

APPENDIX E
AGENCY AND PUBLIC COORDINATION

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E.0 AGENCY/PUBLIC COORDINATION

Public Outreach efforts for the Water Preserve Areas (WPA) began early in the reconnaissance phase of the Central and Southern Florida (C&SF) Project Comprehensive Review Study (Restudy). Due to the intense public, political, and media interest in restoration of the south Florida ecosystem, public participation has been a critical component of the development of this Project Implementation Report (PIR).

E.1 PUBLIC INVOLVEMENT PROGRAM

Public involvement is a process by which interested and affected individuals, organizations, agencies, and governmental entities are consulted and participate in the decision-making process. Public involvement in the BCWPA Project has two main functions: to inform the public about what the project team is planning and to generate input on key issues and concerns critical to resolving the challenges involved in the planning effort.

E.2 SCOPING FOR THE BROWARD COUNTY WPA PROJECT

A Notice of Intent (NOI) to produce an integrated BCWPA Draft Project Implementation Report and Environmental Impact Statement (PIR/EIS) was published in the Federal Register on July 30, 2004. A Scoping Letter asking for agency and public comment on the proposed BCWPA PIR was sent out on September 18, 2004.

E.3 OTHER REQUIRED COORDINATION

In addition to the scoping required by the National Environmental Policy Act, coordination required by other Federal laws and regulations has been conducted with the following agencies:

E.3.1 U.S. Fish and Wildlife Service (USFWS)

Three Planning Aid Letters, dated September 30, 2003, March 31, 2004, and July 26, 2004 were received from the USFWS as part of the process for developing alternative plans. A draft Fish and Wildlife Coordination Act (FWCA) report was issued on July 1, 2005 and a final FWCA report was issued on June 9, 2006. A supplemental letter of transmittal for the final FWCA report was issued on December 4, 2006 which addresses the refinements in the project design. These letters and reports can be reviewed in *Annex A*. This information has been incorporated by the project team into the BCWPA PIR plan formulation process. The USFWS is a member of the project team.

Additionally, the BCWPA Project has been determined to be compliant with Section 7 of the Endangered Species Act. The U.S. Army Corps of Engineers (USACE) determined the BCWPA Project may affect, but is not likely to adversely affect the eastern indigo snake, wood stork, Everglade snail kite, bald eagle, West Indian manatee or the Florida panther. The Draft PIR/EIS served as the endangered species Biological Assessment. The USFWS concurred with the USACE's effect determination in letters dated April 7, 2006, and May 9, 2006. These letters are included in *Annex A*.

E.3.2 National Marine Fisheries Service (NMFS)

Public law 104-208 reflects the Secretary of Commerce and Fishery Management Council authority and responsibilities for the protection of Essential Fish Habitat (EFH). Federal agencies that fund, permit, or carry out activities that may adversely impact EFH are required to consult with the NMFS regarding potential effects of their actions on EFH and federally managed fisheries. The USACE has determined the BCWPA Project would not adversely impact EFH or federally managed species and is therefore satisfied that the consultation procedures to implement the EFH provision of the Magnuson-Stevens Act have been met.

E.3.3 Florida Fish and Wildlife Conservation Commission (FWC)

Two Planning Aid Letters dated July 14, 2004 and January 20, 2005 have been received from the FWC and are included in *Annex A*. This information has been used by the project team in the BCWPA PIR plan formulation process. The FWC is a member of the project team.

E.3.4 Florida State Historic Officer

Coordination has been ongoing with the State Historic Preservation Officer (SHPO) in accordance with the procedure of the Advisory Council on Historic Preservation. Three cultural resources sites have been identified within the C-11 Impoundment area. These sites are known to contain human remains and have been determined to be eligible for inclusion to the National Register of Historic Places. Affects to two of the sites will be avoided by redesign of the project. One site will be adversely affected by the project. The Corps, South Florida Water Management District (SFWMD), and the SHPO are developing a Memorandum of Agreement (MOA) to identify measures needed to mitigate the adverse affects to this site. Once the MOA is approved and signed by all parties construction can commence. Further consultation with the SHPO, Native

American Tribes and other interested parties will continue as the project proceeds towards more detailed design and construction.

E.4 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 disproportionately high adverse 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 actions. 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 communication to the public of associated risk. Refer to **Section 6.9** for further details on Environmental Justice.

E.5 REVIEW OF THE DRAFT PIR/EIS

A Notice of Availability of the Draft PIR/EIS was published in the Federal Register on March 17, 2006. The Draft PIR/EIS was sent to numerous local, state and Federal agencies, private interest groups and interested public for review and comment in accordance with the Council on Environmental Quality's National Environmental Policy Act regulations and related Corps guidance. Public libraries in the project area were provided copies to maintain in the reference section of the libraries for public review. The Draft PIR/EIS was also posted on www.evergladesplan.org for web viewing. The comment period ended on May 1, 2006. Comments received during the review were considered in preparing the final study documents.

E.5.1 Comments Received and Responses

Several comments were received in response to the Draft PIR/EIS. A matrix of the comments and responses, as well as copies of the correspondence is provided in **Annex B**.

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