



United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecosystem Office
P.O. Box 2676
Vero Beach, Florida 32961-2676

September 8, 1999

Mr. James C. Duck
Chief, Planning Division
P.O. Box 4970
Jacksonville, FL 32232-0019

Re: Dade County Beach Erosion Control and Hurricane Protection Project

Dear Mr. Duck:

The Fish and Wildlife Service (Service) has reviewed the revised project plans to include an additional half mile of shoreline and the use of an upland sand source for the Dade County Beach Erosion Control Project, as outlined in your July 13, 1999, letter. The original scope of work proposed to deposit non-domestic oolitic aragonite along a mile-long stretch of shoreline in Miami Beach, Miami-Dade County, Florida. This draft report is submitted in accordance with the Fish and Wildlife Service Coordination Act of 1958, as amended (16 U.S.C. 661 *et seq.*).

In the Conference Report for FY 1999 appropriations, Congress directed that none of the funds provided for the Dade County Project shall be used for the acquisition of foreign source materials for the project unless the Secretary of the Army provides written certification to the Committees on Appropriations that domestic sources of materials are not available. Due to these circumstances, the Army Corps of Engineers (Corps) changed the source material from aragonite to an unidentified domestic upland sand source.

The proposed site is located along northern Miami Beach and will extend along approximately 1.5 miles of shoreline. The total volume of the fill is expected to be approximately 600,000 cubic yards. The proposed location for the test fill is between 83rd and 63rd Streets in Miami Beach (DEP monuments R-36 to R-47). The effects on fish and wildlife resources of depositing suitable fill along the proposed project area should be insignificant. The ocean bottom in the area offshore of the site is reported by Miami-Dade County biologists to be barren sand. The nearest hard bottom reef is located approximately 1/4 mile offshore according to the reef maps for the Corps' Coast of Florida Erosion and Storm Effects Study, Region III. In addition, as no dredging offshore in waters of the United States will be required to obtain fill for this project, dredging effects normally associated with beach project construction will be eliminated.

The COE devised Generic Sand Specifications for Beach Nourishment projects to be sent out to contractors for use during the bid process. The Service does not object to this project, as proposed, but offers the following comments regarding the sand specifications.

Page 3, Submittals: In addition to the information required to be included with the source information, the Service recommends a soil chemical analysis also be provided to indicate the sand is free of hazardous, toxic, and radioactive waste.

Upland sites: Upland sites will need review to determine that no additional threatened and endangered species will be affected by the excavation activities.

Thank you for this opportunity to provide these comments. Should you require further clarification or assistance, please do not hesitate to contact Trish Adams at (561) 562-3909, extension 232.

Sincerely yours,



For James J. Slack
Project Leader
South Florida Field Office

cc:
NMFS, St. Petersburg, FL
FWC, Vero Beach, FL
DEP, Tallahassee, FL



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Helping Floridians create safe, vibrant, sustainable communities"

JEB BUSH
Governor

STEVEN M. SEIBERT
Secretary

July 29, 1999

Mr. James C. Duck
Department of the Army
Jacksonville District Corps of Engineers
Post Office Box 4970
Jacksonville, Florida 32232-0019

RE: Department of the Army - Notification of Intent to
Prepare a Draft Environmental Impact Statement for the
Dade County Beach Erosion Control and Hurricane
Protection Project
SAI: FL9905240381C

Dear Mr. Duck:

The Florida State Clearinghouse, pursuant to Presidential Executive Order 12372, Gubernatorial Executive Order 95-359, the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335, 4341-4347, as amended, has coordinated a review of the above-referenced project.

The Department of State (DOS) notes that the proposed project will not adversely impact any historic properties listed, or eligible for listing, in the National Register of Historic Places. Regarding the fill material-borrow area, the DOS notes that the sand will come from a domestic upland source to be determined by the Corps. Since the sand borrow source will be located within the State of Florida's jurisdiction, the Corps will be coordinating with the DOS. Provided that the applicant concurs with this condition, the proposed activities will be consistent with the historic preservation laws of Florida's Coastal Management Program. Please refer to the enclosed DOS comments.

Based on the information contained in the notification of intent and the enclosed comments provided by our reviewing

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
Phone: (850) 488-8466/Suncom 278-8466 FAX: (850) 921-0781/Suncom 291-0781
Internet address: <http://www.state.fl.us/comaff/>

FLORIDA KEYS
Area of Critical State Concern Field Office
2796 Overseas Highway, Suite 212
Marathon, Florida 33050-2227

GREEN SWAMP
Area of Critical State Concern Field Office
205 East Main Street, Suite 104
Barrow, Florida 33830-4641

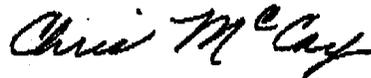
Mr. James C. Duck
July 29, 1999
Page Two

agencies, the state has determined that, at this stage, the above-referenced project is consistent with the Florida Coastal Management Program. Comments received to date from the reviewing agencies are enclosed for your review. Comments subsequently received by the Clearinghouse will be forwarded for your consideration.

In addition, the South Florida Regional Planning Council (SFRPC) has identified the policies and goals of its Strategic Regional Policy Plan which may apply to the proposed activity. The comments provided by the SFRPC are enclosed for your review and consideration.

If you have any questions regarding this letter, please contact Ms. Cherie Trainor, Clearinghouse Coordinator, at (850) 922-5438.

Sincerely,



for Ralph Cantral, Executive Director
Florida Coastal Management Program

RC/cc

Enclosures

cc: George Percy, Department of State
Eric Silva, South Florida Regional Planning Council

Message:

STATE AGENCIES	WATER MANAGEMENT DISTRICTS	OPB POLICY UNITS
Agriculture Community Affairs X Environmental Protection Game and Fresh Water Fish Comm Marine Fisheries Commission OTTED State Transportation	South Florida WMD St. Johns River WMD	Environmental Policy/C & ED 

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- X Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:

Department of the Army - Notification of Intent to Prepare a Draft Environmental Impact Statement for the Dade County Beach Erosion Control and Hurricane Protection Project.

To: Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 922-5438 (SC 292-6438)
(850) 414-0479 (FAX)

EO: 12372/NEPA

Federal Consistency

- No Comment
- Comments Attached
- Not Applicable

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From:

Division/Bureau: OLGA / OPB

Reviewer: Robert W. H...

Date: 7/22/99

COMMENT DUE-2 WKS:

06/09/1999

CLEARANCE DUE DATE:

07/08/1999

SAI#:

FL99052403810

Message:

STATE AGENCIES

WATER MANAGEMENT DISTRICTS

OPB POLICY UNITS

Agriculture
 Community Affairs
 Environmental Protection
 X Game and Fresh Water Fish Comm
 Marine Fisheries Commission
 OTTED
 State
 Transportation

South Florida WMD
 St. Johns River WMD

RECEIVED
 MAY 28 1999
 State of Florida Clearinghouse

Environmental Policy/C & ED

RECEIVED BY GFC
 MAY 27 1999
 OFFICE OF ENVIRONMENTAL SERVICES

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

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EO. 12372/NEPA

Federal Consistency

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- Comments Attached
- Not Applicable

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From:

Division/Bureau: ENVIRONMENTAL SERVICES

Reviewer: BRIAN BARNETT

Date: 5/27/99

COMMENTS DUE-2 WKS:

06/09/1999

CLEARANCE DUE DATE:

07/08/1999

SAT#:

FL9905240381

Message:

STATE AGENCIES	WATER MANAGEMENT DISTRICTS	OPB POLICY UNITS
<p>Agriculture Community Affairs Environmental Protection Game and Fresh Water Fish Comm X Marine Fisheries Commission OTTED State Transportation</p>	<p>South Florida WMD St. Johns River WMD</p>	<p>Environmental Policy/C & ED</p> <p style="text-align: center;">RECEIVED JUN 04 1999</p> <p style="text-align: center;">State of Florida Clearinghouse</p>

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- Comments Attached
- Not Applicable

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From:

Division/Bureau

Reviewer:

Date:

Ruby S. [Signature]
6/2/99

COMMENT DUE-2 WKS:

06/09/1999

CLEARANCE DUE DATE:

07/08/1999

SAI#:

FL99052403810

Message:

STATE AGENCIES

WATER MANAGEMENT DISTRICTS

OPB POLICY UNITS

Agriculture
 Community Affairs
 Environmental Protection
 Game and Fresh Water Fish Comm
 Marine Fisheries Commission
 X OTTED
 State
 Transportation

South Florida WMD
 St. Johns River WMD

Environmental Policy/C & ED

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 JUN 09 1999

State of Florida Clearinghouse

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- Comments Attached
- Not Applicable

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From:

Division/Bureau: OTTED
 Reviewer: W. Pinkney
 Date: 6/1/99

Office of the Secretary
Office of International Relations
Division of Elections
Division of Corporations
Division of Cultural Affairs
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
Division of Administrative Services

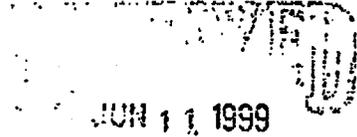


State Board of Education
Trustees of the Internal Improvement Trust Fund
Administration Commission
Florida Land and Water Adjudicatory Commission
State Board
Division of Bond Finance
Department of Revenue
Department of Law Enforcement
Department of Highway Safety and Motor Vehicles
Department of Veterans Affairs

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
DIVISION OF HISTORICAL RESOURCES

June 9, 1999

Ms. Cherie Trainor
State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100



State of Florida Clearinghouse

RE: DHR Project File No. 993853
Cultural Resource Assessment Request
SAI# FL9905240381
Notification of Intent to Prepare a Draft Environmental Impact Statement for the
Dade County Beach Erosion Control and Hurricane Protection Project
Dade County, Florida

Dear Ms. Trainor:

In accordance with the provisions of Florida's Coastal Zone Management Act and Chapter 267, *Florida Statutes*, as well as the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), we have reviewed the referenced project(s) for possible impact to historic properties listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical or architectural value.

For the beach renourishment areas, a review of the Florida Master Site File indicates that no significant archaeological or historical sites are recorded for or likely to be present within the project area. Furthermore, because of the project location and/or nature it is unlikely that any such sites will be affected. Therefore, it is the opinion of this office that the proposed project will have no effect on historic properties listed, or eligible for listing, in the *National Register of Historic Places*.

For the fill material-borrow area, we note that the sand will be coming from a domestic upland source to be determined by the Jacksonville District Corps of Engineers. Since the sand borrow source is located within the State of Florida's jurisdiction, the Corps will be coordinating with our office.

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250 • <http://www.flheritage.com>

- Director's Office (850) 488-1480 • FAX: 488-3355
- Archaeological Research (850) 487-2299 • FAX: 414-2307
- Historic Preservation (850) 487-2333 • FAX: 922-0496
- Historical Museums (850) 488-1484 • FAX: 921-2503
- Historic Pensacola Preservation Board (850) 595-5985 • FAX: 595-5989
- Palm Beach Regional Office (361) 279-1475 • FAX: 279-1476
- St. Augustine Regional Office (904) 825-5045 • FAX: 825-5044
- Tampa Regional Office (813) 272-3843 • FAX: 272-3340

Ms. Trainor
June 9, 1999
Page 2

Provided the applicant concurs with the condition, the proposed activities will be consistent with the historic preservation laws of Florida's Coastal Management Program.

If you have any questions concerning our comments, please contact Scott Edwards, Historic Preservation Planner, at 850-487-2333 or 800-847-7278. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

Laura A. Kemmerer

for

George W. Percy, Director
Division of Historical Resources
and
State Historic Preservation Officer

GWP/Ese

xc: Jasmin Raffington, FCMP-DCA

Message:

STATE AGENCIES

WATER MANAGEMENT DISTRICTS

OPB POLICY UNITS

Agriculture
 Community Affairs
 Environmental Protection
 Game and Fresh Water Fish Comm
 Marine Fisheries Commission
 OTTED
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 Transportation

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 X St. Johns River WMD

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Project Description:

Department of the Army - Notification of Intent to Prepare a Draft Environmental Impact Statement for the Dade County Beach Erosion Control and Hurricane Protection Project.

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 Tallahassee, FL 32399-2100
 (850) 922-5438 (SC 292-5438)
 (850) 414-0479 (FAX)

EO. 12372/NEPA

Federal Consistency

- No Comment
- Comments Attached
- Not Applicable

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

NOT IN SJRWMD

From:

Division/Bureau: SJRWMD/OAP

Reviewer: R. [Signature] 6/1/99

Date: _____

COMMENT DUE-2 WKS:
CLEARANCE DUE DATE:

06/09/1999
07/08/1999

Message:

SAI#: FL9905240381

STATE AGENCIES

WATER MANAGEMENT DISTRICTS

OPB POLICY UNITS

Agriculture
 Community Affairs
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 Transportation

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 State of Florida Clearinghouse

X Environmental Policy/C & ED

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 MAY 28 1999
 OFFICE OF PLANNING
 & BUDGETING
 ENVIRONMENTAL POLICY UNIT

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EO. 12372/NEPA

Federal Consistency

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- Comments Attached..
- Not Applicable

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From:

Division/Bureau: OPB - Env.
 Reviewer: Carlisle J. [Signature]
 Date: 6-7-98

South
Florida
Regional
Planning
Council



June 22, 1999

VIA FACSIMILE & MAIL

Ms. Cherie Trainor
Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

RE: SFRPC #99-0561, SAI #FL9905240381C - Response to a request for comments on the Notice of Intent to prepare a Draft Environmental Impact Statement for the Dade County Beach Erosion Control and Hurricane Protection Project, U.S. Army Corps of Engineers, City of Miami Beach, Miami-Dade County.

Dear Ms. Trainor:

We have reviewed the above-referenced project and have the following comments:

- The project methodology and design, as proposed, is generally consistent with the goals and policies of the *Strategic Regional Policy Plan for South Florida (SRPP)*. Council staff recognizes that offshore borrow sources along Miami-Dade County are nearly depleted and that future erosion control projects will require alternative sand sources.
- Beaches and dune systems are identified as natural resources of regional significance in the SRPP. Staff supports the use of buffer zones to protect these important resources. Sand movement and downdrift erosion should be monitored on a region wide basis to ensure the livelihood of wildlife habitats and the stability of the project area. All actions should be consistent with the goals and policies of the City of Miami Beach comprehensive plan.
- Staff recommends that, if the proposed actions are implemented, 1) impacts to the natural systems be minimized to the greatest extent feasible and 2) the permit grantor determine the extent of sensitive marine life and vegetative communities in the vicinity of each project and require protection and or mitigation of disturbed habitat. These guidelines will assist in reducing the cumulative impacts to native plants and animals, wetlands and deep water habitat and fisheries that the goals and policies of the *Strategic Regional Policy Plan for South Florida* seek to protect.
- The goals and policies of the *Strategic Regional Policy Plan for South Florida*, in particular those indicated below, should be observed when making decisions regarding this project.

Strategic Regional Goal

- 3.1 Eliminate the inappropriate uses of land by improving the land use designations and utilize land acquisition where necessary so that the quality and connectedness of Natural Resources of Regional Significance and suitable high quality natural areas is improved.

3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021
Broward (954) 985-4416, Area Codes 305, 407 and 561 (800) 985-4416
SunCom 473-4416, FAX (954) 985-4417, SunCom FAX 473-4417
e-mail sfadmin@sfrpc.com

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JUN 25 1999

State of Florida Clearinghouse

Regional Policies

- 3.1.9** Degradation or destruction of Natural Resources of Regional Significance, including listed species and their habitats will occur as a result of a proposed project only if :
- a) the activity is necessary to prevent or eliminate a public hazard, and
 - b) the activity is in the public interest and no other alternative exists, and
 - c) the activity does not destroy significant natural habitat, or identified natural resource values, and
 - d) the activity does not destroy habitat for threatened or endangered species, and
 - e) the activity does not negatively impact listed species that have been documented to use or rely upon the site.
- 3.1.10** Proposed projects shall include buffer zones between development and existing Natural Resources of Regional Significance and other suitable natural resources. The buffer zones shall provide natural habitat values and functions that compliment Natural Resources of Regional Significance values so that the natural system values of the site are not negatively impacted by adjacent uses. The buffer zones shall be a minimum of 25 feet in width. Alternative widths may be proposed if it is demonstrated that the alternative furthers the viability of the Natural Resource of Regional Significance, effectively separating the development impacts from the natural resource or contributing to reduced fragmentation of identified Natural Resources of Regional Significance.
- 3.1.11** Implement monitoring and maintenance of Natural Resources of Regional Significance and other suitable natural resources so that an Overall Positive Gain in quality and quantity of the Natural Resources of Regional Significance is achieved. The monitoring of the Natural Resources of Regional Significance shall be included on all projects that have not been demonstrated to not adversely impact the resource or associated listed species.
- 3.1.19** Uses of the land shall be consistent with the sustained ecological functioning of the Natural Resources of Regional Significance and suitable adjacent natural buffer areas and will be based upon the radius required to provide protection to the natural system and associated inhabitants. The radius will vary in size depending upon the resource or species that is to be protected.

Strategic Regional Goal

- 3.8** Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including but not limited to, Florida Bay, Biscayne Bay and the coral reef tract.

Regional Policies

- 3.8.1** Enhance and preserve natural shoreline characteristics through requirements resulting from the review of proposed projects and in the implementation of ICE, including but not limited to, mangroves, beaches and dunes through prohibition of structural shoreline stabilization methods except to protect existing navigation channels, maintain reasonable riparian access, or allow an activity in the public interest as determined by applicable state and federal permitting criteria.

Ms. Cherie Trainor

June 22, 1999

Page 3

- 3.8.2 Enhance and preserve benthic communities, including but not limited to seagrass and shellfish beds, and coral habitats, by allowing only that dredge and fill activity, artificial shading of habitat areas, or destruction from boats that is the least amount practicable, and by encouraging permanent mooring facilities. Dredge and fill activities may occur on submerged lands in the Florida Keys only as permitted by the Monroe County Land Development Regulations. It must be demonstrated pursuant to the review of the proposed project features that the activities included in the proposed project do not cause permanent, adverse natural system impacts.
- 3.8.3 As a result of proposed project reviews, include conditions that result in a project that enhances and preserves marine and estuarine water quality by:
- a) improving the timing and quality of freshwater inflows;
 - b) reducing turbidity, nutrient loading and bacterial loading from wastewater facilities and vessels;
 - c) reducing the number of improperly maintained stormwater systems; and
 - d) requiring port facilities and marinas to implement hazardous materials spill plans.
- 3.8.4 Enhance and preserve commercial and sports fisheries through monitoring, research, best management practices for fish harvesting and protection of nursery habitat and include the resulting information in educational programs throughout the region. Identified nursery habitat shall be protected through the inclusion of suitable habitat protective features including, but not limited to:
- a) avoidance of project impacts within habitat area;
 - b) replacement of habitat area impacted by proposed project; or
 - c) improvement of remaining habitat area within remainder of proposed project area.
- 3.8.5 Enhance and preserve habitat for endangered and threatened marine species by the preservation of identified endangered species habitat and populations. For threatened species or species of critical concern, on-site preservation will be required unless it is demonstrated that off-site mitigation will not adversely impact the viability or number of individuals of the species.

Thank you for the opportunity to comment. We would appreciate being kept informed on the progress of this project. Please do not hesitate to call if you have any questions or comments.

Sincerely,



Eric Silva
Senior Planner

ES/cp

cc: Dean J. Grandin Jr., City of Miami Beach
Jean Evoy, DERM



United States Department of the Interior

FISH AND WILDLIFE SERVICE

South Florida Ecosystem Office

P.O. Box 2676

Vero Beach, Florida 32961-2676

June 4, 1999

James C. Duck, Chief
Planning Division
U.S. Army Corps of Engineers
Jacksonville District
P.O. Box 4970
Jacksonville, Florida 32232

Dear Mr. Duck:

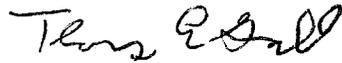
The Fish and Wildlife Service (Service) received your April 29, 1999 letter requesting concurrence that the determination for the Dade County Beach Erosion Control and Hurricane Protection Project Biological Assessment (BA) and conditions for the Biological Opinion (BO) remain the same as they were in 1998. This request follows Congressional alteration of the project by denying use of foreign sand sources and expanding the test fill site. The Service concurs that the 1998 BA and BO still apply to the project.

At Congress's behest, foreign source sands are disallowed for the project unless the Secretary of the Army provides certification to the Appropriations Committees that no domestic sources are available. Therefore, instead of imported aragonite, the project sand is now to be obtained from a domestic upland source. In addition, the fill area was expanded by Congress: the site was from 83rd to 63rd streets and now is from 80th to 65th streets. The Service concurs that both of these alterations are covered by the existing BA's may affect determination and that the potential adverse effects on sea turtles has been addressed in the BO for the Coast of Florida Study, Region III (FWS Log No. 4-1-96-268).

The Service agrees that sand sources will need to meet a set of generic sand specifications and pass a screening process for sand characteristics. In addition, the Service is concerned with the locations of the sand source. Upland sites will need review to ascertain that no additional threatened and endangered species such as the Florida scrub-jay (*Aphelocoma coerulescens*) or other protected species are impacted.

If you have any questions or need further information, please contact Dawn Whitehead at (561) 562-3909, extension 231.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas E. Slack". The signature is written in a cursive style with a large initial 'T'.

~~For~~ James J. Slack,
Project Leader,
South Florida Field Office

cc: Sandy MacPherson, FWS, Jacksonville



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

Planning Division
Environmental Branch

MAY 18 1999

TO WHOM IT MAY CONCERN:

This Office intends to prepare a Draft Environmental Impact Statement (DEIS) for the Dade County Beach Erosion Control and Hurricane Protection Project. The DEIS will address a proposed test beach fill on a portion of Miami Beach. The sand to be used for the test fill would come from a domestic upland source to be determined from prospective contractor proposals based on a sand specification by the Jacksonville District.

I have enclosed a copy of the Notice of Intent (NOI) to prepare the subject DEIS which was published in the Federal Register on May 6, 1999.

Sincerely,

A handwritten signature in black ink that reads "James C. Duck".

James C. Duck
Chief, Planning Division

Enclosure

ADDRESSES: Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW Washington, DC 20581. In addition, comments may be sent by facsimile transmission to facsimile number (202) 418-5521, or by electronic mail to secretary@cftc.gov. Reference should be made to the KCBT western natural gas index futures contract.

FOR FURTHER INFORMATION CONTACT: Please contact Joseph Storer of the Division of Economic Analysis, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581, telephone (202) 418-5282. Facsimile number: (202) 418-5527. Electronic mail: jstorer@cftc.gov

SUPPLEMENTARY INFORMATION: The proposed designation application was submitted pursuant to the Commission's Fast Track procedures for streamlining the review of futures contract rule amendments and new contract approvals (62 FR 10434). Under those procedures, the proposal, absent any contrary action by the Commission, may be deemed approved at the close of business on June 7, 1999, 45 days after receipt of the proposal. In view of the limited review period under the Fast Track procedures, the Commission has determined to publish for public comment notice of the availability of the terms and conditions for 15 days, rather than 30 days as provided for proposals submitted under the regular review procedures.

Copies of the proposed contract terms will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581. Copies can be obtained through the Office of the Secretariat by mail at the above address, by phone at (202) 418-5100, or via the internet on the CFTC website at www.cftc.gov under "What's New & Pending".

Other materials submitted by the KCBT in support of the proposal may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR Part 145 (1997)), except to the extent they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Act Compliance Staff of the Office of Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views, or arguments on the proposal, or with respect to other materials submitted by the KCBT, should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 21st Street NW, Washington, DC 20581 by the specified date.

Issued in Washington, DC, on April 28, 1999.

John R. Mielke,
Acting Director.

[FR Doc. 99-11322 Filed 5-5-99; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF DEFENSE

Department of the Army

Proposed Collection; Comment Request

AGENCY: Deputy Chief of Staff for Personnel (DAPE-ZXI-RM), DoD.

ACTION: Notice.

In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Department of the Army announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by July 6, 1999.

ADDRESSES: Written comments and recommendations on the proposed information collection should be sent to the United States Total Army Personnel Command, ATTN: TAPC-OPD-C (Annette Bush), 200 Stovall Street, Alexandria, Virginia 22332-0413. Consideration will be given to all comments received within 60 days of the date of publication of this notice.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address, or call

Department of the Army Reports clearance officer at (703) 614-0454.

Title, Associated Form, and OMB Number: Application and Contract for Establishment of a Junior Reserve Officers' Training Corps Unit, DA Form 3126, OMB Number 0702-0021.

Needs and Uses: The DA Form 3126 will be initiated by the school desiring to host a unit and countersigned by a representative of the Secretary of the Army. The contract (DA Form 3126) is necessary to establish a mutual agreement between the secondary institution and the U.S. Government while keeping within the parameters of the law. The data provided on the application is used to determine which school will be selected.

Affected Public: State, Local or Tribal Government.

Annual Burden Hours: 70.

Number of Respondents: 70.

Responses Per Respondent: 1.

Average Burden Per Response: 1 hour.

Frequency: On occasion.

SUPPLEMENTARY INFORMATION:

Educational institutions desiring to host a Junior ROTC unit may apply by using a DA Form 3126. The DA Form 3126 documents the agreement and becomes a contract signed by both the institution and the U.S. Government. The DA Form 3126 provides information on the school's facilities and states specific conditions if a JROTC unit is placed at the institution. The data provided on the application is used to determine which school will be selected.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 99-11411 Filed 5-5-99; 8:45 am]

BILLING CODE 3710-08-P

DEPARTMENT OF DEFENSE

Corps of Engineers

Department of the Army

Intent To Prepare a Draft Environmental Impact Statement (DEIS) for the Dade County Beach Erosion Control and Hurricane Protection Project, for a Test Beach Fill Using a Domestic Upland Sand Source Based on a Generic Sand Specification

AGENCY: Army Corps of Engineers, Department of Defense.

ACTION: Notice of intent.

SUMMARY: The Jacksonville District, U.S. Army Corps of Engineers intends to prepare a Draft Environmental Impact Statement for the Dade County Beach Erosion Control and Hurricane Protection Project, for a Test Beach Fill using a domestic upland sand source.

The source of sand will be determined from prospective contractor proposals based on a generic sand specification developed by the Jacksonville District. The study is a cooperative effort between the U.S. Army Corps of Engineers and the Dade County Department of Environmental Resources Management (DERM), the non-Federal sponsor for the project.

FOR FURTHER INFORMATION CONTACT: Kenneth Dugger, 904-232-1686, Environmental Branch, Planning Division, PO Box 4970, Jacksonville, Florida 32232-0019.

SUPPLEMENTARY INFORMATION: The Beach Erosion Control and Hurricane Protection (BEC & HP) Project for Dade County, Florida was authorized by the Flood Control Act of 1968. The authorized project provides for the nourishment of 9.3 miles of shoreline between Government Cut and Bakers Haulover Inlet and for the nourishment of 1.2 miles of shoreline at Haulover Beach Park. The Supplemental Appropriations Act of 1985 and the Water Resources Development Act 1986 (Pub. L. 99-662) provided authority for extending the northern limit of the authorized project to include the construction of protective beach along the 2.5 mile reach of shoreline north of Haulover Beach Park (Sunny Isles) and for periodic nourishment of the of the overall project for 50 years.

Offshore borrow sources of beach quality sediment along the Dade County shoreline have been almost completely depleted, and alternative sources of material will be required in the near future to provide continued renourishment of the project. Although sediment from offshore borrow sites has traditionally been used for project renourishment, the use of sand from other sources may provide an effective alternative for future renourishment requirements.

The purpose of the test fill, in addition to providing nourishment to an eroded portion of the Federal project along northern Miami Beach, is to evaluate the economic, engineering and environmental performance of an upland sand source on the beach erosion control project.

The proposed test fill site would be located along northern Miami Beach, and would extend along approximately 1.5 miles of shoreline which has been an erosional area since the project was constructed. The proposed site is located far from adjacent inlets, and no significant structures exist in this vicinity to disrupt the "natural" coastal processes. The total volume of the test fill is expected to be approximately

600,000 cubic yards. The currently proposed location for the test fill is between 83rd and 63rd Streets in Miami Beach (DEP monuments R-36 to R-47). The exact source of sand for the test beach would be determined during the procurement process. Sand sources proposed by contractors would have to meet a set of generic sand specifications and pass a screening process for sand characteristics and potential environmental impacts.

In order to evaluate the performance of the test fill, a monitoring program will be established. The monitoring program would consist of physical surveys, sediment sampling and analysis, and aerial photography. In addition, environmental monitoring of the test fill would be performed. The environmental studies would focus mainly on the impacts of the material on sea turtle nesting and benthic infaunal communities.

Alternatives: At this time, the only known alternative to performing the test beach fill is not performing the test or the no-action alternative.

Issues: The EIS will consider impacts on coral reefs and other hardbottom communities, endangered and threatened species, shore protection, water quality, aesthetics and recreation, fish and wildlife resources, cultural resources, energy conservation, socio-economic resources, and other impacts identified through scoping, public involvement, and interagency coordination.

Scoping: A copy of this notice will be sent to interested parties to initiate scoping. All parties are invited to participate in the scoping process by identifying any additional concerns on issues, studies needed, alternatives, procedures, and other matters related to the scoping process. At this time, there are no plans for a public scoping meeting.

Public Involvement: We invite the participation of affected Federal, state and local agencies, affected Indian tribes, and other interested private organizations and parties.

Coordination: The proposed action is being coordinated with the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service under Section 7 of the Endangered Species Act, with the FWS under the Fish and Wildlife Coordination Act, and with the State Historic Preservation Officer. In addition, we have coordinated with the Florida Department of Environmental Protection, the dredging industry, academic experts, and other interests on this matter.

Other Environmental Review and Consultation: The proposed action

would involve evaluation for compliance with guidelines pursuant to section 404(b) of the Clean Water Act; application (to the State of Florida) for Water Quality Certification pursuant to section 401 of the Clean Water Act; certification of state lands, easements, and rights of way; and determination of Coastal Zone Management Act consistency.

Agency Role: As the non-Federal sponsor and leading local expert; DERM will provide extensive information and assistance on the resources to be impacted, mitigation measures, and alternatives.

DEIS Preparation: It is estimated that the DEIS will be available to the public on or about July 16, 1999. We plan to post the DEIS on the environmental documents page of the Jacksonville District's web site (<http://www.saj.usace.army.mil/pd/env-doc.htm>).

Dated: April 22, 1999.

James C. Duck,

Chief, Planning Division.

[FR Doc. 99-11409 Filed 5-5-99; 8:45 am]

BILLING CODE 3710-AJ-M

DEPARTMENT OF EDUCATION

Federal Interagency Coordinating Council Meeting (FICC)

AGENCY: Federal Interagency Coordinating Council, Department of Education.

ACTION: Notice of a public meeting.

SUMMARY: This notice describes the schedule and agenda of a forthcoming meeting of the Federal Interagency Coordinating Council, and invites people to participate. Notice of this meeting is required under section 644(c) of the Reauthorization Individuals with Disabilities Education Act (IDEA) and is intended to notify the general public of their opportunity to attend this meeting. The meeting will be accessible to individuals with disabilities.

DATE AND TIME: Thursday, June 10, 1999, from 1:00 p.m. to 4:30 p.m.

ADDRESS: Holiday Inn, 550 C Street, S.W., Washington, D.C. 20202, near the Federal Center Southwest and L'Enfant metro stops.

FOR FURTHER INFORMATION CONTACT: Libby Doggett or Kim Lawrence, U.S. Department of Education, 330 C Street, SW, Room 3080, Switzer Building, Washington, DC 20202-2644. Telephone: (202) 205-5507. Individuals who use a telecommunications device for the deaf (TDD) may call (202) 205-9754.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
9721 Executive Center Drive North
St. Petersburg, FL 33702
(727) 570-5312; FAX 570-5517

APR 29 1999

F/SER3:BH

Mr. James C. Duck
Chief, Planning Division
Environmental Studies Section
Jacksonville District Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232-0019

Dear Mr. Duck:

This is in reference to your letter dated April 22, 1999 in regards to changes to the Dade County Beach Erosion Control and Hurricane Protection Project (DCBECHP). The changes to this project include changing the source of material from aragonite to a domestic upland sand source, the site has been expanded to include approximately 1.5 miles of additional shoreline, and an additional 600,000 cubic yards of fill will be used.

The National Marine Fisheries Service (NMFS) completed informal consultation under section 7 of the Endangered Species Act (ESA) for this project on July 15, 1998 finding that the completion of the DCBECHP was not likely to affect species protected by the ESA. The proposed changes to the project are not expected to change this finding.

This concludes Jacksonville District's consultation responsibilities under section 7 of the ESA for the proposed changes to the DCBECHP for species under NMFS purview. Consultation should be reinitiated if new information reveals impacts of the identified activity that may affect listed species or their critical habitat, a new species is listed, the identified activity is subsequently modified or critical habitat determined that may be affected by the proposed activity.

If you have any questions, please call Bob Hoffman, Fishery Biologist, of my Protected Resources staff.

Sincerely yours,


Andrew J. Kemmerer
Regional Administrator

cc: F/PR3
FDEP - Moody



Planning Division
Environmental Branch

APR 29 1999

Mr. James J. Slack
South Florida Field Office
U.S. Fish and Wildlife Service
Post Office Box 2676
Vero Beach, Florida 32961-2676

Dear Mr. Slack:

This is in reference to the Dade County Beach Erosion Control and Hurricane Protection Project. On June 5, 1998, the U.S. Army Corps of Engineers submitted a Biological Assessment (BA) concerning a proposed test beach fill at Miami Beach, Florida using foreign source of aragonite. In a letter dated June 30, 1998, your office concurred with our determination that the proposed action may effect threatened and endangered sea turtles and that the potential adverse affect on sea turtles has been addressed in the Biological Opinion (BO) for the Coast of Florida Study, Region III (FWS Log No. 4-1-96-268).

In the Conference Report for FY 1999 appropriations, Congress directed that none of the funds provided for the Dade County, Florida, project shall be used for the acquisition of foreign source materials for the project unless the Secretary of the Army provides written certification to the Committees on Appropriations that domestic sources of materials are not available. Therefore, we are changing the source of material from aragonite to a domestic upland sand source.

In addition, the location of the proposed test fill site has been expanded to include approximately 1.5 miles of shoreline between 83rd and 63rd Streets (DEP monuments R-36 to R-47). The total volume of material required for the beach fill is now estimated to be 600,000 cubic yards. The exact source of the upland sand would be determined during the procurement process. Sand sources proposed by contractors would have to meet a set of generic sand specifications and pass a screening process for sand characteristics.

Except for the modifications mentioned above, none of the conditions in our June 5, 1998, BA has changed and our previous determination that the BO for the Coast of Florida Study covers proposed action remains the same.

Your concurrence on this matter is requested. If you have any questions or need further information, please contact Mr. Mike Dupes at 904-232-1689.

Sincerely,

James C. Duck
Chief, Planning Division

bcc:
CESAJ-DP-I

Planning Division
Environmental Branch

APR 22 1999

Mr. Charles A. Oravetz
Chief, Protected Species Management Branch
National Marine Fisheries Service
9721 Executive Center Drive North
St. Petersburg, Florida 33702

Dear Mr. Oravetz:

This is in reference to the ^{project} Dade County Beach Erosion Control and Hurricane Protection. On June 19, 1998, the U.S. Army Corps of Engineers submitted a Biological Assessment (BA) concerning a proposed test beach fill at Miami Beach, Florida using foreign source of aragonite. In a letter dated July 15, 1998, your office concurred with our determination that the proposed action will not adversely affect any listed endangered and threatened species under jurisdiction of the National Marine Fisheries Service.

In the Conference Report for FY 1999 appropriations, Congress directed that none of the funds provided for the Dade County, Florida, project shall be used for the acquisition of foreign source materials for the project unless the Secretary of the Army provides written certification to the Committees on Appropriations that domestic sources of materials are not available. Therefore, we are changing the source of material from aragonite to a domestic upland sand source.

In addition, the location of the proposed test fill site has been expanded to include approximately 1.5 miles of shoreline between 83rd and 63rd Streets (DEP monuments R-36 to R-47). The total volume of material required for the beach fill is now estimated to be 600,000 cubic yards. The exact source of the upland sand would be determined during the procurement process. Sand sources proposed by contractors would have to meet a set of generic sand specifications and pass a screening process for sand characteristics.

Except for the modifications mentioned above, none of the conditions in our June 19, 1998, BA has changed and our previous determination that the proposed action will not adversely affect any listed species under the jurisdiction of the National Marine Fisheries Service remains the same.

Your concurrence on this determination is requested. If you have any questions or need any additional information, please contact Mr. Mike Dupes at 904-232-1689.

Sincerely,

James C. Duck
Chief, Planning Division

bcc:
CESAJ-DP-I

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary
Office of International Relations
Division of Elections
Division of Corporations
Division of Cultural Affairs
Division of Historical Resources
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Department of Law Enforcement
Department of Highway Safety and Motor Vehicles
Department of Veterans' Affairs

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

DIVISION OF HISTORICAL RESOURCES

April 21, 1999

Mr. Michael A. Moore, Lieutenant Colonel
Planning Division, Environmental Branch
Jacksonville District, Corps of Engineers
P.O. Box 4970
Jacksonville, Florida 32232-0019

RE: DHR Project File No. 988049
Cultural Resource Assessment Request
Dade County Beach Erosion Control Project - Evaluation of Argonite (or other Carbonate Sand) on Test Segment of Beach from NE 88th Street to South of NE 66th Street
Miami Beach, Dade County, Florida

Dear Lieutenant Moore:

In accordance with the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), we have reviewed the referenced project for possible impact to historic properties listed, or eligible for listing, in the *National Register of Historic Places*. The authority for this procedure is the National Historic Preservation Act of 1966 (Public Law 89-665), as amended.

For the beach renourishment areas, a review of the Florida Master Site File indicates that no significant archaeological or historical sites are recorded for or likely to be present within the project area. Furthermore, because of the project location and/or nature it is unlikely that any such sites will be affected. Therefore, it is the opinion of this office that the proposed project will have no effect on historic properties listed, or eligible for listing, in the *National Register of Historic Places*.

For the fill material-borrow area, we note that the origin of the carbonate sand may be coming from a foreign source (Bahamas Bank, Turks, and Caicos Islands). Since this source material is located outside the United States, we recommend that you refer to Section 402 (16 U.S.C. 470a-2) of the *National Historic Preservation Act of 1966*, which deals with federal undertakings outside the United States and federal agency responsibilities to address historic properties with the source country.

We understand that if the sand borrow source is located within the State of Florida's jurisdiction, the Corps will be coordinating with our office. If you have any questions concerning our comments, please contact Robin Jackson, Historic Sites Specialist, at 850-487-2333 or 800-847-7278. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

for 
George W. Percy, Director
Division of Historical Resources
and
State Historic Preservation Officer

GWP/Jrj

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250 • <http://www.flheritage.com>

- | | | | |
|--|---|---|--|
| <input type="checkbox"/> Director's Office
(850) 488-1480 • FAX: 488-3355 | <input type="checkbox"/> Archaeological Research
(850) 487-2299 • FAX: 414-2207 | <input checked="" type="checkbox"/> Historic Preservation
(850) 487-2333 • FAX: 922-0496 | <input type="checkbox"/> Historical Museums
(850) 488-1484 • FAX: 921-2503 |
| <input type="checkbox"/> Historic Pensacola Preservation Board
(850) 595-5985 • FAX: 595-5989 | <input type="checkbox"/> Palm Beach Regional Office
(561) 279-1475 • FAX: 279-1476 | <input type="checkbox"/> St. Augustine Regional Office
(904) 825-5045 • FAX: 825-5044 | <input type="checkbox"/> Tampa Regional Office
(813) 272-3843 • FAX: 272-2340 |

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Department of Revenue
Department of Law Enforcement
Department of Highway Safety and Motor Vehicles
Department of Veterans' Affairs

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
DIVISION OF HISTORICAL RESOURCES

January 15, 1999

Mr. Michael A. Moore
Planning Division, Environmental Branch
Jacksonville District, Corps of Engineers
P.O. Box 4970
Jacksonville, Florida 32232-0019

RE: DHR Project File No. 988362
Cultural Resource Assessment Request
Notice of Intent (NOI) to Prepare a Draft Environmental Impact Statement
for the Dade County Beach Erosion Control and Hurricane Protection Project
Dade County, Florida

Dear Mr. Moore:

In accordance with the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), we have reviewed the referenced project for possible impact to historic properties listed, or eligible for listing, in the *National Register of Historic Places*. The authority for this procedure is the National Historic Preservation Act of 1966 (Public Law 89-665), as amended.

For the beach renourishment areas, a review of the Florida Master Site File indicates that no significant archaeological or historical sites are recorded for or likely to be present within the project area. Furthermore, because of the project location and/or nature it is unlikely that any such sites will be affected. Therefore, it is the opinion of this office that the proposed project will have no effect on historic properties listed, or eligible for listing, in the *National Register of Historic Places*.

For the fill material-borrow area, we note that the origin of the carbonate sand will be coming from a foreign source (Bahamas Bank). Since this source material is located outside the United States, we recommend that you refer to Section 402 (16 U.S.C. 470a-2) of the *National Historic Preservation Act of 1966*, which deals with federal undertakings outside the United States and federal agency responsibilities to address historic properties with the source country.

DIRECTOR'S OFFICE

R.A Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250 • (850)488-1480

FAX: (850) 488-3353 • WWW Address <http://www.dos.state.fl.us>

ARCHAEOLOGICAL RESEARCH
(850) 487-2299 • FAX: 414-2207

HISTORIC PRESERVATION
(850) 487-2333 • FAX: 922-0496

HISTORICAL MUSEUMS
(850) 488-1484 • FAX: 921-2503

Mr. Moore
January 15, 1999
Page 2

If you have any questions concerning our comments, please contact Scott Edwards, Historic Preservation Planner, at 850-487-2333 or 800-847-7278. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

Laura C. Kammerer

for

George W. Percy, Director
Division of Historical Resources
and
State Historic Preservation Officer

GWP/Ese