

Proposed wetlands changes would clarify definitions

Consistent with President Bush's Wetlands Protection Plan, which he issued last Aug. 9, the U.S. Environmental Protection Agency and the Army Corps of Engineers have issued a proposed rule they say would clarify and improve the wetlands regulatory program under Section 404 of the Clean Water Act.

The proposed rule would make three changes to the regulations. One would clarify the definition of "discharge of dredged material."

Another would clarify when the use of pilings in wetlands should be regulated. The third would codify that prior converted croplands are not regulated under Section 404.

The public has until Aug. 15 to provide comment to the agencies.

"These proposed changes would close a loophole in the Section 404 regulations that has allowed discharges of excavated material to go unregulated, resulting in the destruction of wetlands," said EPA Administrator William K. Reilly. "At the same time, we can ensure that some 60 million acres of prior converted cropland remains in productive use outside the scope of the Section 404 program."

The definition of "discharge of dredged material" would include discharges associated with land-clearing, ditching, channelization and other excavation activities when those activities destroy or degrade wetlands or other U.S. waters. This proposed change would not affect the existing exemptions for normal farming, ranching and silviculture practices.

The agencies' current definition of "discharge of dredged material" excludes minimal, incidental soil movement occurring during normal dredging operations. Application of this language in the field has sometimes led to inconsistent results, they say.

For example, some small excavation discharges resulting from land-clearing and drainage in wetlands have been excluded from regulation, even though the discharge was part of an activity that had significant effects on wetlands or other U.S. waters.

This proposal would continue to regulate only those activities that involve a discharge of dredged material in U.S. waters. EPA and the Corps believe the proposed revised definition of "discharge of dredged material" will improve regulatory consistency and wetlands protection.

The second proposed change incorporates existing Corps guidance on when the placement of pilings should be regulated. In the past, some development projects have been constructed on pilings in order to avoid Section 404 regulation, the agencies say. Under the proposal, pilings that support structures normally built on fill, such as office buildings and multi-family housing, would be regulated under Section 404 since the pilings serve the same function as "fill material."

The third change would also incorporate Corps guidance issued in September 1990, stating that prior converted croplands are not waters of the United States and, as a result, are not regulated under the Clean Water Act. Prior converted croplands are areas that, prior to Dec. 23, 1985, were cropped and otherwise manipulated to the extent that they are inundated with water for no more than 14 days during the growing season.

Palm Harbor undergoing greens, tees renovation

PALM COAST, Fla. — Palm Coast's oldest golf course, Palm Harbor, is reconstructing its tees, greens and clubhouse.

The course closed June 1 and is scheduled to reopen Dec. 1, according to Fred Kleinfelder, director of golf maintenance for SunSport Recreation. The ITT Community Development subsidiary operates Palm Coast's four golf courses, tennis clubs, marina and restaurants. All SunSport facilities are open to the public.

Palm Harbor's approximately 550 members have been offered full member privileges at either Cypress Knoll or Matanzas Woods golf clubs until Palm Harbor construction is complete. Matanzas and Palm Coast's fourth golf course, Pine Lakes Country Club,

were designed by Arnold Palmer and Ed Seay, while Cypress Knoll is a Gary Player course.

The 6,572-yard Palm Harbor layout, designed by Bill Amick, opened its front nine in 1971 and back nine two years later.

Tifton Turf Farms, Inc., of Tifton, Ga., is rebuilding the tees and greens and restoring them to their original size. Kleinfelder said the work is necessary because hybrid Bermudagrass greens revert to unsuitable grasses after about 20 years, and tees and greens gradually lose their original shape and grade.

The Palm Harbor clubhouse expansion, being handled by ITT Community Construction, will put the pro shop, locker rooms and 19th Hole under one roof.



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