

MODIFIED WATER DELIVERIES TO EVERGLADES NATIONAL PARK

8.5 SQUARE MILE AREA FLOOD MITIGATION PROJECT

PROJECT SUMMARY

INTRODUCTION

The Everglades National Park Protection and Expansion Act of 1989, (P.L.101-229), authorized the Secretary of the Army to undertake certain actions to improve water deliveries to Everglades National Park (ENP) and to take steps to restore natural hydrologic conditions to the extent practicable. This project, also referred to as the Modified Water Delivers Project (MWD), includes several components that either improve or allow for improved hydrological flows to ENP. By improving the quantity, timing and distribution of flows in the North East Shark River Slough, the goals of the Act will be met. The components of MWD include: Tamiami Trail modifications, Conveyance and Seepage Control Features, and 8.5 Square Mile Residential Area (8.5 SMA) flood mitigation. The 8.5 SMA component was designed to provide flood mitigation for the residential area, which could be affected by water flows from the other components of the MWD project.

THE ORIGINAL 8.5 SQUARE MILE AREA FLOOD MITIGATION PLAN

The original authorized features for 8.5 SMA were defined and approved in a 1992 General Design Memorandum. The features included a levee, berm, and seepage collection system that conveyed seepage water to a pump station on the northeast corner of the 8.5 SMA and then discharged the water into the L-31 Borrow canal. In order to complete this plan, acquisition of 2,100 acres of land would be needed.

IMPROVING THE 8.5 SMA PLAN

The 1992 Plan was found to be non-implementable and a new plan was developed. In July of 2000, a General Reevaluation Report and Supplemental Environmental Impact Statement (GRR/SEIS) was published recommending revisions to the 1992 plan. In trying to identify the best solution in the 2000 plan, the Corps evaluated nine alternatives, which included a total acquisition of the area. However, the alternative that best achieved the needs and purpose of the project consistent with the authorization and funding was determined to be Alternative 6D. Alternative 6D, which includes a perimeter levee, seepage canal, pump station and stormwater treatment area, would provide significantly more environmental benefits, such as increased regulatory wetlands function over the 1992 Plan (almost as great as a total buyout of the 8.5 SMA).

THE BENEFITS OF THE 2000 PLAN AND A TIMELY COMPLETION

The 2000 plan increases wetlands acreage both within the 8.5 SMA as well as adjacent to Everglades National Park. It also increases water depths, provides longer hydro-periods in Everglades National Park, and provides endangered species benefits. Furthermore, the MWD project is a critical step for overall Everglades restoration. Two separate legal authorities focus on the timely completion of the MWD components. In the Water Resources Development Act of 2000, which brings South Florida the \$7.8 Billion Comprehensive Everglades Restoration Program (CERP), Congress specified that MWD be complete prior to construction of CERP features. The U.S. Fish and Wildlife Service (USFWS) has also identified the project completion as critical for the survival of the endangered Cape Sable Seaside Sparrow. In order to comply with the Reasonable and Prudent Alternatives issued by the USFWS, full operational implementation must occur by December 2003.

WHAT IS NEEDED TO COMPLETE THE PLAN

In order to make the project work, acquisition of additional land within the 8.5 SMA is required. The amount of land needed in order to complete 8.5 SMA project is approximately 2,100 acres. Though this acreage may appear high, when compared to full acquisition of the 8.5 SMA, only an estimated 81 residential properties (approximately 15 percent) will be affected, rather than 100%. The 1992 Plan did not include any significant acquisition in the 8.5 SMA. In November 1998, the project Local Sponsor, the SFWMD Governing Board, supported a full-acquisition of the 8.5 SMA. In June 1999, the board cancelled that support, and in July 2000, a recommended plan with partial acquisition was published and approved in December 2000. In January 2001, the Corps of Engineers met with the landowners to identify what properties would be included in the Federal Acquisition Program.

THE RIGHTS OF THE LANDOWNER

Public Law 91-646 protects the rights of property owners and ensures fair, equitable and consistent treatment of all displaced persons. Included in the Public Law are assurances regarding fair market value offers, moving costs, replacement housing payments for owners and tenants, comparable housing, 90 days written notice prior to vacating property, business and farm relocations.

KEEPING THE LANDOWNERS INFORMED

Immediately after the Record of Decision was approved in December 2000, a letter was sent to every landowner in the area inviting them to attend a public meeting on January 16, 2001. At the public meeting the project was explained, the specific property to be acquired was identified and the Acquisition Process and Landowner's Rights explained. Bilingual information materials were provided to all attendees including maps and a summary of landowners rights. The presentations were simultaneously translated, with bilingual staff members available following the meeting. Landowner's were provided

with a toll-free phone number to call for information in both Spanish and English. A community leader's meeting preceded the general public meeting to allow for smaller group interaction with those most outspoken on behalf of their community.

A second meeting, open to the public but specifically for the landowners in the highest priority areas to be acquired was held on January 31, 2001. The acquisition process and landowners rights were explained in greater detail, in both English and Spanish. Two more meetings were held in November 2001, one specifically for Spanish speakers, and a second for the landowners in the next priority.