

APPENDIX D

MODIFICATIONS TO THE C-111 SOUTH DADE PROJECT, L-31W

Pertinent Correspondence

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DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
701 San Marco Boulevard
JACKSONVILLE, FLORIDA 32207-8175

REPLY TO
ATTENTION OF

MAY 27 2016

Planning and Policy Division
Environmental Branch

The Honorable James Billie
Chairman, Seminole Tribe of Florida
6300 Sterling Road
Hollywood, FL 33024

Dear Chairman Billie,

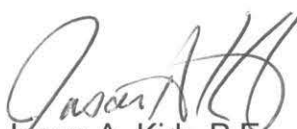
The U.S. Army Corps of Engineers Jacksonville District (Corps), would like to invite the Seminole Tribe of Florida (STOF) to participate in formal consultation regarding proposed construction activities in the southern part of the C-111 South Dade Canal system. The Corps is preparing an Environmental Assessment (EA) to evaluate construction alternatives. This EA is expected to begin public coordination in June of 2016. The main construction activities consist of partially backfilling and plugging the L-31 West Borrow Canal, south of S-174 and extending southward to south of the S-175 and Frog Pond Detention Area. The purpose of plugging and backfilling the canal is to inhibit seepage out of Everglades National Park via the L-31 West Borrow Canal, while maintaining the flood risk reduction capability of the C-111 canal system in agricultural lands to the east. A map of the project location is included in Figure 1.

Additional activities involve the decommissioning or possible demolition of two water control structures (S-174 and S-175) that are no longer functional due to prior filling of the L-31 West Borrow Canal. In coordination with the Florida State Historic Preservation Officer (DHR Project File No. 2016-0511), the Corps is conducting investigation of these structures in accordance with Section 106 of the National Historic Preservation Act (NHPA).

We invite the STOF to participate in consultation on this matter under the National Environmental Policy Act and NHPA. We understand that there is both the immediate need for consultation and for long term dialogue on the overall project. We will work with your staff to determine the best way to keep you informed and seek your input throughout the process.

If you have any questions regarding the information in this letter, please feel free to contact me or you may contact Mr. Marc Tiemann at 904-232-1557 or e-mail at marc.a.tiemann@usace.army.mil.

Sincerely,



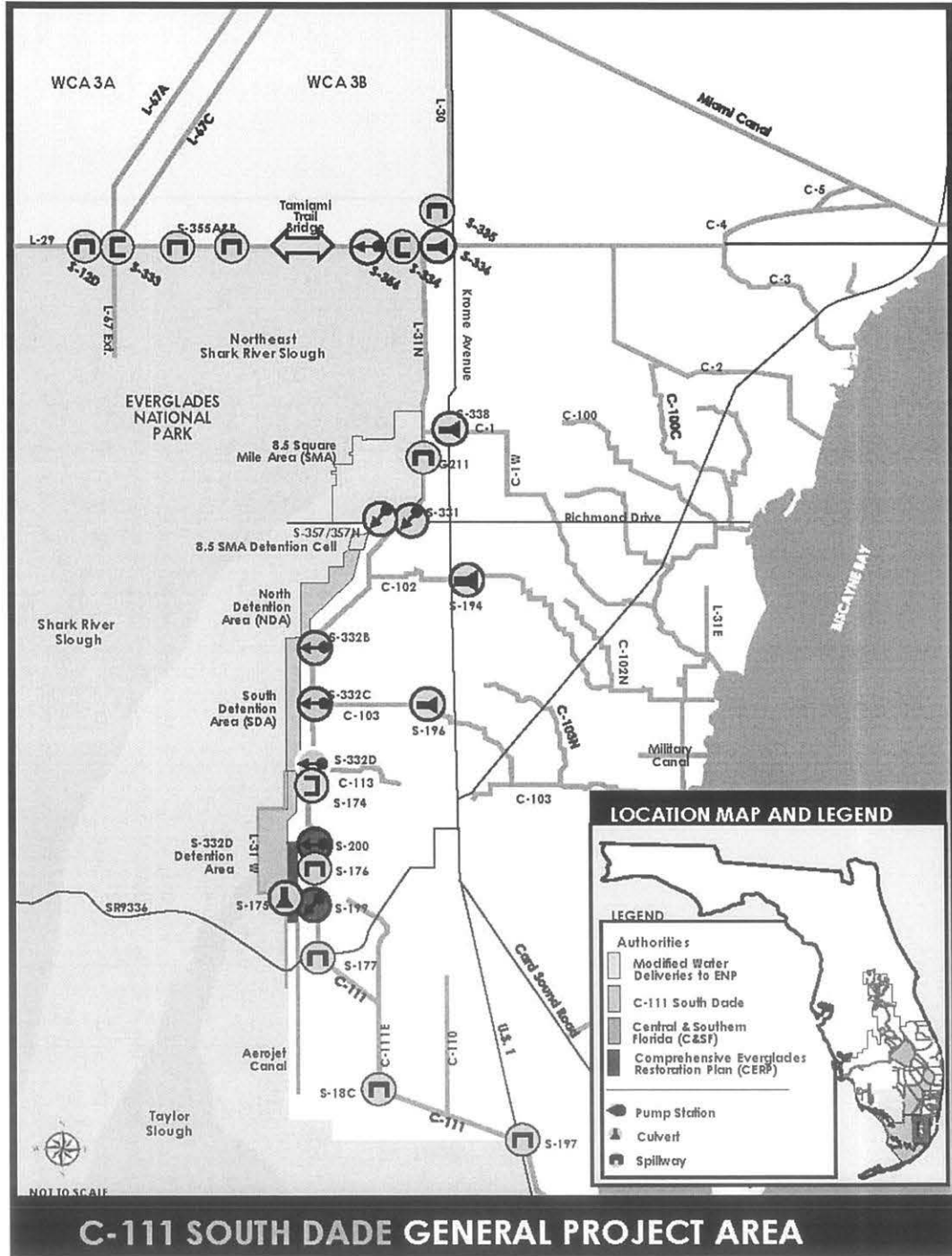
Jason A. Kirk, P.E.
Colonel, U.S. Army
District Commander

Enclosure

cc:

Dr. Paul Backhouse, Ph.D., Tribal Historic Preservation Officer, Seminole Tribe of Florida,
Ah Tha Thi Ki Museum, 30290 Josie Billie Hwy, PMB 1004, Clewiston, Florida
Cherise Maples, Director Environmental Resource Management, 6300 Stirling Road,
Hollywood, FL 33024

Figure 1.





DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
701 San Marco Boulevard
JACKSONVILLE, FLORIDA 32207-8175

REPLY TO
ATTENTION OF

JUL 6 2016

Planning and Policy Division
Environmental Branch

The Honorable Billy Cypress
Chairman, Miccosukee Tribe of Indians of Florida
Post Office Box 440021
Tamiami Station
Miami, Florida 33144

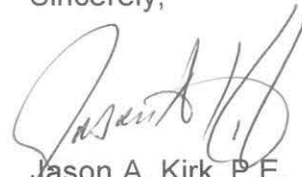
Dear Chairman Cypress:

The Jacksonville District, U.S. Army Corps of Engineers (Corps) is preparing an Environmental Assessment (EA) for the Modifications to the C-111 South Dade Canal system. This project is located in South (Miami) Dade County, Florida.

The purpose of the project is to inhibit seepage out of the Everglades National Park via the L-31 West Borrow Canal, while maintaining the flood risk reduction capability of the C-111 canal system in agricultural lands to the east. Project features proposed and analyzed in the EA include partially backfilling and plugging the L-31 West Borrow Canal, south of S-174 and extending southward to south of S-175 and Frog Pond Detention Area, and the decommissioning or possible demolition of two water control structures (S-174 and S-175) that are no longer functional due to prior filling of the L-31 West Borrow Canal. All of the alternatives analyzed in the EA will avoid impacting tree islands. I have enclosed our EA and Proposed Finding of No Significant Impact (FONSI) for your review and consultation on the proposed work. Public review of this document will begin on July 1, 2016. Additional electronic copies may be downloaded at: <http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branch/Environmental-Documents>

Any comments you may have should be submitted in writing to the letterhead address by July 31, 2016. If you have any questions regarding the information in this letter, please feel free to contact me or you may contact Tribal Liaison, Kim Taplin, at 561-801-0285

Sincerely,



Jason A. Kirk, P.E.
Colonel, U. S. Army
District Commander

Enclosure

cc:

Mr. Fred Dayhoff, Section 106/NAGPRA Representative, Consultant to Miccosukee Tribe, HC 61 SR 68 Old Loop Road, Ochopee, FL 34141

Mr. Gintautas Zavadzkas, Director, Fish and Wildlife Department, Miccosukee Tribe of Indians of Florida, P.O. Box 440021, Tamiami Station, Miami, FL 33144

Kevin Donaldson, Real Estate Services, Miccosukee Tribe of Indians of Florida, P.O. Box 440021, Tamiami Station, Miami, FL 33144

Amy Castaneda, Water Resources Department, Miccosukee Tribe of Indians of Florida, P.O. Box 440021, Tamiami Station, Miami, FL 33144



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JACKSONVILLE DISTRICT CORPS OF ENGINEERS
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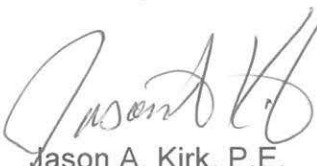
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Sincerely,



Jason A. Kirk, P.E.
Colonel, U. S. Army
District Commander

Enclosures

cc:

Dr. Paul N. Backhouse, Ph.D., Seminole Tribe of Florida Tribal Historic Preservation Officer, Ah Tha Thi Ki Museum, 30290 Josie Billie Hwy, PMB 1004, Clewiston, Florida 33440

Cherise Maples, Director, Environmental Resource Management, Seminole Tribe of Florida, 6300 Stirling Road, Hollywood, FL 33024

Patricia Powers, Bose Public Affairs Group, 2000 M Street, N.W., Suite 520, Washington, D.C. 20036

Cicero Osceola, Big Cypress General Council Office, Council Representative, 31000 Josie Billie Highway, Clewiston, FL 33440

Andrew J. Bowers, ESQ., Brighton Council Representative, Seminole Tribe of Florida Brighton Council, 500 Harney Pond Road, Okeechobee, FL 34974

Joe Frank, Big Cypress Board Representative, Seminole Tribe of Florida, Inc., Big Cypress Board Office, 31000 Josie Billie Hwy., Clewiston, FL 33440



REPLY TO
ATTENTION OF

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

Planning and Policy Division
Environmental Branch

JUL 05 2016

Tim Parsons, Ph.D.
State Historic Preservation Officer
Division of Historical Resources
State Historic Preservation Officer
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Dr. Parsons:

The U.S. Army Corps of Engineers (Corps), Jacksonville District, is studying the environmental effects associated with modifications to the C-111 South Dade Canal system (Figure 1). The purpose of the project is to inhibit seepage out of the Everglades National Park via the L-31 West Borrow Canal, while maintaining the flood risk reduction capability of the C-111 canal system in agricultural lands to the east. Project features proposed and analyzed in the Environmental Assessment (EA) include partially backfilling and plugging the L-31 West Borrow Canal south of Structure 174 (S-174) to south of Structure 175 (S-175) and Frog Pond Detention Area, and the decommissioning or possible demolition of two water control structures (S-174 and S-175) that are no longer functional due to prior filling of the L-31 West Borrow Canal.

According to the *1970 Annual Report of the Chief of Engineers (Volume 2)*, the L-31 West Borrow Canal, S-174, and S-175 were constructed beginning July 1968 and completed in 1970; therefore, these project features are modern, and are not historic properties considered eligible for inclusion in the National Register of Historic Places (NRHP). These structures were constructed following standardized construction design plans, and do not embody distinctive characteristics of a type, period, or method of construction. No recorded archaeological sites exist along the L-31 West Borrow Canal or in its bed. The entire project footprint has been previously disturbed by construction. All fill material that will be utilized for partial backfilling and plugging of the L-31 West Borrow Canal is in disturbed context and aligned adjacent to the canal. Two tree islands identified from modern and historical aerial imagery are transected by the L-31 West Borrow Canal. No backfilling or plugging of the L-31 West Borrow Canal will occur at these tree island locations. Only existing roads will be utilized for project ingress and egress. In addition, four prehistoric sites (8DA3210, 8DA3218, 8DA6514, and 8DA6515) identified within the project area will not be adversely impacted by the proposed construction activities.

In summary, the Corps has determined that proposed project modifications associated with the C-111 Contract 9 will pose no effect to historic properties. Pursuant to Section 106 of the National Historic Preservation Act (16 USC 470) and its implementing regulations (36 CFR 800), I request your comments on the determination of No Adverse Effect for Contract 9. If there are any questions, please contact Mr. Marc Tiemann at 904-232-1557 or by e-mail at Marc.A.Tiemann@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gina Paduano Ralph', is written over the typed name and title.

Gina Paduano Ralph, Ph.D.
Chief, Environmental Branch

Enclosure

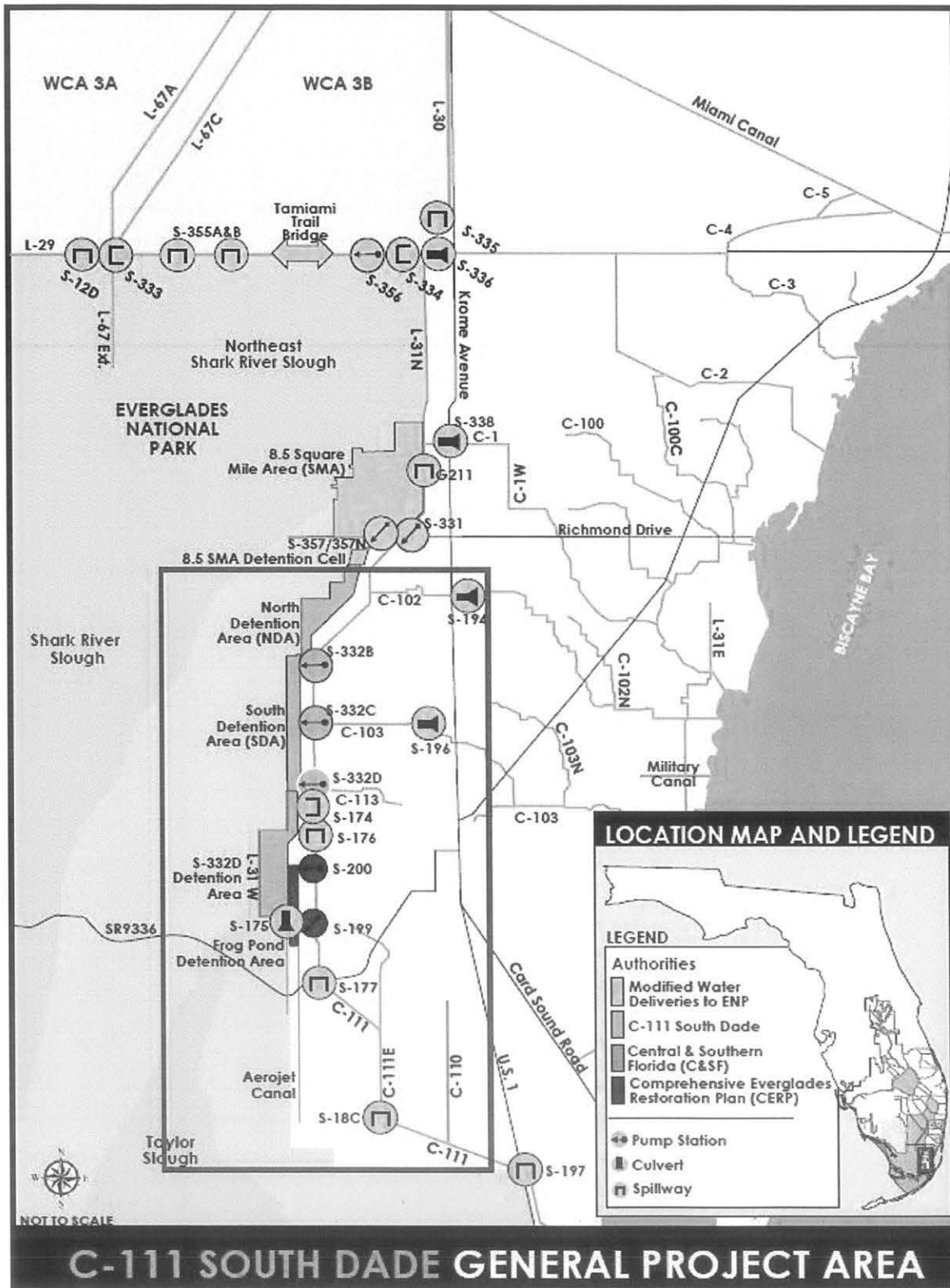


Figure 1. Location map of the project features for the C-111 South Dade project area.



UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://sero.nmfs.noaa.gov>

March 29, 2016

F/SER47:KG/pw

(Sent via Electronic Mail)

Colonel Jason A. Kirk, Commander
U.S. Army Corps of Engineers, Jacksonville District
P.O. Box 4970
Jacksonville, Florida 32232-0019

Attention: Stacie Auvenshine

Dear Colonel Kirk:

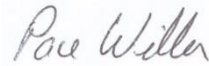
NOAA's National Marine Fisheries Service (NMFS) reviewed *Modifications to the C-111 South Dade North and South Detention Areas and Associated Features, Environmental Assessment, and Proposed Finding of No Significant Impact (EA/FONSI)* dated January 2016 and the corresponding public notice dated January 29, 2016. The Jacksonville District proposes to restore habitat within Everglades National Park (ENP) and maintain flood protection in western Miami-Dade County by creating a hydrologic connection between the 8.5 Square Mile Area (8.5 SMA) Detention Cell and the C-111 South Dade North Detention Area and by creating a continuous hydrologic ridge along the eastern boundary of ENP from the 8.5 SMA to Taylor Slough. In EA/FONSI Section 4.22.20, the Jacksonville District concludes the project would not affect essential fish habitat (EFH) directly; however, the District also notes EFH may indirectly benefit from increasing overland flow into Florida Bay through Taylor Slough because the increased flow would stabilize water quality and salinities thereby improving and sustaining nearshore communities. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, the NMFS provides the following comments and recommendations pursuant to authorities of the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Based on the information provided, the NMFS Habitat Conservation Division concludes the project would likely benefit wetlands, along with fish and wildlife habitat, in ENP, including Taylor Slough and Shark River Slough. Wetlands in Northeast Shark River Slough, the Rocky Glades, and the western marl prairies would benefit from the maintenance of a hydraulic ridge just east of the eastern ENP boundary, which should partially restore more natural hydroperiods resulting in a more ecologically appropriate coverage of vegetation. Consequently, the NMFS Habitat Conservation Division has no objection to the proposed modifications to the C-111 detention areas and associated features.



Thank you for the opportunity to provide comments. Please direct related questions or comments to the attention of Mr. Kurtis Gregg, NOAA NMFS at 400 North Congress Avenue, Suite 120, West Palm Beach, Florida, 33401. He may be reached by telephone at 561-249-1627 or by e-mail at Kurtis.Gregg@noaa.gov.

Sincerely,



/ for

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

cc: COE, Stacie.J.Auvenshine@usace.army.mil
F/SER4, David.Dale@noaa.gov
F/SER47, Jocelyn.Karazsia@noaa.gov, Kurtis.Gregg@noaa.gov