



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

REPLY TO
ATTENTION OF

Planning and Policy Division
Environmental Branch

MAY 20 2015

To Whom It May Concern:

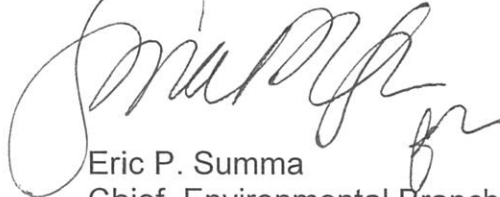
Pursuant to the National Environmental Policy Act (NEPA) and the U.S. Army Corps of Engineers (Corps) Regulation (33 CFR 230.11), this letter constitutes the Notice of Availability of the Proposed Supplemental Finding of No Significant Impact (FONSI) for the Installation, Testing and Monitoring of a Physical Model for the Water Conservation Area (WCA) 3 Decompartmentalization (Decomp) and Sheet Flow Enhancement Project. This Finding supplements the Final Environmental Assessment (EA) and Design Test Documentation Report (DTDR) previously completed and signed April 13, 2010. The 2010 EA and DTDR anticipated operational testing of the Decomp Physical Model (DPM) to begin in early 2011 and continue until late 2014. Construction of the DPM was delayed by one year. Operational testing began on November 5, 2013. The Corps is proposing a third year of testing in 2015, with the potential for a fourth year of testing in 2016, to gain information to further address scientific, hydrologic and water management uncertainties that require clarification prior to the design of decompartmentalization features within WCA 3, included in Comprehensive Everglades Restoration Plan. The field test proposed within the Proposed Supplemental FONSI would occur within Miami-Dade County, Florida.

The Proposed Supplemental FONSI is available for your review on the Corps Environmental planning website, under Miami Dade County:

<http://www.saj.usace.army.mil/About/DivisionsOffices/Planning/EnvironmentalBranch/EnvironmentalDocuments.aspx#Dade>

Any comments you may have must be submitted in writing to the letterhead address within 30 days of the date of this letter. Questions concerning the DPM can be submitted to Mrs. Melissa Nasuti at the letterhead address or to Melissa.A.Nasuti@usace.army.mil. Mrs. Nasuti may also be reached by telephone at 904-232-1368.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric P. Summa". The signature is fluid and cursive, with a large initial "E" and "S".

Eric P. Summa
Chief, Environmental Branch



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

REPLY TO
ATTENTION OF

**PROPOSED SUPPLEMENTAL FINDING OF NO SIGNIFICANT IMPACT
INSTALLATION, TESTING AND MONITORING OF A PHYSICAL MODEL FOR THE
WCA 3 DECOMPARTMENTALIZATION AND SHEET FLOW ENHANCEMENT
PROJECT
MIAMI-DADE COUNTY, FLORIDA**

This Finding supplements the Installation, Testing and Monitoring of a Physical Model for the Water Conservation Area (WCA) 3 Decompartmentalization (Decomp) and Sheet Flow Enhancement Project Final Environmental Assessment (EA) and Design Test Documentation Report (DTDR) previously completed and signed April 13, 2010. This Finding incorporates by reference all discussions and conclusions contained in the 2010 EA and DTDR.

- a. The Decomp Physical Model (DPM) is a field test conducted along a 3,000 foot stretch of the L-67A and L-67C levees and canals in WCA 3A and WCA 3B to determine how best to design and formulate plans for future decompartmentalization of WCA 3, as visualized in the Comprehensive Everglades Restoration Plan (CERP). The 2010 EA and DTDR anticipated operational testing of the DPM to begin in early 2011 and continue until late 2014. Construction of the DPM was delayed by one year. Operational testing began on November 5, 2013. The Corps is proposing a third year of testing in 2015, with the potential for a fourth year of testing in 2016, to gain information to further address scientific, hydrologic and water management uncertainties that require clarification prior to the design of decompartmentalization features within WCA 3, included in CERP. Water flow, stage, sediment movement, water quality and ecological parameters will be measured during each operational test cycle (October – January) consistent with the 2010 EA and DTDR. This Finding will address potential effects of two additional operational periods in 2015 and 2016, not proposed in the 2010 EA and DTDR.
- b. The DPM is a limited duration, fully controlled test. The DPM is located in Miami-Dade County along the southern end of the L-67A and L-67C canals within WCA 3. The project provides for the temporary installation and testing of the following DPM features: installation of 10, 60-inch culverts in the L-67A levee (S-152) and a 3,000 foot gap in the L-67C levee with three 1,000 foot backfill treatments; no backfill, partial backfill and complete backfill using adjacent levee material. The S-152 structure has a maximum combined flow of 750 cubic feet per second (cfs). De-construction will occur at the end of the DPM testing period and the project area will be restored to pre-DPM conditions.
- c. The DPM is a temporary field test, designed to provide essential information regarding environmental variables that may enable or control development or maintenance of the

corrugated, ridge and slough landscape characteristic of the historic Everglades, including minimum water velocities required. Restoration and sustenance of this landscape is an important goal of the CERP and considered essential to restoration. It will also provide information regarding the effects of levee removal and canal backfill. Construction of the DPM was delayed by one year. Additional testing is needed to evaluate the repeatability of results gained to date and to provide sufficient statistical power for hypothesis testing. Alternatives considered in this Finding include: 1) Alternative A: No Action Alternative – Under the No Action Alternative, operational testing for the DPM concluded in 2013; 2) Alternative B: Additional Year of Testing – Under Alternative B, up to two additional operational periods in 2015 and 2016 will be conducted. Operational testing will be consistent with the 2010 EA and DTDR under Alternative B. Controlled flow releases will be timed to occur in winter months over short periods when sufficient stage differences between WCA 3A and WCA 3B are usually present to provide the necessary flow, but extreme high water conditions in WCA 3A are not present. Flow will be controlled or stopped if adverse environmental conditions occur. Effects of the DPM are expected to be localized to the test area, with no adverse effects outside the immediate test area.

- d. The proposed action will not cause a significant change in water levels (except very locally, at the site of the DPM itself). During the first high-flow event (November 5 to December 30, 2013) sustained water column velocities greater than three centimeters per second (cm s^{-1}) were achieved at a monitoring site nearest the S-152. These velocities were above measured velocities required to entrain benthic sediments. Water column velocities greater than one cm s^{-1} were mainly restricted to a 500 meter radius of the S-152 culvert structure. High velocities continued to increase over time, such that higher velocities were observed in December. In contrast, the head difference and discharge at S-152 remained the same or decreased slightly over this period. With the exception of the initial pulse on the first day of high-flow, water total phosphorus (TP) remained low (<10 micrograms per liter ($\mu\text{g/L}$)) throughout the site, including in the pocket between the L-67A levee and L-67C canal and marshes downstream of the L-67C canal/levee-gap. The combined flow at S-152 did not exceed 300 cfs during the first high-flow event. Results from fish sampling suggest that there has been no loss of fishing habitat within the partial or complete backfill treatments. The partial fill and complete fill treatments exhibited increased densities of large fish. These backfill treatments have created a new habitat that supports a similar community to the one currently found on the canal edge. Further information pertaining to results from the 2013 flow event appears in the 2015 South Florida Environmental Report.
- e. The proposed action will continue to provide short term, moderate impacts to recreational boaters during operational testing. During the operational period, a portion of the L-67C Canal will be inaccessible to recreational boaters due to the backfill treatments associated with the design test. An airboat ramp located directly south of L-67C in southwestern WCA 3B is currently blocked due to stockpiling of material excavated from the L-67A levee during construction; prohibiting the use of this ramp by air boaters. At the conclusion of the DPM, the levees and canals will be restored to initial

conditions and stockpiled material will be removed. Access through the L-67A Canal will continue to remain open during operational testing.

- f. The proposed action has been coordinated with the Florida State Historic Preservation Officer in accordance with the National Historic Preservation Act and National Environmental Policy Act. It is anticipated that the proposed action will not adversely affect historic properties eligible or potentially eligible for the National Register of Historic Places.
- g. The proposed action is in full compliance with the Endangered Species Act and the Fish and Wildlife Coordination Act. The Corps requested written confirmation of federally listed threatened and endangered species that are either known to occur or are likely to occur within the project area from the U.S. Fish and Wildlife Service (USFWS) by letter dated April 9, 2009. Concurrence on the presence of listed species was received July 22, 2009. Informal consultation was initiated December 17, 2009 with submission of the 2010 EA and DTDR. Species effects determinations were integrated into the EA and DTDR. The Corps had determined that the plan identified in the EA and DTDR would have the following effects on federally listed species and critical habitat: may effect, not likely to adversely affect, Eastern indigo snake (*Drymarchon corais couperi*), wood stork (*Mycteria americana*), Everglade snail kite (*Rostrhamus sociabilis*) and Everglade snail kite critical habitat; and no effect on West Indian Manatee (*Trichechus manatus*), Cape Sable seaside sparrow (*Ammodramus maritimus mirabilis*) and Florida panther (*Felis concolor coryi*). Concurrence on these determinations was received February 9, 2010. A Final Fish and Wildlife Coordination Act Report was received December 22, 2009.

The Florida bonneted bat (*Eumops floridanus*) has since been identified as a federally listed endangered species and may occur within the project area. Since this species was recently listed, there was no previous consultation with USFWS. The Corps re-initiated informal consultation on March 31, 2015, requesting written confirmation for no change in listed species determinations as discussed above and a may affect not likely to adversely affect determination for the Florida bonneted bat. Concurrence on these determinations was received from USFWS on April 28, 2015. The proposed action would not adversely affect listed species.

- h. The proposed action will not adversely affect water quality and will be in compliance with the appropriate conditions in the Comprehensive Everglades Restoration Plan Regulation Act (CERPRA) permit. A CERPA Water Quality Certification (Permit Number 0304879-003) was obtained for the DPM on January 9, 2010 to satisfy water quality certification under the Clean Water Act. This permit authorized construction and operational testing in accordance with the Interim Operations Monitoring Plan and is scheduled to expire on January 9, 2017. In compliance with the conditions of the permit, coordination with the Florida Department of Environmental Protection will occur prior to additional operational testing in 2015 and potentially 2016.

- i. The Corps coordinated a consistency determination pursuant to the Coastal Zone Management Act (CZMA) through circulation of the EA and DTDR for a 30-day review (November 6 to December 5, 2009). During review of the EA and DTDR, the State Clearinghouse determined that the DPM was consistent with the CZMA. The State provided final concurrence with issuance of CERPA Water Quality Certification (Permit Number 0304879-003).
- j. This Proposed Finding will be circulated for a 30 day review period to agencies, organizations, and other interested stakeholders.

In view of the above and the 2010 EA and DTDR, and after consideration of public and agency comments received on the project, I conclude that two additional operational periods in 2015 and 2016 would not result in a significant effect on the human environment. Based on information analyzed in this Finding, reflecting pertinent information obtained from agencies having jurisdiction by law and/or special expertise, I conclude that the proposed action does not require an Environmental Impact Statement.

Alan M. Dodd
Colonel, U.S. Army
District Commander

Date