in the Picayune Strand Restoration Project (formerly known as SGGE) project area, but rather an independent FEMA map update schedule and revisions based on the SFWMD's latest rainfall atlas data. Furthermore, the analysis for the Picayune Strand Restoration Project PIR was completely independent of any flood map production by FEMA.

10.6.1.4 Private Property Rights

Property rights are a major issue among landowners in the area. Lawsuits were filed over the adequacy of compensation being paid by the FDEP to willing sellers in the Picayune Strand Restoration Project area. The state court ruled that an independent real estate appraisal would be done and both the state and owners would abide by the appraisal value. The first sales were finalized within weeks of the court ruling. An incorrect rumor persists that landowners that went through the eminent domain process were not compensated adequately or

were compensated at extremely reduced rates. Letters have been sent to landowners and literature has been made available on the laws governing the eminent domain process. Public meetings were held where actual bills of sale between FDEP and former landowners were provided. The bills of sale showed that adequate compensation was paid. In the case where the former landowners had residential property, they were moved to new and sometimes better accommodations at FDEP expense. Maps were used to show that no properties north of Interstate 75 would be impacted.

10.6.1.5 Land Usage after the Picayune Strand Restoration Project

The State of Florida Division of Forestry, as manager of the property, will publish a management plan (including a recreational use plan) after the PIR for the Picayune Strand Restoration Project is complete. They are collecting data and requests for recreational land usage after the restoration. Currently, there are areas available for recreation. However, recreational opportunities in the future may change as a result of the restoration. For example, dry areas that are currently available may remain wet year round after the restoration. The need to provide areas for recreational off road vehicle (ORV) use has been recognized, and three agencies, the Florida Department of Environmental Protection (FDEP), Florida Fish and Wildlife Conservation Commission (FWCC), and Florida Division of Forestry (FDOF), will establish a committee to identify land in the area and throughout southern Florida to address ORV use.

10.7 OTHER REQUIRED COORDINATION

Florida Statute 373.1501(5)(e) requires that the SFWMD “ensure that implementation of project components is coordinated with existing utilities and public infrastructure and that impacts to and relocation of existing utility and public infrastructure are minimized.” Since 2002, SFWMD staff has maintained an ongoing dialog with all utility companies in the area. Details regarding ongoing stakeholder meetings with local utilities are discussed in depth in Section 12 of this report under “Project Assurances”, specifically Section 12.6.4, “Coordination Of Project With Existing Utilities And Public Infrastructure.”

The South Florida Ecosystem Restoration Task Force was provided with information about the final three alternative plans that were developed and evaluated before the completion of the draft PIR at the December 3, 2003 meeting in Delray Beach, Florida, as required by the Programmatic Regulations for the Comprehensive Everglades Restoration Plan, 33 CFR Part 385.26(a)(2).

Regulations for implementing NEPA state that, when requested by the lead agency, any other Federal agency with jurisdiction shall be a cooperating agency. In addition, any other Federal agency having special expertise with respect to any environmental issue that should be addressed in the study may be a cooperating agency upon request of the lead agency (40 CFR, Parts 1500-1508, § 1501.6) (Restudy 1999). The Corps and SFWMD requested participation of cooperating agencies on the PDT, organized meetings, and assigned relevant tasks to the various cooperating agencies depending on agency authority and/or particular expertise. Coordination throughout the plan formulation process culminated in a smaller sub-team of the PDT working together to write and edit the Picayune Strand Restoration Project draft integrated Project Implementation Report and Environmental Impact Statement.

In addition to the scoping required by the NEPA, coordination required by other Federal laws and regulations has been conducted with the following agencies.

10.7.1 U.S. Fish and Wildlife Service

As part of the plan formulation process, a Planning Aid Letter (PAL) was received from the U.S. Fish and Wildlife Service (FWS) on October 2, 2001. A Coordination Act Report (CAR) has been prepared and is included in Appendix D. Conclusions and recommendations in the CAR are discussed in Section 9.5. A second Planning Aid Letter was received from USFWS, dated August 11, 2003. The FWS and Florida Fish and Wildlife Conservation Commission (FWC) have taken part in PDT meetings and have been integral to the technical sub-team processes of evaluating components, determining benefits and producing performance measures for the alternatives. Section 9.6 of this report describes the informal Section 7 Endangered Species Act consultation that has been ongoing with the FWS since the inception of this project.

10.7.2 Cooperating State and Federal Agencies

The Picayune Strand Restoration Project (formerly known as Southern Golden Gate Estates) Project Delivery Team (PDT) has been an interdisciplinary, multi-agency group of local, state, and Federal agency representatives. Coordination was achieved through staff member participation on the PDT and sub-teams as necessary. The Corps, SFWMD, Natural Resources Conservation Service, U. S. Fish and Wildlife Service,, Florida Department of Environmental Protection, Florida Division of Forestry, National Park Service, National Marine Fisheries Service, Florida Fish and Wildlife Conservation Commission, and Collier County all contributed one or more staff members as active participants of the PDT.

The issues and concerns of these agencies and governments were continuously a part of PDT activities.

PDT meetings were working meetings that were open to public observation, but not participation. Public comments and questions were taken at the end of each meeting. A list of the Picayune Strand Restoration Project (formerly known as SGGE) PDT members can be found in Section 14 of this report.

Since Congressional approval of CERP, the planning and analysis for individual restoration projects have been proceeding via individual project delivery teams. As restoration has advanced, the concept of consolidating individual project teams into a reduced number of regional teams has been implemented. In an effort to manage projects more efficiently by consolidating meetings and providing a regional perspective, two Regional Project Delivery Teams (RPDTs), South and Central, were initiated in May 2004. As the lead agencies, the Corps and SFWMD have multiple members from a variety of disciplines serving on both RPDTs. Other federal, state, and local agencies and Tribes involved in the restoration effort are represented by a single member on each RPDT team. The public is invited to observe the proceedings as part of the audience and is provided an opportunity for comment. The RPDT meetings will provide stakeholders and the public opportunities to review the progress of multiple projects at a single meeting, while maintaining a regional perspective. Both project-level and regional issues can be addressed and resolutions applied to multiple projects. This reduces duplication of effort, ensures greater consistency among projects, and makes the project development process more efficient. The first South Regional Project Delivery Team meeting (SRPDT) was held on July 13, 2004 in Ft. Lauderdale, FL. The second meeting was held in Naples, FL on August 24, 2004. Future meetings will be scheduled monthly or on an as-needed basis as required for the development of the projects.

10.7.3 Draft Integrated Project Implementation Report and Environmental Impact Statement Recipients

The Notice of Availability (NOA) for the Picayune Strand Restoration Project (formerly known as SGGE) draft integrated Project Implementation Report and Environmental Impact Statement (dPIR/EIS), was published in the Federal Register on May 14, 2004. Copies of the document were sent to numerous local, state, and Federal agencies and private interest groups for review and comment in accordance with the Council on Environmental Quality's NEPA regulations and related Corps guidance.

The following agencies, groups, and individuals were sent copies of the Picayune Strand Restoration Project (formerly known as SGGE). Draft Integrated Project Implementation Report and Environmental Impact Statement:

Native American Tribes

Miccosukee Tribe of Florida
Seminole Tribe of Florida

Federal Agencies

Bureau of Indian Affairs
Natural Resources Conservation Service
National Marine Fisheries Services
National Oceanic and Atmospheric Administration
U.S. Department of Agriculture
U.S. Department of the Interior
U.S. Environmental Protection Agency
U.S. Department of Justice
Federal Highway Administration
U.S. Fish and Wildlife Service
Big Cypress National Preserve

State Agencies

Governor, State of Florida
Florida State Clearinghouse
Florida Department of Community Affairs
Florida Department of Environmental Protection
Florida Fish and Wildlife Conservation Commission
Florida Department of Health
Florida Department of State
Florida Department of Transportation
Florida Division of Forestry
South Florida Water Management District

Regional Governments

South Florida Regional Planning Council

County Governments

Collier County

Municipal Governments

City of Marco Island
Mayor, City of Everglades

Universities

Florida Gulf Coast University

Libraries

Collier County Public Library

Groups

Golden Gate Landowners, Inc.

Lehtinen, Vargas & Renner Professional Association

Max Hasse Community Park

Individuals

A list of individuals who received the Picayune Strand Restoration Project (formerly known as SGGE) draft Project Implementation Report and Environmental Impact Statement is on file in the Corps Jacksonville District at the address shown on the cover page of this document. Every effort was made to ensure that stakeholders and other individuals with an interest in the project were notified of the availability of the document, the dates of the comment period, and information regarding the public meeting.

Prior to December 26, 2003, 2,812 blue high-visibility postcards were mailed out to people that had been identified as adjacent property owners (outside of the project area, mostly in Northern Golden Gate Estates) and others who had expressed interested in the project. The postcard notified the public that the Corps was moving ahead with plans for the Southern Golden Gate Estates project (as it was known at the time) and was preparing a draft integrated Project Implementation Report/Environmental Impact Statement (dPIR/EIS) document that would be available for comment in the beginning of 2004. The mailing notified the public that the document would be available at six locations locally (locations and addresses were provided) and the main SFWMD office in West Palm Beach, as well as on the Internet. Individuals were also able to request (ahead of time) the following when they became available:

- Printed copy of the executive summary in English or Spanish
- Printed copy of the entire dPIR/EIS (English only)
- Electronic copy of the entire dPIR/EIS on a CD

The postcard notified the public that after the dPIR/EIS was published, a public meeting would be held to present an overview of the project and provide a forum for public comment. It also stated that information regarding the public meeting would be forthcoming.

Pursuant to the requests returned, the draft PIR/EIS document was sent out to the public during the week of May 10-May 14, 2004 in the following formats: 51 CDs, 71 executive summaries in English, 23 executive summaries in Spanish, and 50 print copies. Copies went out in various formats (CD and print) to various addresses at: 3 city agencies, 4 county agencies, 32 environmental groups, 60 federal agencies, 3 libraries, 3 press agencies, 7 private/civic groups, 9 regional agencies, 20 state agencies, 11 state clearinghouses, 2 universities, and 7 addresses for the Indian Tribes. Additionally, a complete copy was available on the Internet throughout that time period in a format compatible with voice synthesizing software for the use of interested parties who are visually impaired.

Prior to the publication of the Notice of Availability (NOA) for the final PIR/EIS document for the Picayune Strand Restoration Project, the public will be notified in advance (via e-mail, e-notice, or newspaper coverage) that the final PIR/EIS will be available at various local public locations and on the Internet. All members of the public that attended the June 17, 2004 public workshop (and provided contact information) or provided comments on the draft document will be offered the opportunity to have the document sent to them on a CD or in print, using the method of contact available. In addition, a general e-notice (sent to a list of over 1,100 people who have previously indicated an interest in Everglades restoration projects) and press releases in both Spanish and English will announce the availability of the final PIR/EIS on the Internet and in public locations, as well as the beginning and ending dates of the 30 day comment period for the final PIR/EIS and information on how to submit comments on the final PIR/EIS (including a contact, e-mail address, and mailing address).

10.8 COMMENTS AND RESPONSES

In accordance with NEPA requirements, all interested parties had opportunities to comment on the contents of the Picayune Strand Restoration Project (formerly called the “Southern Golden Gate Estates Ecosystem Restoration Project, Collier County, Florida”) draft integrated Project Implementation Report and Environmental Impact Statement. The original public comment period was 45 days, beginning May 14, 2004 and ending June 28, 2004. A public workshop was held 5 weeks after the document was made available to the public. The document was available in print, on CD, and on the Internet. It was also made available at several local public libraries, the SFWMD offices, the local community center, and the county extension office. The purpose of the workshop, held during the middle of the comment period, was to provide an update on the project, allow the public to review and comment on the draft document and, answer questions from all interested parties. A request for extension of the comment period was made at the June 17, 2004 public workshop. A 15 calendar-day extension of the comment period was granted,

with July 13, 2004 as the new closing date. In addition to notifying those who made a formal, written request for an extension of the comment period, all people who attended the public workshop that provided correct e-mail addresses were notified of the comment period extension via e-mail. Corps staff also notified the local newspaper, *The Gazette*, of the extension, where an article was published on the front page of the June 29 edition, with a special section containing information on the comment period extension and how to submit comments. During the 45-day comment period and 15 calendar-day extension, 34 e-mails, one phone call, 3 comment sheets, and 18 letters were received. The range of issues covered in the comments included:

- Support for the project
- Support for alternative 3D
- Hurricane/emergency evacuation routes
- Additional data collection and modeling needed
- High price of cost estimates/project
- Fears of over-drainage and excess flooding
- Requests for the comment period to be extended
- Inability to read report or insufficient time to read it
- Concerns of what will happen if project doesn't work
- Inadequate June 17, 2004 public meeting in Naples, FL
- No notice of public meeting
- Opposition to project
- Further review and modification of document needed
- Concerns of taking away ATV riding area
- Concerns of taking away people's private land (especially Jesse Hardy's)
- Concerns about U.S. 41
- Not received copy (CD or paper) of document
- Report was not published in Braille
- Requests for additional time for comment beyond the 15 calendar-day extension that was granted

Comments received during the review of the draft have been addressed and documented in the final Project Implementation Report and Environmental Impact Statement. The letters and comments are also included in their entirety in Appendix G.

10.9 ENVIRONMENTAL JUSTICE

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, requires the Federal government to achieve environmental justice by identifying and addressing high, adverse, and disproportionate effects of its activities on minority and low-income

populations. It requires the analysis of information such as the race, national origin, and income level for areas expected to be impacted by environmental laws, regulations, and policies. It also requires Federal agencies to identify the need to ensure the protection of populations relying on subsistence consumption of fish and wildlife, through analysis of information on such consumption patterns and the communication of associated risks to the public.

The Picayune Strand Restoration Project will provide benefits to quality of life by improving the natural environment. The Picayune Strand Restoration Project will restore wetlands and improve water discharge in locations remote from urban populations, such that negative impacts are eliminated for all communities. The Picayune Strand Restoration Project is a congressionally approved project funded 50/50 between Federal and State governments to make improvements to hydrology that benefit both man and the environment.

The Picayune Strand Restoration Project does not present any environmental impacts that are high, adverse, and disproportionate to low income, minority, or Tribal populations. Through the public participation process of the outreach and NEPA scoping, no high or adverse impacts became known. There was sufficient public input to feel confident that scoping was successful and that the breadth of the potential impacts were communicated and understood by the public. Since no high or adverse impacts were discovered during scoping, there is no requirement for a disproportionate impact analysis. In conclusion, the NEPA process has found no evidence of high, adverse, or disproportionate impacts.

Project sites are located based upon hydrologic characteristics, land availability, and interconnection to existing canals and structures to optimize operations. Furthermore, in the consideration of the project site, urban areas are avoided to eliminate the negative impacts typically associated with site location of large projects. Through “willing seller” agreements a variety of land rights have been or will be acquired that allow the use of land for the resulting improvements to the human quality of life and the intended environmental benefits of the Picayune Strand Restoration Project.

These environmental benefits provide quality of life improvements to all people and primarily to people in the communities within the Picayune Strand Study Area. Existing canals will be operationally and physically changed to allow water to sheet flow as it did under natural, historic conditions. This will also help to eliminate peak detrimental storm water runoff and add other water-related benefits. By the nature of the project design, the operating procedures will have no significant or adverse impact on current drainage. The project will improve the quality of human life by providing increased wildlife activity and by improving the health of natural coastal communities. This will be a special bonus for those who appreciate seeing increases in fish and bird populations. It

will translate into aesthetic and economic benefits for sport fishing and other recreational communities.

Most lands acquired for the Picayune Strand Restoration Project will not require a significant number of people to be relocated. The vast majority of the land was unimproved and did not require the physical relocation of permanent residents. The results of the scoping process, directed at property owners as well as residents, was such that many owners did not even know whether their property was in the Picayune Strand Restoration Project Area. Census data only applies to residents and thus has limited value in fully portraying the demographics of those affected.

10.10 ALTERNATIVES AND MITIGATION

To date, the Picayune Strand Restoration Project does not appear to present any environmental impacts that are high, adverse, or disproportionate to low income, minority, or tribal populations. However, in the event that it becomes apparent that an issue does exist with any group, the lead agencies will work proactively to incorporate their concerns into the continued analysis to reduce impacts. If it is not possible to reduce impacts, the lead agencies will work with the community to develop acceptable options.