

Appendix R
Public Involvement and Agency Correspondence



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

REPLY TO
ATTENTION OF:

September 14, 2012

Coastal Environment Team
Planning and Environmental Division

Mr. John Rodi
Regional Director
Bureau of Ocean Energy Management
1201 Elmwood Park Boulevard
New Orleans, Louisiana 70123-2394

Dear Mr. Rodi:

The Mobile District is preparing a Supplemental Environmental Impact Statement (SEIS) to the Mississippi Coastal Improvements Program Comprehensive Plan and Integrated Programmatic EIS (PEIS) prepared in June 2009. The PEIS evaluated comprehensive water resources improvements associated with hurricane and storm damage reduction, flood damage reduction, and ecosystem restoration in three coastal counties of Mississippi including the comprehensive restoration of the barrier islands. At the time the PEIS was completed, the final decision relative to the location of suitable borrow sites and the detailed design for the restoration had not been made. Therefore, the decision was that this information would be included in a supplement to the PEIS following the completion of the technical and engineering studies. The SEIS being prepared will address the potential impacts associated with the use of the specific borrow sites and the design of the restoration.

The Council on Environmental Quality (CEQ), Regulations on Implementing National Environmental Policy Act Procedures (NEPA) (40 CFR 1500-1508) emphasizes agency cooperation early in the NEPA process through the establishment of Cooperating Agency status. In essence any Federal or State agency which has jurisdiction over activities to be considered in the SEIS has the opportunity to serve as a Cooperating Agency. Responsibilities of a Cooperating Agency include but are not limited to provision of data and/or information, and review of the preliminary draft SEIS for completeness. Information relative to the rights and responsibilities of lead and cooperating agencies may be found in CEQ Forty Most Asked Questions Concerning CEQ's NEPA Regulations (<http://ceq.eh.doe.gov/nepa/regs/40>).

As lead agency in the preparation of the SEIS, the Mobile District is requesting your participation as a Cooperating Agency in this effort. We look forward to working with you on this project and if you should have any questions, please feel free to contact Mr. Larry Parson at (251) 690-3139 or larry.e.parson@usace.army.mil, EIS manager, or Dr. Susan Ivester Rees, Program Manager at (251) 694-4141 or susan.i.rees@usace.army.mil

Sincerely,

A handwritten signature in black ink, appearing to read "Curtis M. Flakes", with a long horizontal flourish extending to the right.

Curtis M. Flakes
Chief, Planning and Environmental
Division



United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT

Gulf of Mexico OCS Region
1201 Elmwood Park Boulevard
New Orleans, LA 70123-2394

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In Reply Refer To: GM 623E

OCT 05 2012

Mr. Curtis M. Flakes
Chief, Planning and Environmental Division
U.S. Army Corps of Engineers
Mobile District
Post Office Box 2288
Mobile, Alabama 36628-0001

Dear Mr. Flakes:

Thank you for your letter requesting that the Bureau of Ocean Energy Management (BOEM) become a Cooperating Agency during the National Environmental Policy Act (NEPA) process for the preparation of a Supplemental Environmental Impact Statement (EIS) for the proposed Mississippi barrier island restoration projects on East and West Ship Islands and Cat Island. The June 2009, "Mississippi Coastal Improvements Program, Comprehensive Plan and Integrated Programmatic Environmental Impact Statement" did not recommend the use of sediment from borrow sources on the Outer Continental Shelf (OCS). It is our understanding that OCS borrow sources are now being considered and that geophysical and geotechnical investigations are underway. Since BOEM has jurisdiction over mineral leasing on the OCS, BOEM agrees to serve as a Cooperating Agency on these restoration projects and in the preparation of the Supplemental EIS. BOEM will prepare a Memorandum of Agreement (MOA), which will serve as a negotiated lease agreement for the designated borrow areas and define each agency's role in the process.

As a Cooperating Agency, BOEM expects to provide Bureau-appropriate assistance with the preparation of the Supplemental EIS. Dr. Kenneth Ashworth and Dr. Michael Miner will represent BOEM on the Project Delivery Team for the Supplemental EIS; they will help ensure the scope of the Supplemental EIS accurately reflects Bureau of Ocean Energy Management's NEPA and leasing requirements. Following completion of all NEPA requirements, BOEM will prepare a MOA, which will serve as a negotiated lease agreement for the designated borrow areas. If, through the planning process, the consideration of OCS resources is removed from the list of alternatives, BOEM will cease its role as a Cooperating Agency.

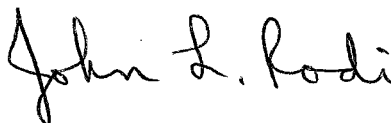
BOEM also recognizes the importance of participating in the required Endangered Species Act (ESA) Section 7 consultation; the Magnuson-Stevens Fishery and Conservation Management

Act essential fish habitat (EFH) consultation (Section 305); the National Historic Preservation Act Section (NHPA) 106 process; and the Coastal Zone Management Act (CZMA) Section 307 consistency process. As the lead Federal Agency for the ESA Section 7 and EFH consultations, the Corps must notify the U.S. Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) of its lead role and BOEM's cooperating role. BOEM would expect the Corps, as lead Agency, to work with BOEM to ensure existing biological opinions from FWS and NMFS are applicable to BOEM's part of the Federal action and/or expect to jointly submit the ESA Section 7 and the EFH assessments to FWS and NMFS. BOEM expects the Corps to be the lead Federal agency for NHPA Section 106 and CZMA Section 307 compliance with BOEM acting in a cooperating role.

It is BOEM's policy to negotiate a new agreement for each use of OCS material; therefore, this agreement only applies to the NEPA and environmental requirements for the East and West Ship Islands and Cat Island projects. The final NEPA document, as well as the outcome of other environmental requirements, may be used to establish stipulations of conditions in future negotiated agreements.

BOEM looks forward to working with the Corps during this process. If you would like to discuss any of these items further, please contact Dr. Kenneth Ashworth at (504) 736-2656 or kenneth.ashworth@boem.gov or Dr. Michael Miner at (504) 736-2700 or michael.miner@boem.gov.

Sincerely,

A handwritten signature in black ink that reads "John L. Rodi". The signature is written in a cursive style with a large initial "J" and "R".

John L. Rodi
Regional Director



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

November 20, 2012

REPLY TO
ATTENTION OF:

Mr. David Bernhart
National Oceanic and Atmospheric
Administration Fisheries
Southeast Regional Office
Protected Resources Division
263 13th Avenue South
St. Petersburg, Florida 33701

Dear Mr. Bernhart:

The U.S. Army Corps of Engineers (Corps), Mobile District, has prepared the enclosed Biological Assessment (BA) to analyze the potential effects to protected species under your purview associated with the Mississippi Coastal Improvement Program Comprehensive Barrier Island Restoration project.

The Comprehensive Barrier Island Restoration consists of the placement of approximately 22 million cubic yards (mcy) of sand within the Ship Island portion of the National Park Service's Gulf Islands National Seashore, Mississippi unit to close Camille Cut between East and West Ship Islands, and to ameliorate erosion of the southern shoreline of East Ship Island. In addition, the plan includes the restoration of the eastern shoreface of Cat Island using an additional approximate 2 mcy of sand. A third related action to maximize the beneficial placement of sandy maintenance dredged material from the Pascagoula Federal navigation project includes the redefinition of Disposal Area 10 and the littoral zone disposal site.

By this letter and enclosed BA, the Corps, Mobile District is requesting formal Section 7 consultation, as required under the Endangered Species Act, for protected species identified in the BA. We are requesting your concurrence with our determination that the proposed actions may affect but are "not likely to adversely affect" Sea Turtles and Gulf sturgeon and "no adverse modification" of critical habitat.

Thank you for your help in assisting us with this project. Should you require any further assistance, please call Ms. Lekesha Reynolds at (251) 690-3260 or via email at lekesha.w.reynolds@usace.army.mil.

Sincerely,

A handwritten signature in black ink that reads "Susan I. Rees".

Susan I. Rees

Chief, Mississippi Coastal Improvements
Program

Enclosures

Copy furnished: Mr. Ryan Hendren, National Marine Fisheries Service



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

November 20, 2012

REPLY TO
ATTENTION OF:

Mr. Stephen Ricks
Field Supervisor
U.S. Fish and Wildlife Service
Ecological Services Field Office
6578 Dogwood View Parkway, Suite A
Jackson, Mississippi 39213

Dear Mr. Ricks:

The U.S. Army Corps of Engineers (Corps), Mobile District, has prepared the enclosed Biological Assessment (BA) to analyze the potential effects to protected species under your purview associated with the Mississippi Coastal Improvement Program Comprehensive Barrier Island Restoration project.

The Comprehensive Barrier Island Restoration consists of the placement of approximately 22 million cubic yards (mcy) of sand within the Ship Island portion of the National Park Service's Gulf Islands National Seashore, Mississippi unit to close Camille Cut between East and West Ship Islands, and to ameliorate erosion of the southern shoreline of East Ship Island. In addition, the plan includes the restoration of the eastern shoreface of Cat Island using an additional approximate 2 mcy of sand. A third related action to maximize the beneficial placement of sandy maintenance dredged material from the Pascagoula Federal navigation project includes the redefinition of Disposal Area (DA) 10 and the littoral zone disposal site.

By this letter and enclosed BA, the Corps, Mobile District is requesting formal Section 7 consultation, as required under the Endangered Species Act (ESA), for protected species identified in the BA. We are requesting your concurrence with our determination that the proposed actions may affect but are "not likely to adversely affect" Sea Turtles and Piping plover and "no adverse modification" of critical habitat.

Thank you for your help in assisting us with this project. Should you require any further assistance, please call Ms. Lekesha Reynolds at (251) 690-3260 or via email at lekesha.w.reynolds@usace.army.mil.

Sincerely,

A handwritten signature in black ink that reads "Susan L. Rees".

Susan L. Rees

Chief, Mississippi Coastal Improvements
Program

Enclosures

Copy furnished: Mr. Paul Necaie, U.S. Fish and Wildlife Service

Authorization

As a result of these determinations, NMFS proposes to issue an IHA to SIO for conducting a marine geophysical survey in the eastern tropical Pacific Ocean, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. The duration of the IHA would not exceed one year from the date of its issuance.

Dated: October 15, 2010.

Helen M. Golde,

Deputy Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2010-26547 Filed 10-20-10; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648-XZ53

Taking and Importing of Marine Mammals

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; annual affirmative finding renewal.

SUMMARY: The Assistant Administrator for Fisheries, NMFS, (Assistant Administrator) has renewed the affirmative finding for the Government of El Salvador under the Marine Mammal Protection Act (MMPA). This affirmative finding will allow yellowfin tuna harvested in the eastern tropical Pacific Ocean (ETP) in compliance with the International Dolphin Conservation Program (IDCP) by El Salvadorian-flag purse seine vessels or purse seine vessels operating under El Salvadorian jurisdiction to be imported into the United States. The affirmative finding was based on review of documentary evidence submitted by the Government of El Salvador and obtained from the Inter-American Tropical Tuna Commission (IATTC) and the U.S. Department of State.

DATES: The affirmative finding renewal is effective from April 1, 2010, through March 31, 2011.

FOR FURTHER INFORMATION CONTACT: Sarah Wilkin, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213; phone 562-980-3230; fax 562-980-4027.

SUPPLEMENTARY INFORMATION: The MMPA, 16 U.S.C. 1361 *et seq.*, allows the entry into the United States of yellowfin tuna harvested by purse seine

vessels in the ETP under certain conditions. If requested by the harvesting nation, the Assistant Administrator will determine whether to make an affirmative finding based upon documentary evidence provided by the government of the harvesting nation, the IATTC, or the Department of State.

The affirmative finding process requires that the harvesting nation is meeting its obligations under the IDCP and obligations of membership in the IATTC. Every 5 years, the government of the harvesting nation must request an affirmative finding and submit the required documentary evidence directly to the Assistant Administrator. On an annual basis, NMFS will review the affirmative finding and determine whether the harvesting nation continues to meet the requirements. A nation may provide information related to compliance with IDCP and IATTC measures directly to NMFS on an annual basis or may authorize the IATTC to release the information to NMFS to annually renew an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f) are no longer being met or that a nation is consistently failing to take enforcement actions on violations, thereby diminishing the effectiveness of the IDCP.

As a part of the affirmative finding process set forth in 50 CFR 216.24(f), the Assistant Administrator considered documentary evidence submitted by the Republic of El Salvador or obtained from the IATTC and the Department of State and has determined that El Salvador has met the MMPA's requirements to receive an annual affirmative finding renewal.

After consultation with the Department of State, the Assistant Administrator issued the Republic of El Salvador's annual affirmative finding renewal, allowing the continued importation into the United States of yellowfin tuna and products derived from yellowfin tuna harvested in the ETP by El Salvadorian-flag purse seine vessels or purse seine vessels operating under El Salvadorian jurisdiction. This annual renewal of El Salvador's affirmative finding will remain valid through March 31, 2011.

Dated: October 15, 2010.

Eric C. Schwaab,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 2010-26552 Filed 10-20-10; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Intent To Prepare a Draft Supplemental Environmental Impact Statement (SEIS), Mississippi Barrier Island Restoration, Mississippi Coastal Improvements Program (MsCIP) for Hancock, Harrison, and Jackson Counties, MS**

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DOD.

ACTION: Notice of intent.

SUMMARY: The Mobile District, U.S. Army Corps of Engineers (Corps), intends to prepare a Draft Supplemental Environmental Impact Statement (DSEIS) to the MsCIP Comprehensive Plan and Integrated Programmatic EIS, prepared in June 2009, which evaluated comprehensive water resource improvements associated with hurricane and storm damage risk reduction, shoreline erosion, salt water intrusion and fish and wildlife preservation in three coastal counties of Mississippi. As described in the Comprehensive Plan, the SEIS will address potential impacts associated with the comprehensive restoration of the Mississippi barrier islands. These actions are related to the consequences of hurricanes in the Gulf of Mexico in 2005 and will be used as a basis for ensuring compliance with the National Environmental Policy Act (NEPA).

ADDRESSES: Questions about the proposed action and the DSEIS should be addressed to Mr. Larry Parson, or Dr. Susan Ivester Rees, Planning and Environmental Division, Mobile District, U.S. Army Corps of Engineers, P.O. Box 2288, Mobile, AL 36628-0001.

FOR FURTHER INFORMATION CONTACT: Mr. Larry Parson, (251) 694-3139 or e-mail at larry.e.parson@usace.army.mil or Dr. Susan Ivester Rees, (251) 694-414, or e-mail at susan.i.rees@usace.army.mil.

SUPPLEMENTARY INFORMATION:

1. Hurricane Katrina made landfall in Mississippi on August 29, 2005 causing catastrophic damage to lives, property, and natural resources throughout coastal Mississippi. In response, the U.S. Congress directed the Secretary of the Army through the Corps of Engineers (the Corps) to conduct an

analysis and design for comprehensive improvements or modifications to existing improvements in the coastal area of Mississippi in the interest of hurricane and storm damage reduction, prevention of saltwater intrusion, preservation of fish and wildlife, prevention of erosion, barrier island restoration, and other related water resources purposes. Further, the Corps was directed to provide interim recommendations for near term improvements by June 30, 2006, with final recommendations provided by December 30, 2007. Environmental impacts associated with implementation of 15 interim projects were addressed in an Environmental Assessment and a Finding of No Significant Impact signed on June 29, 2006.

2. The MsCIP Comprehensive Plan evaluated an array of measures to promote the recovery of coastal Mississippi from the hurricanes of 2005 and to provide for a coast resilient to future storm events. The Integrated Programmatic EIS evaluated multiple natural and engineered alternatives to provide various measures for various levels of risk reduction and restoration for the Mississippi coast. Formulation of the comprehensive plan involved identifying potential "Lines of Defense" moving from offshore to nearshore, shoreline, and along existing natural features inland, to possibly reduce damage from hurricane and storm events. This analysis included restoration of the barrier islands, nearshore features such as rubble and movable wall breakwaters, beachfront measures such as dunes, berms, and seawalls, coastal roadways and beach front property barriers such as elevation of roadways and property, and various other inland features such as installation of levees, elevated highway-topped levee systems, and surge protection gates, for potential inclusion in the overall damage reduction system. Consideration of "non-structural measures", such as acquisition and relocation of structures, hurricane evaluation, floodplain management, building codes and other event planning activities also serve as important hurricane and storm damage reduction planning features. Other alternatives considered restoration of storm damaged habitats such as coastal marshes, beaches, forests, oyster reefs, and submerged aquatic vegetation in Mississippi Sound and on the Mississippi mainland; restoration of historical water flows to coastal watersheds including freshwater diversion from Louisiana; and watershed based drainage modifications

for flood damage reduction. The EIS identified, screened, evaluated, prioritized, and optimized an array of alternatives.

3. The Draft SEIS. As discussed in the Integrated Programmatic EIS, a supplement would be prepared to address the borrow sources and placement areas for the Mississippi Barrier Islands Restoration. This is phase II of the plan described in the Programmatic EIS. Under phase I, the general plan of the barrier islands restoration was addressed; however the final design was not completed because the borrow sources were not identified.

The Comprehensive Barrier Island Restoration consists of the placement of approximately 22 million cubic yards of sand within the National Park Service's Gulf Islands National Seashore, Mississippi unit. Between 13–16 million cubic yards of sand would be used to close Camille Cut between East Ship Island and West Ship Island, which originally was opened by Hurricane Camille, through the construction of a low level dune system. The remaining sand would be placed in the littoral zones at the eastern ends of Ship and Petit Bois Islands. This would result in the restoration of 1,150 acres of critical coastal zone habitats and improvement to the water quality of the Mississippi Sound and provide incidental protection to two cultural sites on Ship Island listed on the National Register of Historic Places. In addition, the project would include the restoration of Cat Island using 1–2 million cubic yards of sand which are not included in the 22 million cubic yards of sand.

4. Public Involvement: a. The Corps has conducted extensive public involvement during the Comprehensive Plan and Integrated Programmatic EIS of June 2009. Since April 2006, the Corps Mobile District has hosted over 90 public involvement events, including 12 formal public and agency meetings, a 2-day Regional coordination meeting, a Public Scoping workshop, 3 online meetings, a Public Hearing workshop, and numerous internal meetings, which the agencies were invited to participate. The Corps also launched a project website enabling user downloads, project team collaboration, and communication among agencies and the public. This Web site will be updated with information on the SEIS for the Mississippi Barrier Island Restoration Project throughout the NEPA process: <http://www.ms Cip.usace.army.mil>.

b. The SEIS will analyze potential environmental impacts and benefits associated with proposed borrow and placement sites. Specifically, the following major issues will be analyzed

in the SEIS: Water quality, threatened and endangered species, essential fish habitat and other marine habitat, cultural resources, parks and protected lands, wetlands, and cumulative impacts.

c. The Corps will serve as the lead Federal agency during preparation of the SEIS. The following agencies have been invited to participate as cooperating agencies: U.S. Environmental Protection Agency; U.S. Department of the Interior—Fish and Wildlife Service, National Park Service, U.S. Geological Survey, U.S. Department of Transportation—Federal Highway Administration; U.S. Department of Commerce—National Oceanic and Atmospheric Administration and the National Marine Fisheries Service; U.S. Department of Homeland Security—Federal Emergency Management Agency; U.S. Department of Agriculture—Natural Resources Conservation Service; Mississippi Department of Marine Resources; Mississippi Department of Environmental Quality, and Mississippi Department of Archives and History; Mississippi Museum of Natural Science; Mississippi Department of Transportation; Mississippi Emergency Management Agency and the Gulf Regional Planning Commission. Participation from other agencies, interest groups, and individual citizens is being encouraged and sought.

5. It is anticipated that the SEIS will be made available for public review in December 2010.

Curtis M. Flakes,

Chief, Planning and Environmental Division.

[FR Doc. 2010–26493 Filed 10–20–10; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF DEFENSE

Department of the Army

Board of Visitors, United States Military Academy (USMA)

AGENCY: Department of the Army, DoD.

ACTION: Meeting notice.

SUMMARY: Under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976, and Federal regulations governing advisory committee meetings, the Department of Defense announces a Federal advisory committee meeting for the United States Military Academy Board of Visitors. This is the 2010 Annual Meeting of the USMA Board of Visitors. Members of the Board will be provided updates on Academy issues.