

DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Availability of the Final Environmental Impact Statement for the Title VI Land Transfer to the State of South Dakota**

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice.

SUMMARY: In accordance with the National Environmental Policy Act and implementing regulations, an Environmental Impact Statement (EIS) has been prepared to evaluate the environmental impacts of a transfer of approximately 91,178 acres of recreation lands and other lands from the Army Corps of Engineers to the State of South Dakota. As a result of the legislation of the Water Resources Development Act (WRDA) Pub. L. 106-53, August 17, 1999, Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration Act, as amended by Pub. L. 106-541, December 11, 2000, WRDA 2000, the Secretary of the Army is required to transfer certain lands and recreation areas at Lake Oahe, Lake Sharpe, Lewis & Clark Lake and Lake Francis Case in South Dakota to the Department of Game, Fish & Parks of the State of South Dakota (SDGFP) for fish and wildlife purposes, or recreation uses, in perpetuity.

FOR FURTHER INFORMATION CONTACT: Questions regarding the EIS can be addressed to Patsy Freeman, U.S. Army Corps of Engineers, 106 South 15th Street, Omaha, Nebraska 68102, telephone at (402) 221-3803, or E-Mail: Patricia.L.Freeman@usace.army.mil

SUPPLEMENTARY INFORMATION: The legislation requires the transfer in fee title of Corps of Engineers lands (outside the boundaries of Indian reservations) above the top of the exclusive flood pools at Oahe, Big Bend, Fort Randall and Gavins Point dam/reservoir projects in the State of South Dakota to the SDGFP. The technical amendments (Pub. L. 106-54) also require that with certain exceptions, the recreation areas on Corps lands at the 4 projects in South Dakota outside of reservation boundaries be transferred to the State no later than January 1, 2002. Of the 123 recreation areas around the four reservoirs within the state, 63 would transfer to the state, 9 would be leased in perpetuity to the state, and 51 are either on reservation lands or outside the state of South Dakota and therefore would not be affected by this action.

The purpose of and need for this proposed action is simply to comply with the Congressional mandate of transferring the lands to the SDGFP. Although NEPA documents normally assist the decision maker, this document is only prepared for the purpose of public disclosure of the environmental impacts of the land transfer, since there is no Federal decision to be made.

The State of South Dakota has provided to the Corps its plans for development and management at the recreation areas to be transferred. These plans have been used to evaluate potential environmental, cultural, and socioeconomic impacts that would be expected to occur as a result of the transfer. The State's plan includes habitat development on Oahe/Sharpe project lands, on Federal lands and on selected State lands. Total habitat development proposed is 25,620 acres.

The no-action alternative traditionally describes what would happen if the proposed action were *not* to occur. Although the non-action alternative is not a reasonable alternative because Congress has mandated the transfer of these properties, it has been addressed in the EIS as required by CEQ regulations (40 CFR 1502.14) providing a baseline against which to measure the impacts of the State's proposed development on the lands to be transferred.

Public meetings to obtain comments on the Draft EIS were held August 13-August 23, 2001. These comments are addressed in the EIS.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

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DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Intent To Prepare a Draft Environment Impact Statement for the Proposed Royal D'Iberville Casino and Hotel, Located in D'Iberville, Harrison County, MS**

AGENCY: Army Corps of Engineers, DoD.
ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers, Mobile District (Corps), intends to prepare a Draft Environmental Impact Statement (DEIS) to address the potential impacts associated with the construction of the proposed Royal D'Iberville Casino and Hotel located on the Back Bay of Biloxi, in D'Iberville, Harrison County,

Mississippi. The Corps will be evaluating a permit application for the work under the authority of Section 10 of the Rivers and Harbors and Section 404 of the Clean Water Act. The EIS will be used as a basis for the permit decision and to ensure compliance with the National Environmental Policy Act (NEPA).

FOR FURTHER INFORMATION CONTACT:

Questions about the proposed action and the DEIS should be addressed to Mr. William R. Bunkley, Regulatory Branch, phone (251) 694-3780 or e-mail at william.r.bunkley@sam.usace.army.mil, or Dr. Susan Ivester Rees, Coastal Environmental Team, phone (251) 694-4141 or e-mail at susan.i.rees@sam.usace.army.mil, Mobile District, U.S. Army Corps of Engineers, P.O. Box 2288, Mobile, AL 36628-0001.

SUPPLEMENTARY INFORMATION:

1. The permit applicant is proposing to construct a casino development on the northern shore of the Bank Bay of Biloxi consisting on the following: A casino mooring facility to accommodate a 100,000 square foot floating casino barge, a concrete access pier, 450 linear feet of steel sheet pile bulkhead, four (4) 35-foot diameter steel, concrete filled, mooring caissons and connection apparatus that will withstand 155 m.p.h. wind speeds. Associated landside work includes the construction of any entry porte cochere, a 2500 space multi-level parking garage, and a 500-room hotel. Road improvements would include I-110/Rodriguez Street interchange, Boney Avenue, and Bay Shore Drive along the width of the project site. Additional would include a sewer lift station and a 6-inch force main from the casino to the D'Iberville sewage treatment facility, a new 700-gallon per minute (gpm) water well, and a new 300,000-gallon elevated water tank. Minimal impacts to vegetated wetlands are proposed. No other wetlands or "special aquatic sites" will be excavated or filled. Approximately 9 acres of uplands will be impacted by the proposed development.

2. Alternatives to the applicant's proposal may exist which would reduce the impacts to the Back Bay of Biloxi. These could include alternate sites, alternative site layouts or alternative operational methods.

3. Scoping:

a. The Corps invites full public participation to promote open communication on the issues surrounding the proposal. All Federal, State, and local agencies, and other persons or organizations that have an