

**CENTRAL AND SOUTHERN FLORIDA PROJECT
MODIFIED WATER DELIVERIES TO
EVERGLADES NATIONAL PARK, FLORIDA**

8.5 SQUARE MILE AREA

**APPENDIX B
PERTINENT CORRESPONDENCE**

**DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA**

July 2000



HDR
HDR Engineering, Inc.



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Helping Floridians create safe, vibrant, sustainable communities"

JEB BUSH
Governor

STEVEN M. SEIBERT
Secretary

July 13, 1999

Mr. Elmar Kurzbach
Jacksonville District Corps of Engineers
Post Office Box 4970
Jacksonville, Florida 32232-0019

RE: U.S. Army Corps of Engineers, Jacksonville District,
National Park Service and the U.S. Fish and Wildlife
Service - Flood Control Projects - Preparation of
Supplement to the 1992 Final Environmental Impact
Statement on Modified Water Deliveries to Everglades
National Park - Construction Modifications to the
Central and Southern Florida Project to Improve Water
Deliveries into Everglades National Park and to Take
Steps to Restore the Natural Hydrological Conditions
within the Park
SAI: FL9212241915CR3

Dear Mr. Kurzbach:

The Florida State Clearinghouse, pursuant to Presidential Executive Order 12372, Gubernatorial Executive Order 95-359, Florida Statutes, the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335, 4341-4347, as amended, has coordinated a review of the above-referenced project.

The Department of Environmental Protection (DEP) offers comments and recommendations regarding the environmental aspects of the project for evaluation in the Supplemental Environmental Impact Statement. Please refer to the enclosed DEP comments.

The Florida Game and Fresh Water Fish Commission (GFWFC) notes that its June 17, 1999, recommendations, attached, were provided directly to the Army Corps of Engineers. Please refer to the enclosed GFWFC comments and attachment.

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
Phone: (850) 488-8466/Suncom 278-8466 FAX: (850) 921-0781/Suncom 291-0781
Internet address: <http://www.state.fl.us/comaff/>

Mr. Elmar Kurzbach
July 13, 1999
Page Two

Based on the information contained in the proposed project and the enclosed comments provided by our reviewing agencies, the state has determined that, at this stage, the above-referenced project is consistent with the Florida Coastal Management Program (FCMP). All subsequent environmental documents prepared for this project must be reviewed to determine the project's continued consistency with the FCMP. The state's continued concurrence with the project will be based, in part, on the adequate resolution of issues identified during this and subsequent reviews.

If you have any questions regarding this letter, please contact Ms. Cherie Trainor, Clearinghouse Coordinator, at (850) 922-5438.

Sincerely,

Chris McCay

for

Ralph Cantral, Executive Director
Florida Coastal Management Program

RC/cc

Enclosures

cc: Robert Hall, Department of Environmental Protection
Bradley Hartman, Game and Fresh Water Fish Commission



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Scrubs
Secretary

July 9, 1999

Ms. Cherie Trainor
Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: U.S. Army Corps of Engineers, Jacksonville District, National Park Service and the U. S. Fish and Wildlife Service, Preparation of Supplement to the 1992 Final EIS on Modified Water Deliveries to Everglades National Park (ENP) -- Construction Modifications to the Central and Southern Florida Project to Improve Water Deliveries into ENP and to Take Steps to Restore the Natural Hydrological Conditions Within the Park.

SAI: FL9212241915CR3

Dear Ms. Trainor:

This Department has reviewed the above-described project proposal and based on the information provided, we submit the following comments and recommendations regarding the environmental aspects of the project.

The Corps of Engineers is asking the Department and other interested agencies to assist them in identifying issues associated with a proposed change to the locally preferred option for the 8.5 Square Mile Area (SMA) by the South Florida Water Management District as part of the Modified Water Deliveries project. In addition to the issues already identified by the Corps, the following issues are recommended for evaluation in the SEIS.

A primary objective of the Restudy of the Central and South Florida Flood Control Project was to reestablish natural hydropatterns within the remaining Everglades. Any evaluation should be done using water levels and other conditions which are expected to result from completion of the projects proposed in the Restudy and the resulting ecosystem restoration.

An evaluation must be made of the impact of each alternative on restoration efforts to reduce to the maximum extent possible, seepage currently drained from Everglades National Park. This should include an evaluation of changes to present and potential restoration hydropatterns within

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the park; specifically in the area adjacent to the 8.5 SMA. Impacts to downstream structures and facilities from water diverted from the 8.5 SMA must also be evaluated.

One of the findings of the Science Sub-group of the South Florida Ecosystem Restoration Working Group involved ecosystem impacts from the loss of over half of the historic area of the former Everglades. A resulting recommendation was that the extent and heterogeneity of the natural system should be increased. An evaluation should be made of the continued cumulative loss or possible addition of Everglades habitat which will result from the alternatives under consideration. This should include the evaluation of the loss of wetlands currently existing in the 8.5 SMA.

With implementation of the Modified Water Deliveries project water levels will return to a more natural higher elevation. Therefore, structural flood mitigation alternatives should be evaluated for their impact on the re-establishment of wetlands at all elevations.

One of the reasons for the endangered status of the Cape Sable Seaside Sparrow has been the loss of critical habitat. Impacts to the survival and recovery of the sparrow must be evaluated from the impacts associated with the induced development potential provided by structural flood mitigation alternatives.

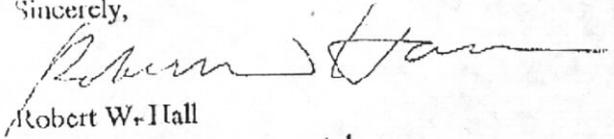
A full "cost accounting" cost and benefit analysis of future development situations under the existing flood protection limits, structural flood protection alternatives and acquisition should be performed. This analysis must include secondary costs to other governmental entities. Providing limited flood protection (mitigation) may induce additional development in this flood prone area. Increased cost of property damages associated with each alternative should be evaluated. The analysis should also include the cost to the environment from the loss of wetlands and flood prone areas that provide fish and wildlife habitat, natural floodwater storage and water quality treatment benefits.

Potential water quality impacts are a major concern. Alternatives which increase development in the 8.5 SMA are of special concern since no water quality treatment system for the area currently exists. Even on low density residential lots of 1 acre or more there is plenty of room for agricultural activity (fruit trees, etc.) on the open space surrounding the house and septic tank. An unknown portion of pollutants contained in the groundwater under a fully or partially developed 8.5 SMA would have the potential to affect either directly or indirectly, the Outstanding Florida Waters of Everglades National Park and/or other water bodies. As an Outstanding Florida Water, the water quality standard for all parameters in Everglades National Park is non-degradation from the background level present in the year before designation (March 1978). There is also a settlement agreement between the state and federal government, which includes water quality requirements. A full evaluation of water quality impacts is necessary.

Each alternative's impact upon compliance with Presidential Executive Orders 11988 and 11990 concerning the protection of wetlands and floodplains should be evaluated.

Thank you for the opportunity of commenting on this proposal. If you have any questions regarding this letter please give me a call at (850) 487-2231.

Sincerely,



Robert W. Hall
Office of Intergovernmental
Programs

cc: Ernie Barnett
Herb Zebuth
Carolyn Ansay
John Outland



FLORIDA GAME AND FRESH WATER FISH COMMISSION

THOMAS B. KIBLER
Lakeland

JAMES L. "JAMIE" ADAMS Jr.
Bushnell

JULIE K. MORRIS
Sarasota

QUINTON L. HEDGEPEETH, DDS
Miami

EDWIN P. ROBERTS, D.C.
Pensacola

ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

June 17, 1999

OFFICE OF ENVIRONMENTAL SERVICES
BRADLEY J. HARTMAN, DIRECTOR
FARRIS BRYANT BUILDING
620 South Meridian Street
Tallahassee, FL 32399-1600
(850) 488-6661
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Mr. Elmar Kurzbach
Planning Division, Environmental Branch
U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville, Florida 32232-0019

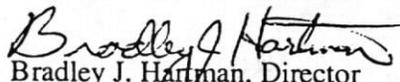
Re: Scoping Notification, SEIS for Modified Water
Deliveries to Everglades National Park, Dade
County

Dear Mr. Kurzbach:

The Office of Environmental Services of the Florida Game and Fresh Water Fish Commission has received the notification that the U.S. Army Corps of Engineers is soliciting input on issues to be considered during the development of the Supplemental Environmental Impact Statement (SEIS) to the 1992 EIS for Modified Water Deliveries to Everglades National Park. Specifically, the SEIS will assess the extent to which information obtained, and decisions made, since 1992 might affect the future of the 8.5 Square Mile Area.

In addition to the seven issues identified in the notification, we request that the SEIS also consider potential impacts of water management as it relates to (1) protection and restoration of the Water Conservation Areas (WCAs), particularly WCAs-3B and southern -3A; and (2) potential impacts to the recreational amenities that these areas currently provide. Staff of the Office of Environmental Services will be available to assist you in this aspect of the evaluation; however, we are not planning at this time to provide the U.S. Army Corps of Engineers with a Fish and Wildlife Coordination Act report independent from that of the U.S. Fish and Wildlife Service.

Sincerely,


Bradley J. Hartman, Director
Office of Environmental Services

BJH/MAP
ENV 2-16/5/3
smascope.coe

cc: Col. Joe Miller, COE, Jacksonville
Mr. Steven Forsythe, USFWS, Vero Beach



FLORIDA GAME AND FRESH WATER FISH COMMISSION

THOMAS B. KIBLER
Lakeland

JAMES L. "JAMIE" ADAMS Jr.
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Sarasota

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ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

June 17
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OFFICE OF ENVIRONMENTAL SERVICES
BRADLEY J. HARTMAN, DIRECTOR
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(850) 488-6661
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Ms. Cherie Trainor
Florida State Clearinghouse
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

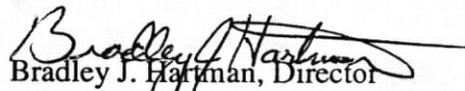
State of Florida Clearinghouse

Re: SAI #FL9212241915CR3 (Scoping
Notification, SEIS for Modified Water
Deliveries to Everglades National Park),
Dade County

Dear Ms. Trainor:

The Office of Environmental Services of the Florida Game and Fresh Water Fish Commission has reviewed the referenced document, and has provided recommendations to the U.S. Army Corps of Engineers. Please refer to our June 17, 1999 letter (attached).

Sincerely,


Bradley J. Hartman, Director
Office of Environmental Services

BJH/MAP
ENV 1-3-2
Attachment
SMASCOPE.SAI

COUNTY: State

DATE: 06/04/1999
COMMENTS DUE-2 WKS: 06/18/1999
CLEARANCE DUE DATE: 07/06/1999
SAI#: FL9212241915CR3

Message: ARMY CORPS DUE DATE

STATE AGENCIES

WATER MANAGEMENT DISTRICTS

OPB POLICY UNITS

Agriculture
Community Affairs
Environmental Protection
Game and Fresh Water Fish Comm
X State
Transportation

South Florida WMD
Southwest Florida WMD
St. Johns River WMD

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Environmental Policy/C & ED

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X: 922004

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- X Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:

U.S. Army Corps of Engineers, Jacksonville District, National Park Service and the U.S. Fish and Wildlife Service - Preparation of Supplement to the 1992 Final Environmental Impact Statement on Modified Water Deliveries to Everglades National Park - Construction Modifications to the Central and Southern Florida Project to Improve Water Deliveries into Everglades National Park and to Take Steps to Restore the Natural Hydrological Conditions within the Park

To: **Florida State Clearinghouse**
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 922-5438 (SC 292-5438)
(850) 414-0479 (FAX)

EO. 12372/NEPA

Federal Consistency

- No Comment
- Comments Attached
- Not Applicable

- No Comment/Consistent.
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From:

Division/Bureau: HISTORICAL RESOURCES
Reviewer: [Signature] Laura A. Kammerer
Date: 6-18-99 6-18-99

DATE: 06/04/1999
COMMENTS DUE-2 WKS: 06/18/1999
CLEARANCE DUE DATE: 07/06/1999
SAI#: FL9212241915CR3

Message: ARMY CORPS DUE DATE

STATE AGENCIES

WATER MANAGEMENT DISTRICTS

OPB POLICY UNITS

Agriculture
Community Affairs
Environmental Protection
Game and Fresh Water Fish Comm
State
Transportation

X South Florida WMD
Southwest Florida WMD
St. Johns River WMD

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The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

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EO. 12372/NEPA

Federal Consistency

- No Comment
- Comments Attached
- Not Applicable

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From:

Division/Bureau: SFWMD/PLA
Reviewer: DAVID HUBBARD
Date: 6/22/99

C



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Southwest Florida Water Management District

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Tampa, Florida 33637-6759
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Bartow Service Office
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Bartow, Florida 33830-7700
(941) 534-1448 or
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Venice, Florida 34292-3524
(941) 486-1212 or
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Lecanto, Florida 34461-8070
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SUNCOM 667-3271

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New Port Richey

Pamela Stinnette-Taylor
Tampa

E. D. "Sonny" Vergara
Executive Director

Gene A. Heath
Assistant Executive Director

Edward B. Helvenston
General Counsel

June 14, 1999

Ms. Cherie Trainor
Florida State Clearinghouse
Department Community Affairs
2555 Shumard Oaks Boulevard
Tallahassee, Florida 32399-2100

Subject: US Army Corps of Engineers/National Park Service - Preparation of Supplement to the 1992 Final EIS on Modified Water Deliveries to Everglades National Park: Construction Modifications to C&SF Project

SAI#: FL9212241915CR3

Dear Ms. Trainor

The staff of the Southwest Florida Water Management District (District) has conducted a consistency evaluation for the project referenced above. Consistency findings are divided into four categories and are based solely on the information provided in the subject application.

FINDING	CATEGORY
X	Consistent/No Comment
	Consistent/Comments Attached
	Inconsistent/Comments Attached
	Consistency Cannot be Determined Without Additional Information/ No Comments Attached

This review does not constitute permit approval under Chapter 373, Florida Statutes, or any rules promulgated thereunder, nor does it stand in lieu of normal permitting procedures in accordance with Florida Statutes and District rules. If you have any questions or if I can be of further assistance, please contact me in the District's Planning Department.

Sincerely,

Ian G. McDonald, AICP
Government Planning Coordinator

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JUN 17 1999

State of Florida Clearinghouse

COUNTY: State

DATE: 06/04/1999

COMMENTS DUE-2 WKS: 06/18/1999

Message: ARMY CORPS DUE DATE

CLEARANCE DUE DATE: 07/06/1999

SAI#: FL9212241915CR3

STATE AGENCIES

WATER MANAGEMENT DISTRICTS

OPB POLICY UNITS

Agriculture
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South Florida WMD
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Project Description:

U.S. Army Corps of Engineers, Jacksonville District, National Park Service and the U.S. Fish and Wildlife Service - Preparation of Supplement to the 1992 Final Environmental Impact Statement on Modified Water Deliveries to Everglades National Park - Construction Modifications to the Central and Southern Florida Project to Improve Water Deliveries into Everglades National Park and to Take Steps to Restore the Natural Hydrological Conditions within the Park

To: **Florida State Clearinghouse**
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, FL 32399-2100
 (850) 922-5438 (SC 292-5438)
 (850) 414-0479 (FAX)

EO. 12372/NEPA

Federal Consistency

- No Comment
- Comments Attached
- Not Applicable

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From: NOT IN SJRWMD
 Division/Bureau: SJRWMD/OPB
 Reviewer: RTelantony 6/8/99
 Date: _____

JUN - 9 1999

**FLORIDA STATE CLEARINGHOUSE
RPC INTERGOVERNMENTAL COORDINATION
AND RESPONSE SHEET**

SAI #: FL9212241915CR3

DATE: 06/04/1999

COMMENTS DUE TO CLEARINGHOUSE: 07/04/1999

AREA OF PROPOSED ACTIVITY: COUNTY: State

FEDERAL ASSISTANCE DIRECT FEDERAL ACTIVITY FEDERAL LICENSE OR PERMIT OCS

PROJECT DESCRIPTION

U.S. Army Corps of Engineers, Jacksonville District, National Park Service and the U.S. Fish and Wildlife Service - Preparation of Supplement to the 1992 Final Environmental Impact Statement on Modified Water Deliveries to Everglades National Park - Construction Modifications to the Central and Southern Florida Project to Improve Water Deliveries into Everglades National Park

ROUTING:

RPC

- X E. Central FL RPC
- Central FL RPC
- Tampa Bay RPC
- SW Florida RPC
- Treasure Coast RPC
- South FL RPC
- Withlacoochee RPC

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COMMENTS DUE TO RPC: 06/25/1999

NO COMMENTS:

(IF THE RPC DOES NOT RECEIVE COMMENTS BY THE DEADLINE DATE, THE RPC SHOULD CONTACT THE LOCAL GOVERNMENT TO DETERMINE THE STATUS OF THE PROJECT REVIEW PRIOR TO FORWARDING THE RESPONSE PACKAGE TO THE CLEARINGHOUSE.)

NOTES:

ALL CONCERNS OR COMMENTS REGARDING THE ATTACHED PROJECT (INCLUDING ANY RPC COMMENTS) SHOULD BE SENT IN WRITING BY THE DUE DATE TO THE CLEARINGHOUSE. PLEASE ATTACH THIS RESPONSE FORM AND REFER TO THE SAI # IN ALL CORRESPONDENCE.

IF YOU HAVE ANY QUESTIONS REGARDING THE ATTACHED PROJECT, PLEASE CONTACT THE STATE CLEARINGHOUSE AT (904) 922-5438 OR SUNCOM 272-5438.

194-99

FIE
AIR

FLORIDA STATE CLEARINGHOUSE
RPC INTERGOVERNMENTAL COORDINATION
AND RESPONSE SHEET

SAI #: FL9212241015CR3

DATE: 06/04/1999

COMMENTS DUE TO CLEARINGHOUSE: 07/04/1999

AREA OF PROPOSED ACTIVITY: COUNTY: State

FEDERAL ASSISTANCE DIRECT FEDERAL ACTIVITY FEDERAL LICENSE OR PERMIT OCS

PROJECT DESCRIPTION

U.S. Army Corps of Engineers, Jacksonville District, National Park Service and the U.S. Fish and Wildlife Service - Preparation of Supplement to the 1997 Final Environmental Impact Statement on Modified Water Deliveries to Everglades National Park - Construction Modifications to the Central and Southern Florida Project to Improve Water Deliveries into Everglades National Park

ROUTING:

RPC

- E. Central FL RPC
- Central FL RPC
- X Tampa Bay RPC
- SW Florida RPC
- Treasure Coast RPC
- South FL RPC
- Withlacoochee RPC

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COMMENTS DUE TO RPC: 06/25/1999

NO COMMENTS: X

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11-226

**FLORIDA STATE CLEARINGHOUSE
RPC INTERGOVERNMENTAL COORDINATION
AND RESPONSE SHEET**

SAI #: FL9212241915CR3

DATE: 06/04/1999

COMMENTS DUE TO CLEARINGHOUSE: 07/04/1999

AREA OF PROPOSED ACTIVITY: COUNTY: State

FEDERAL ASSISTANCE DIRECT FEDERAL ACTIVITY FEDERAL LICENSE OR PERMIT OCS

PROJECT DESCRIPTION

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ROUTING:

RPC

- E. Central FL RPC
- Central FL RPC
- Tampa Bay RPC
- X SW Florida RPC
- Treasure Coast RPC
- South FL RPC
- Withlacoochee RPC

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JUN 9 1999

S.W. FLORIDA REGIONAL
PLANNING COUNCIL

PLEASE CHECK ALL THE LOCAL GOVERNMENTS BELOW FROM WHICH COMMENTS HAVE BEEN RECEIVED; ALL COMMENTS RECEIVED SHOULD BE INCLUDED IN THE RPC'S CLEARINGHOUSE RESPONSE PACKAGE. IF NO COMMENTS WERE RECEIVED, PLEASE CHECK "NO COMMENT" BOX AND RETURN TO CLEARINGHOUSE.

COMMENTS DUE TO RPC: 06/25/1999

RECEIVED
JUN 17 1999
State of Florida Clearinghouse

NO COMMENTS: _____

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Southwest Florida Regional Planning Council

4980 Bayline Drive, 4th Floor, N. Ft. Myers, FL 33917-3909 (941) 656-7720

P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

June 14, 1999

Mr. Elmar Kurzbach
USACOE - Jacksonville District
P.O. Box 4970
JACKSONVILLE, FL 32232-0019

RE: IC&R Project #99-226
State Clearinghouse #FL9212241915CR3

USACOE - Jacksonville District, National Park Service and the U.S. Fish and Wildlife Service - Preparation of supplement to the 1992 Final EIS on modified water deliveries to Everglades National Park - Construction modifications to the Central and Southern Florida project to improve water deliveries into Everglades National Park.

Dear Mr. Kurzbach:

The staff of the Southwest Florida Regional Planning Council reviews various proposals, Notifications of Intent, Preapplications, permit applications, and Environmental Impact Statements for compliance with regional goals, objectives, and policies, as determined by the Strategic Regional Policy Plan. The staff reviews such items in accordance with the Florida Intergovernmental Coordination and Review Process (Chapter 29I-5, F.A.C.), and adopted regional clearinghouse procedures.

These designations determine Council staff procedure in regards to the reviewed project. The four designations are:

Less Than Regionally Significant and Consistent no further review of the project can be expected from Council.

Less Than Regionally Significant and Inconsistent Council does not find the project of regional importance, but will note certain concerns as part of its continued monitoring for cumulative impact within the noted goal area.

Regionally Significant and Consistent project is of regional importance, and appears to be consistent with Regional goals, objectives, and policies.

To: Mr. Elmar Kur. h
Date: June 14, 1999
Re: SWFRPC #99-226
Page: 2

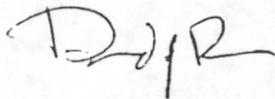
Regionally Significant and Inconsistent project is of regional importance and does not appear to be consistent with Regional goals, objectives, and policies. Council will oppose the project as submitted, but is willing to participate in any efforts to modify the project to mitigate the concerns.

The above referenced document has been reviewed by this office, based on the information contained in the document, and on local knowledge, staff has No Comment At This Time.

Should you or any other party request this finding to be reconsidered, please contact Nichole L. Gwinnett, IC&R Coordinator, with this request, or any questions concerning staff review of this item. This recommendation will be discussed at the next scheduled Council meeting. Should Council action differ from the staff recommendation, you will be notified.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL



hu Wayne E. Daltry
Executive Director

WED/NLG

cc: Cherie Trainor, Florida State Clearinghouse

FLORIDA STATE CLEARINGHOUSE
RPC INTERGOVERNMENTAL COORDINATION
AND RESPONSE SHEET

55-F9-99-C05

SAI #: FL9212241915CR3

DATE: 06/04/1999

COMMENTS DUE TO CLEARINGHOUSE: 07/04/1999

RECEIVED JUN 8 1999

AREA OF PROPOSED ACTIVITY: COUNTY: State

FEDERAL ASSISTANCE DIRECT FEDERAL ACTIVITY FEDERAL LICENSE OR PERMIT OCS

PROJECT DESCRIPTION

U.S. Army Corps of Engineers, Jacksonville District, National Park Service and the U.S. Fish and Wildlife Service - Preparation of Supplement to the 1992 Final Environmental Impact Statement on Modified Water Deliveries to Everglades National Park - Construction Modifications to the Central and Southern Florida Project to Improve Water Deliveries into Everglades National Park

ROUTING:

RPC

- E. Central FL RPC
- Central FL RPC
- Tampa Bay RPC
- SW Florida RPC
- Treasure Coast RPC
- South FL RPC
- X Withlacoochee RPC

RECEIVED
JUN 11 1999
State of Florida Clearinghouse

PLEASE CHECK ALL THE LOCAL GOVERNMENTS BELOW FROM WHICH COMMENTS HAVE BEEN RECEIVED; ALL COMMENTS RECEIVED SHOULD BE INCLUDED IN THE RPC'S CLEARINGHOUSE RESPONSE PACKAGE. IF NO COMMENTS WERE RECEIVED, PLEASE CHECK "NO COMMENT" BOX AND RETURN TO CLEARINGHOUSE.

COMMENTS DUE TO RPC: 06/25/1999

NO COMMENTS: _____

(IF THE RPC DOES NOT RECEIVE COMMENTS BY THE DEADLINE DATE, THE RPC SHOULD CONTACT THE LOCAL GOVERNMENT TO DETERMINE THE STATUS OF THE PROJECT REVIEW PRIOR TO FORWARDING THE RESPONSE PACKAGE TO THE CLEARINGHOUSE.)

NOTES: 6/8/99:
The WRPC has no comments with reference to this project.

ALL CONCERNS OR COMMENTS REGARDING THE ATTACHED PROJECT (INCLUDING ANY RPC COMMENTS) SHOULD BE SENT IN WRITING BY THE DUE DATE TO THE CLEARINGHOUSE. PLEASE ATTACH THIS RESPONSE FORM AND REFER TO THE SAI # IN ALL CORRESPONDENCE.

IF YOU HAVE ANY QUESTIONS REGARDING THE ATTACHED PROJECT, PLEASE CONTACT THE STATE CLEARINGHOUSE AT (904) 922-5438 OR SUNCOM 272-5438.

C



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Helping Floridians create safe, vibrant, sustainable communities"

JEB BUSH
Governor

STEVEN M. SEIBERT
Secretary

July 6, 1999

Mr. Elmar Kurzbach
Jacksonville District Corps of Engineers
Post Office Box 4970
Jacksonville, Florida 32232-0019

RE: U.S. Army Corps of Engineers, Jacksonville District,
National Park Service and the U.S. Fish and Wildlife Service
- Flood Control Projects - Preparation of Supplement to the
1992 Final Environmental Impact Statement on Modified Water
Deliveries to Everglades National Park - Construction
Modifications to the Central and Southern Florida Project
to Improve Water Deliveries into Everglades National Park
and to Take Steps to Restore the Natural Hydrological
Conditions within the Park
SAI: FL9212241915CR3

Dear Mr. Kurzbach:

The Florida State Clearinghouse has been advised that our reviewing agencies require additional time to complete the review of the above-referenced project. Pursuant to the July 6, 1999, telephone conversation with your office, additional time has been agreed upon for completion of the state's consistency review in accordance with 15 CFR 930.41(b). We will make every effort to conclude the review and forward the consistency determination to you on or before July 9, 1999.

Thank you for your understanding. If you have any questions regarding this matter, please contact Ms. Cherie Trainor, Clearinghouse Coordinator, at (850) 922-5438.

Sincerely,

Ralph Cantral, Executive Director
Florida Coastal Management Program

RC/cc

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
Phone: (850) 488-8466/Suncom 278-8466 FAX: (850) 921-0781/Suncom 291-0781
Internet address: <http://www.state.fl.us/comaff/>



FLORIDA GAME AND FRESH WATER FISH COMMISSION



THOMAS B. KIBLER
Lakeland

JAMES L. "JAMIE" ADAMS Jr.
Bushnell

JULIE K. MORRIS
Sarasota

QUINTON L. HEDGEPEETH, DDS
Miami

EDWIN P. ROBERTS, D.C.
Pensacola

ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

June 17, 1999

OFFICE OF ENVIRONMENTAL SERVICES
BRADLEY J. HARTMAN, DIRECTOR
FARRIS BRYANT BUILDING
620 South Meridian Street
Tallahassee, FL 32399-1600
(850) 488-6661
SUNCOM 278-6661
FAX (850) 922-5679
TDD (850) 488-9542

Mr. Elmar Kurzbach
Planning Division, Environmental Branch
U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville, Florida 32232-0019

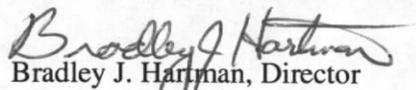
Re: Scoping Notification, SEIS for Modified Water
Deliveries to Everglades National Park, Dade
County

Dear Mr. Kurzbach:

The Office of Environmental Services of the Florida Game and Fresh Water Fish Commission has received the notification that the U.S. Army Corps of Engineers is soliciting input on issues to be considered during the development of the Supplemental Environmental Impact Statement (SEIS) to the 1992 EIS for Modified Water Deliveries to Everglades National Park. Specifically, the SEIS will assess the extent to which information obtained, and decisions made, since 1992 might affect the future of the 8.5 Square Mile Area.

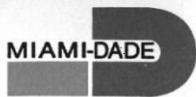
In addition to the seven issues identified in the notification, we request that the SEIS also consider potential impacts of water management as it relates to (1) protection and restoration of the Water Conservation Areas (WCAs), particularly WCAs-3B and southern -3A; and (2) potential impacts to the recreational amenities that these areas currently provide. Staff of the Office of Environmental Services will be available to assist you in this aspect of the evaluation; however, we are not planning at this time to provide the U.S. Army Corps of Engineers with a Fish and Wildlife Coordination Act report independent from that of the U.S. Fish and Wildlife Service.

Sincerely,


Bradley J. Hartman, Director
Office of Environmental Services

BJH/MAP
ENV 2-16/5/3
smascope.coe

cc: Col. Joe Miller, COE, Jacksonville
Mr. Steven Forsythe, USFWS, Vero Beach



ENVIRONMENTAL RESOURCES MANAGEMENT
NATURAL RESOURCES DIVISION
33 S.W. 2nd AVENUE
MIAMI, FLORIDA 33130-1540
(305) 372-6789
FAX (305) 372-6630

Mr. James C. Duck, Chief
Planning Division
Department of the Army
Jacksonville District Corps of Engineers
P. O. Box 4970
Jacksonville, FL 32232-0019

July 20, 1999

RE: Supplement to the 1992 Final Environmental Impact Statement on Modified Water Deliveries to Everglades National Park for the 8.5 Square Mile Area

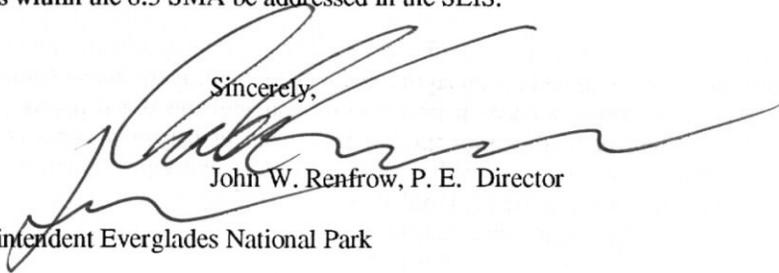
Dear Mr. Duck:

This letter is being sent in response to the scoping letters dated June 3 and July 9, 1999 on the above referenced topic. The June 3rd letter identified several important issues that should be addressed by the supplemental EIS. Of primary concern to Miami-Dade County is the inclusion of secondary, cumulative impacts that may be associated with providing flood protection beyond the level that was provided by the flood mitigation plan. During 1998, Miami-Dade County compiled information on existing and potential land uses in the 8.5 SMA based upon the six alternatives that were identified in the PEER Report. We estimated that it would cost approximately \$155,000,000 or \$146,000 per residential unit to construct a secondary drainage system and roads that would meet minimum county standards if the 8.5 SMA were to be developed at a density of one unit per five acres. We also estimated the amount of local, Countywide and other tax revenue that would be generated to pay for annual O&M costs and special taxing district revenue that could be bonded to pay for the projected capital costs.

During the coming months, Miami-Dade County staff will reevaluate land use information for the 8.5 SMA based upon 1999 aerial photography, 1998 property assessments, building permit data and field verification. We will also recalculate projected capital and annual O&M costs for each of the alternatives that are included in the SEIS, based upon a build out of one unit per five acres. We will provide these data to the Department of the Interior and to the U. S. Army Corps of Engineers and we respectfully request that these updated data be included in the SEIS evaluation of alternatives.

Our 1998 land use data indicate that 28 % (1,575 acres) of the 8.5 SMA is wetlands. Depending upon the alternative that is selected, these lands will be destroyed, impacted or preserved. In addition, there are about 900 acres of vacant lands below the seven foot contour that could potentially be restored to wetlands, depending upon the alternative that is selected. We also request that the potential and cumulative impacts to the existing and potentially restorable wetlands within the 8.5 SMA be addressed in the SEIS.

Sincerely,


John W. Renfrow, P. E. Director

CC: Mr. Richard Ring, Superintendent Everglades National Park



South Florida Water Management District

PRO EVR 20

July 22, 1999

James C. Duck
Chief, Planning Division
U.S. Army Corps of Engineers
Jacksonville District
P.O. Box 4970
Jacksonville, FL 32232-0019

Dear Mr. Duck:

Subject: Comments on Scoping for 8.5 Square Mile Area SEIS

We wish to thank the U.S. Army Corps of Engineers (ACE) for their efforts in conducting the recent public scoping meeting for the 8.5 Square Mile Area (SMA) Environmental Impact Statement. The South Florida Water Management District (District) staff will propose an alternative mitigation plan for your consideration during the technical alternatives formulation process.

Pursuant to District Governing Board action on June 23, 1999 (see enclosed), we request ACE evaluate a full array of locally preferred options for the mitigation of any additional flooding of the 8.5 square mile area (SMA) related to the implementation of the Modified Water Delivery Project as authorized by Congress. As discussed at the June 23 board meeting, it is additionally requested that the ACE present the findings of these evaluations to the Governing Board at the earliest convenience following the completion of the required analysis.

If you have any questions, please call me or have your staff contact our project manager, Dewey Worth, at 561-682-2711.

Sincerely,

A handwritten signature in cursive script that reads "Dewey Worth for".

Trevor Campbell
Deputy Executive Director

c: Dick Ring, Everglades National Park
Steve Forsythe, U.S. Fish & Wildlife Service
Dewey Worth, SFWMD

Governing Board:

Michael Collins, *Chairman*
Michael D. Minton, *Vice Chairman*
Mitchell W. Berger

Vera M. Carter
Gerardo B. Fernandez
Patrick J. Gleason

Nicolas J. Gutierrez, Jr.
Harkley R. Thornton
Trudi K. Williams

Frank R. Finch, P.E., *Executive Director*
Michael Slayton, *Deputy Executive Director*
Trevor Campbell, *Deputy Executive Director*

Motion Before the Governing Board of the South Florida Water Management District:

1. Approve settlement of pending litigation regarding 8 ½ SMA pursuant to the Settlement Agreement presented by staff.
2. Request the Corps of Engineers to evaluate, as part of the ongoing Supplemental Environmental Impact Statement process, a full array of locally preferred options to Mod. Waters in the development of a preferred alternative, including an Operational Component to the EIS.
3. Direct the staff to add the 8 ½ SMA expansion area to the District's current Save Our Rivers list update cycle for the 5 year plan in full compliance with the District's policies & procedures & all applicable public meeting & other legal requirements.

Motion approved by unanimous vote June 23, 1999.



Southwest Florida Regional Planning Council

4980 Bayline Drive, 4th Floor, N. Ft. Myers, FL 33917-3909 (941) 656-7720

P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

June 14, 1999

Mr. Elmar Kurzbach
USACOE - Jacksonville District
P.O. Box 4970
JACKSONVILLE, FL 32232-0019

RE: IC&R Project #99-226
State Clearinghouse #FL9212241915CR3

USACOE - Jacksonville District, National Park Service and the U.S. Fish and Wildlife Service - Preparation of supplement to the 1992 Final EIS on modified water deliveries to Everglades National Park - Construction modifications to the Central and Southern Florida project to improve water deliveries into Everglades National Park.

Dear Mr. Kurzbach:

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Less Than Regionally Significant and Consistent no further review of the project can be expected from Council.

Less Than Regionally Significant and Inconsistent Council does not find the project of regional importance, but will note certain concerns as part of its continued monitoring for cumulative impact within the noted goal area.

Regionally Significant and Consistent project is of regional importance, and appears to be consistent with Regional goals, objectives, and policies.

To: Mr. Elmar Kurzbach
Date: June 14, 1999
Re: SWFRPC #99-226
Page: 2

Regionally Significant and Inconsistent project is of regional importance and does not appear to be consistent with Regional goals, objectives, and policies. Council will oppose the project as submitted, but is willing to participate in any efforts to modify the project to mitigate the concerns.

The above referenced document has been reviewed by this office, based on the information contained in the document, and on local knowledge, staff has **No Comment At This Time.**

Should you or any other party request this finding to be reconsidered, please contact Nichole L. Gwinnett, IC&R Coordinator, with this request, or any questions concerning staff review of this item. This recommendation will be discussed at the next scheduled Council meeting. Should Council action differ from the staff recommendation, you will be notified.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL



hu
Wayne E. Daltry
Executive Director

WED/NLG

cc: Cherie Trainor, Florida State Clearinghouse



United States
Department of
Agriculture

Natural
Resources
Conservation
Service

2614 N.W. 43rd St.
Gainesville, Florida
32606-6611

P.O. Box 141510
Gainesville, Florida
32614-1510

June 30, 2000

Mr. Barry R. Wharton
Senior Environmental Scientist
HDR Engineering, Inc.
2202 NW Shore Boulevard
Suite 250
Tampa, Florida 33607-5711

RE: 8.5 Square Mile Area Supplemental EIS

Dear Mr. Wharton:

I have completed Parts II and IV of Form AD-1006 for the referenced project for Dade County. According to the Farmland Protection Policy Act (FPPA), if the Federal Agency involved decides to fund the project, Parts VI and VII of the applicable form should be completed and returned to this office.

If there are any questions, please contact me at the above address or by phone at 352-338-9535.

Sincerely,

Warren G. Henderson

Warren G. Henderson
State Soil Scientist

Enclosure

cc: Christine Coffin, DC, Homestead Service Center

FARMLAND CONVERSION IMPACT RATING

(Form 1 of 2)

PART I (To be completed by Federal Agency)	Date Of Land Evaluation Request March 10, 2000
---	---

Name Of Project 8.5 Square Mile Area Supplemental EIS	Federal Agency Involved U.S. Army Corps of Engineers - JAX District
Proposed Land Use Public Land Acquisition, Canal-Levee Construction, Flow-way	County And State Miami-Dade County, Florida

PART II (To be completed by SCS)	Date Request Received By SCS
---	------------------------------

Does the site contain prime, <u>unique</u> statewide or local important farmland? (If no, the FPPA does not apply - do not complete additional parts of this form).		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Acres Irrigated 63,000	Average Farm Size 59 Acres
Major Crop(s) Vegetables / Fruits	Farmable Land In Govt. Jurisdiction Acres: 82,000	Amount Of Farmland As Defined In FPPA Acres: %		
Name Of Land Evaluation System Used Land Capability	Name Of Local Site Assessment System	Date Land Evaluation Returned By SCS 6-30-00 WJH		

PART III (To be completed by Federal Agency)	Alternative Site Rating		
	Alts 1,2,3,7,9	Alt. 4	Alt. 5
A. Total Acres To Be Converted Directly	0	0-2774	2774
B. Total Acres To Be Converted Indirectly	0	0	0
C. Total Acres In Site	2774	2774	2774

PART IV (To be completed by SCS) Land Evaluation Information			
A. Total Acres Prime And Unique Farmland	0	1720	2106
B. Total Acres Statewide And Local Important Farmland	0	0	0
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	0	2%	2.5%
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	0	92%	92%

PART V (To be completed by SCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)	N/A	80	80
---	-----	----	----

PART VI (To be completed by Federal Agency) Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))	Maximum Points			
1. Area In Nonurban Use	15		15	15
2. Perimeter In Nonurban Use	10		10	10
3. Percent Of Site Being Farmed	20		15	15
4. Protection Provided By State And Local Government	20		0	0
5. Distance From Urban Builtup Area	0			
6. Distance To Urban Support Services	0			
7. Size Of Present Farm Unit Compared To Average	10		0	0
8. Creation Of Nonfarmable Farmland	25		0	0
9. Availability Of Farm Support Services	5		5	5
10. On-Farm Investments	20		10	10
11. Effects Of Conversion On Farm Support Services	25		0	0
12. Compatibility With Existing Agricultural Use	10		0	0
TOTAL SITE ASSESSMENT POINTS	160	0	55	55

PART VII (To be completed by Federal Agency)				
Relative Value Of Farmland (From Part V)	100	N/A	80	80
Total Site Assessment (From Part VI above or a local site assessment)	160			
TOTAL POINTS (Total of above 2 lines)	260	0	135	135

Site 6D Recommended (Alt. 6D)	Date Of Selection 7/14/2000	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
--------------------------------------	-----------------------------	--

Reason For Selection:
(see Form #2)

FARMLAND CONVERSION IMPACT RATING (Form 2 of 2)

PART I (To be completed by Federal Agency)	Date Of Land Evaluation Request March 10, 2000
Name Of Project: 8.5 Square Mile Area Supplemental EIS	Federal Agency Involved U.S. Army Corps of Engineers - JAX District
Proposed Land Use Public Land Acquisition, Canal-Levee Construction, Flow-way	County And State Miami-Dade County, Florida
PART II (To be completed by SCS)	Date Request Received By SCS

Does the site contain prime, <u>unique</u> statewide or local important farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form):</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Acres Irrigated 63,000	Average Farm Size 59 Acres
Major Crop(s) Vegetables / Fruits	Farmable Land In Govt. Jurisdiction Acres: 82,000 %	Amount Of Farmland As Defined In FPPA: Acres: %		
Name Of Land Evaluation System Used	Name Of Local Site Assessment System	Date Land Evaluation Returned By SCS 6-30-00 WJH		

	Alternative Site Rating			
	Alt. 6B	Alt. 6C	Alt. 6D	Alt. 8A
A. Total Acres To Be Converted Directly	1218	73	185	961
B. Total Acres To Be Converted Indirectly	0	0	0	0
C. Total Acres In Site	2774	2774	2774	2774

PART IV (To be completed by SCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	885	45	128	701
B. Total Acres Statewide And Local Important Farmland	0	0	0	0
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	10%	<1%	<1%	<1%
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	92%	53%	53%	92%

PART V (To be completed by SCS) Land Evaluation Criterion				
Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)	80	70	70	80

PART VI (To be completed by Federal Agency)					
Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))	Maximum Points				
1. Area In Nonurban Use	15	15	15	15	15
2. Perimeter In Nonurban Use	10	10	10	10	10
3. Percent Of Site Being Farmed	20	15	15	15	15
4. Protection Provided By State And Local Government	20	0	0	0	0
5. Distance From Urban Builtup Area	0				
6. Distance To Urban Support Services	0				
7. Size Of Present Farm Unit Compared To Average	10	0	0	0	0
8. Creation Of Nonfarmable Farmland	25	0	0	0	0
9. Availability Of Farm Support Services	5	5	5	5	5
10. On-Farm Investments	20	10	10	10	10
11. Effects Of Conversion On Farm Support Services	25	0	0	0	0
12. Compatibility With Existing Agricultural Use	10	0	0	0	0
TOTAL SITE ASSESSMENT POINTS	160	55	55	55	55

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	80	70	70	80
Total Site Assessment (From Part VI above or a local site assessment)	160				
TOTAL POINTS (Total of above 2 lines)	260	135	125	125	135

Site 6B Recommended (Alt. 6D)	Date Of Selection 7/14/2000	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
--	------------------------------------	--

Reason For Selection:
 Alternative 6D is the Recommended Plan. It is most compatible with environmental, socio-economic, and engineering performance measures. Final selection will be signaled by signature of the Record of Decision (R.O.D.) by the Chief of Engineers.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

MGT 10-04-18

June 21, 2000

Colonel Joseph R. Miller
District Commander
Jacksonville District
United States Army Corps of Engineers
P.O. Box 4970
Jacksonville, Florida 32232-0019

Dear Colonel Miller:

Subject: SFWMD Recommendation Regarding an Alternative for the Modified Water Deliveries Project

The South Florida Water Management District's (SFWMD) Governing Board convened on June 15, 2000, to consider the alternatives presented in the U.S. Army Corps of Engineer's (Corps) Supplemental Environmental Impact Statement (SEIS) on the Modified Water Deliveries (MWD) Project addressing the 8.5 square mile area (SMA).

MWD Project is an integral part to restoring the Everglades National Park and the greater Everglades ecosystem. The Governing Board approved a motion, which recommends to the Corps the implementation of an *enhanced* Alternative 6D. A copy of this motion along with staff's technical explanations are attached. While this letter does not constitute a Locally Preferred Alternative (LPA), it does represent the recommendation and position of the SFWMD's Governing Board, the local sponsor of the Central and Southern Florida Project.

As you are aware, the SFWMD and the Corps have a current Project Cooperation Agreement regarding the MWD project. Implementation of the Governing Board's enhanced Alternative 6D will require modification of the Project Cooperation Agreement, dated September 29, 1994, between the Department of the Army and the SFWMD for Modification of the Central and Southern Florida Project to Improve Water Deliveries into Everglades National Park, pursuant to Article XII of that Agreement. In addition, this letter constitutes the formal withdrawal of the locally preferred alternative as stated in the SFWMD's letter dated December 9, 1998.

GOVERNING BOARD

Michael Collins, *Chairman*
Michael D. Minton, *Vice Chairman*
Mitchell W. Berger

Vera M. Carter
Gerardo B. Fernandez
Patrick J. Gleason

Nicolas J. Gutierrez, Jr.
Harkley R. Thornton
Trudi K. Williams

EXECUTIVE OFFICE

Colonel Joseph R. Miller
June 21, 2000
Page 2

Due to the substantial federal interests involved in this Project and the surrounding area, all land acquisition and construction costs should be borne through full federal funding, programs and procedures.

Upon completing the "Save Our Rivers" yearly plan in September, the SFWMD will be expanding its current willing seller program throughout all the lands in the 8.5 SMA. The SFWMD will use any appropriate funding made available to it for this purpose. In addition, we are strongly encouraging Miami-Dade County to continue their own willing seller program as well as enforcing their land use and building code ordinances in the area. By instituting these programs, we believe that the SFWMD and the County can partner in reducing the overall density of the 8.5 SMA. Along these lines, the Governing Board has made clear its desire that the SFWMD utilize its regulatory authority, either through permitting or enforcement, to ensure that the water resources of the area are protected. Special emphasis was made to address any secondary and cumulative impacts from the remaining residents east of the levee.

On behalf of the Governing Board and the SFWMD, I believe that Alternative 6D, as enhanced above, strikes a fair and needed balance between competing interests. We urge immediate and swift federal action to implement the enhanced alternative recommended herein. All interests, from 8.5 SMA landowners to Everglades restoration, are entitled to finality.

The SFWMD sincerely appreciates the effort the Corps has invested in the Project and in producing the SEIS. Your dedication and assistance was instrumental in bringing this process to an end.

Sincerely,



Frank R. Finch, P.E.
Executive Director
South Florida Water Management District

Attachment (2)
cc: SFWMD Governing Board

Governing Board of the South Florida Water Management District's Motion Regarding the Modified Water Deliveries Project on the 8.5 SMA

Due to the features of Alternative 6D that optimize protection of wetlands and minimize impacts to landowners within the 8.5 square mile area (SMA), I move that the Board identify Alternative 6D as the optimal plan for the Modified Water Deliveries Project to Everglades National Park subject to the following design, feature enhancements and conditions:

(a) The Perimeter Levee's location and footprint should maximize the amount of wetlands included in the buffer area, following the approximate boundary in Alternative 6D.

- *See District staff technical comments in attached addendum.*

(b) The Internal Levee and seepage canal system should be optimized to minimize impacts to the residents of 8.5 SMA. For example, the levee's location should avoid residences where practicable. Upon exhaustion of reasonable efforts to avoid landowner impacts, residents should receive fair market value or be provided equivalent property at no expense to themselves.

- *See District staff technical comments in attached addendum.*

(c) Water quality treatment should be provided for the runoff to meet state water quality standards and not cause degradation of ambient conditions.

- *See District staff technical comments in attached addendum.*

(d) Alternative 6D, including all required lands, should become a project feature of the Modified Water Deliveries Project. Therefore, construction and land acquisition shall be implemented through full federal funding, programs and/or procedures, consistent with the 1994 Project Cooperation Agreement.

- *See District staff technical comments in attached addendum.*

(e) The potential for flooding of landowners, which are east of the proposed levee, before, and after project implementation is unchanged consistent with the federal Supplemental Environmental Impact Statement.

Flood mitigation, not flood protection, should be provided by the design, construction and operation of Alternative 6D as enhanced herein.

(f) Miami-Dade County is strongly encouraged to enforce existing land use ordinances in order to preserve existing uses and densities, and sustain a willing seller program for all lands within the entire 8.5 square mile area.

- See District staff technical comments in attached addendum.

(g) For those lands within the 8.5 square mile area which fall east of the proposed levee, a willing seller program, free from fear of condemnation, for all lands should be continued utilizing appropriate and available programs and funds. The District shall utilize its regulatory authority to protect the water resources of the area and undertake rulemaking where necessary to address secondary and cumulative impacts. The District shall also exercise its authority to review any comprehensive plan amendments proposed by Miami-Dade County.

- See District staff technical comments in attached addendum.

(h) Implementation of Alternative 6D, as enhanced above, should not adversely harm the restoration levels of Everglades National Park's hydrology greater than that simulated through modeling of Alternative 6D.

See District staff technical comments in attached addendum.

**Addendum to Governing Board Motion on the Modified Water
Deliveries Project Regarding 8.5 SMA**
District Staff Technical Comments

(1) District staff comments regarding section (a):

To the extent practicable, the alignment of the west perimeter levee should be shifted east to avoid fragmenting contiguous wetlands or where adjacent willing seller parcels could be included within the buffer so that the overall extent of the wetland acres residing within the buffer is increased. These considerations should be made within a time certain period consistent with the schedule for implementation established by the US Army Corps of Engineers.

(2) District staff comments regarding section (b):

To the extent practicable, the internal levee and seepage canal alignment should be shifted to minimize the number of residents displaced by construction and while also avoiding increased environmental impacts to Everglades National Park.

(3) District staff comments regarding section (c):

Groundwater seepage and runoff collected by the interior seepage canal will be conveyed south across 196th Street and treated within the C-111 buffer lands. A treatment system will consist of adequate detention storage and water quality treatment prior to any surface water discharge as needed to meet interim water quality standards imposed under the "Settlement Agreement" and Everglades Forever Act and any "final" standards or modifications as stipulated under state law. The detention storage and treatment facility should be integrated with the C-111 project features to insure the respective project functions are mutually compatible.

(4) District staff comments regarding section (d):

It is the intent of the Governing Board that cost for implementing an enhanced 6D alternative be consistent with the original Modified Water Deliveries Project as a federally funded project for the purpose of restoring federal interests. The buffer lands should be acquired under federal procedures and processes which may include condemnation. It is the intent of the Board that the buffer land provide maximum wetland and hydrologic benefits to the Everglades National Park and the surrounding systems, and reduce future demands for increased flood protection by reducing the area's land use density.

(5) District staff comments regarding section (e):

With respect to providing flood mitigation, the Governing Board's intent is clear that the residents east of the Perimeter Levee shall receive flood mitigation and NOT flood protection. The potential for flooding after project implementation for the landowners, east of the Perimeter Levee, shall remain unchanged from the conditions experienced prior to the implementation of this Alternative. An enhanced 6D is meant to provide Flood Mitigation, which is in accordance with the Congressional mandate to the Corps in the 1989 Everglades Expansion Act. The SFWMD's defines Flood Mitigation to mean no increase in stage for a given future flood event above that which would be experienced under conditions prior to the Modified Water Deliveries Project. Flood Protection, on the other hand, would involve altering the present flooding conditions of the 8.5 SMA so that the area experiences a lower frequency or depth of flooding after Project implementation. The construction and operation of the enhanced Alternative 6D or any alternative should not provide flood protection as defined above.

(6) District staff comments regarding section (f):

The current land use density exceeds the allowable density as described in the Miami-Dade County Comprehensive Management Plan for the 8.5 SMA. In recognition of the Governing Board's intent in paragraph 5 above, any further land use intensity would likely cause degradation of the flood mitigation objectives of the enhanced alternative 6D. Therefore, Miami-Dade County should strictly enforce existing land use and building code ordinances in addition, in order to reduce land use density to levels consistent with the existing Comprehensive Management Plan, a willing seller program using Environmentally Endangered Lands and County wetland trust funds should be implemented.

(7) District staff comments regarding section (g):

In furtherance of the (e) and (f) above, the Governing Board will initiate a District willing seller program for all lands within the 8.5 SMA with the specific intent of reducing land density in predominately flood prone areas. In addition, the SFWMD will fully consider the secondary and cumulative impacts of any proposed land use changes, including drainage impacts, resulting from further increases in land use density. This would include an assessment of any land use changes and their potential influence on the C-111 buffer land project features or the detention/treatment objectives for any 8.5 SMA runoff. Rule making authority will be used as appropriate for authority related to secondary and cumulative impacts. The SFWMD Office of Counsel will conduct a review of existing authorities to determine applicability and recommend a scope for additional rule making where needed.

(8) District staff comments regarding section (h):

The US Army Corps of Engineers Supplemental Environmental Impact Statement for the 8.5 SMA and the U.S. Fish and Wildlife Service draft Coordination Act Report provided assessments of the Alternative 6D simulations. Although a different base was used for comparative purposes between the USACE and FWS, both assessments quantify the footprint of environmental impacts associated with the implementation of this alternative. Implementation and operation of the enhanced alternative 6D should not produce environmental impacts greater than the footprint of impacts associated with the 6D alternative as evaluated. It is the intent of the Governing Board that future operational changes and requests for modifications in operating capacity would be constrained to these simulated impacts associated with alternative 6D.

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FLORIDA DEPARTMENT OF STATE

Katherine Harris
 Secretary of State

DIVISION OF HISTORICAL RESOURCES

Mr. Barry Wharton
 HDR Engineering, Inc.
 2202 N. Westshore Blvd., Suite 250
 Tampa, Florida 33607-5711

June 22, 2000

RE: DHR No. 2000-04477
 Cultural Resource Assessment Survey Review Request: 8.5 Square Mile Area
 Dade County, Florida

Dear Mr. Wharton:

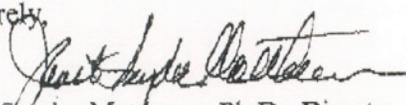
In accordance with the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), as well as those contained in Chapter 267.061, *Florida Statutes*, as implemented through 1A-46 *Florida Administrative Code*, we have reviewed the results of the cultural resource survey of the referenced project and find them to be complete and sufficient.

Aerial photographs were utilized to identify possible tree islands within the project tract. As a result, 12 possible islands were identified and targeted for Phase I archaeological testing. A total of 19 shovel tests were excavated during the survey. No archaeological materials were recovered during the survey. Soil profiles as indicated from shovel tests showed minimal soil development and limestone bedrock encountered within 10 to 20 centimeters of the ground surface.

No cultural resources were discovered during the Phase I cultural resource assessment. For this reason, it is the opinion of Southeastern Archaeological Research, Inc. that the proposed project will have no adverse effect on properties eligible for listing in the *National Register of Historic Places*. Based on the information provided, this agency concurs with this determination.

If you have any questions concerning our comments, please contact Brian Yates, Historic Sites Specialist, at (850) 487-2333 or 1-800-847-7278. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,


 Janet Snyder Matthews, Ph.D., Director
 Division of Historical Resources
 State Historic Preservation Officer

JSM/Yby

cc: Robert J. Austin, Southeastern Archaeological Research, Inc.
 David L. McCulloch, USACE Jacksonville

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250 • <http://www.flheritage.com>

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 Archaeological Research (850) 487-2299 • FAX: 414-2207
 Historic Preservation (850) 487-2333 • FAX: 922-0496
 Historical Museums (850) 488-1484 • FAX: 921-2503
 Historic Pensacola Preservation Board (850) 595-5985 • FAX: 595-5989
 Palm Beach Regional Office (561) 279-1475 • FAX: 279-1476
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FLORIDA DEPARTMENT OF STATE

Katherine Harris

Secretary of State

DIVISION OF HISTORICAL RESOURCES

Mr. James Duck
Jacksonville District Corps of Engineers
PO Box 4970
Jacksonville, Florida 32232-0019

June 22, 2000

RE: DHR No. 2000-04208 (Ref: 2000-03589 & 2000-04477)
Cultural Resource Assessment Survey Review Request: *8.5 Square Mile Area*
Dade County, Florida

Dear Mr. Duck:

In accordance with the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), as well as those contained in Chapter 267.061, *Florida Statutes*, as implemented through 1A-46 *Florida Administrative Code*, we have reviewed the results of the cultural resource survey of the referenced project and find them to be complete and sufficient.

Aerial photographs were utilized to identify possible tree islands within the project tract. As a result, 12 possible islands were identified and targeted for Phase I archaeological testing. A total of 19 shovel tests were excavated during the survey. No archaeological materials were recovered during the survey. Soil profiles as indicated from shovel tests showed minimal soil development and limestone bedrock encountered within 10 to 20 centimeters of the ground surface.

No cultural resources were discovered during the Phase I cultural resource assessment. For this reason, it is the opinion of Southeastern Archaeological Research, Inc. that the proposed project will have no adverse effect on properties eligible for listing in the *National Register of Historic Places*. Based on the information provided, this agency concurs with this determination.

If you have any questions concerning our comments, please contact Brian Yates, Historic Sites Specialist, at (850) 487-2333 or 1-800-847-7278. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

Janet Snyder Matthews, Ph.D., Director
Division of Historical Resources
State Historic Preservation Officer

JSM/Yby

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAY 30 2000

Colonel Joe R. Miller
District Engineer
Jacksonville District, Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232
ATTN: Mr. Elmar Kurzbach
Planning Division

SUBJECT: Draft Supplement to the Final Environmental Impact Statement with Addendum A (DSEIS) and Draft General Reevaluation Report (DGRR) for Modified Water Deliveries (MWD) to Everglades National Park, 8.5 Square Mile Area (SMA), Miami-Dade County, Florida; CEQ No. 000102

Dear Colonel Miller:

Pursuant to Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency (EPA), Region 4 has reviewed the subject documents. The DSEIS/DGRR examine multiple structural/operational alternatives advanced to mitigate the projected increases in flooding within the 8.5 Square Mile Area (SMA). These elevated water levels are predicted (via modeling) to result from augmented stages associated with future plans to modify water deliveries to the Everglades National Park (ENP; Park). These changes to present water deliveries seek to restore a more natural hydrologic regime within the Park which in turn should improve overall ecosystem health. However, full implementation of MWD cannot occur until the issue of induced flooding within the 8.5 SMA is addressed.

Redressing flood impacts within the 8.5 SMA is a complex issue that needs to consider multiple factors. Further, compensation for the additional flooding resulting from MWD activities will not occur in isolation; rather, each change becomes a part of and is influenced by other components of this project, viz., modifying the Tamiami Trail, control of seepage and conveyance from Water Conservation Areas (WCA) 3A and 3B, and possible operational changes to C-111. Because of their interrelated nature, these project elements are also being re-evaluated.

Multiple alternatives for structural and operational flood control measures are being examined as a means to deal with the flood mitigation/protection issue within the 8.5 SMA. Alternatives 1, 2B, 3, 4, 5, 6B, 6C, 6D, 7, 8A, and 9 are addressed in the DSEIS. Structural

alternatives seek to physically modify the effects of water movement (directly/indirectly); these include levees, canals, swales, pump stations, road elevations, and seepage barriers. Operational alternatives being evaluated are acquisition (in whole or part via voluntary participation or by condemnation), flowage easements, and life estates coupled with flowage easement payments. It should be noted that the comparison between these alternatives and the so-called No-Action Alternative (i.e., future without project) is not straightforward. The No-Action Alternative is actually the levee, seepage canal, berm and pump system characterized in the DSEIS as Alternative 1 (*Authorized GDM Plan*), which formed the basis of the Record of Decision for the original MWD Final EIS (May 1993). The U.S. Army Corps of Engineers (USACE)/Department of Interior will use the information developed in the SEIS process to make a decision as to potential future federal action(s) on this project. Integral to this decision-making will be the identification and development of the preferred alternative in the Final SEIS (FSEIS).

All of the alternatives have strengths and weaknesses. Moreover, these plans/strategies are intrinsically complicated given the areal extent of the overall study area, the interrelationships with other development activities, and the magnitude of the processes involved. Because of the complexity inherent in whatever design/operation mode is ultimately chosen, the document cites that unanticipated results could occur, trends may happen more slowly than predicted, and/or field investigations produce data which are ambiguous and/or do not aid decision-making.

During the project development/scoping phase, it became apparent that no one alternative would resolve all issues and trade-offs would have to be made. For example, some property owners will not get the degree/type of flood protection they anticipated, or some wetland community types may not be optimized relative to their hydrological needs. Nonetheless, there is a fundamental need to move expeditiously such that this excellent opportunity to improve the overall Everglades ecosystem is not lost. The national interest of successfully resolving the MWD issue(s) makes the difficult choices attendant to this effort worthwhile.

As a general policy, EPA prefers operational as opposed to structural solutions for flood mitigation. Our evaluation of this action used this focus to gauge and then rank the adverse wetland and water quality ramifications/impacts that each alternative would engender. In our opinion these issues should be of paramount importance in ultimate decision-making for all stakeholders. For example, all waters discharged into ENP must meet Florida Class III water quality criteria and the Park is also afforded additional water quality protection as an Outstanding Florida Water. This requires that the quality of water that was delivered to the Park as of 1979 be maintained in the future. Specific phosphorus limits also apply to structures that discharge water into the Park. The quality of water from upstream sources influence the Park's water quality. Monitoring data reveal nutrients, pesticides, metals, and bacteria in surface water and groundwater discharges from

residential and agricultural areas within the 8.5 SMA at concentrations which can materially affect the long-term preservation of important plant/animal communities in the Park.

Specific EPA water quality comments are enclosed as our *Detailed Water Quality Comments*. In general, however, the DSEIS and DGRR should be revised to contain more precise statements of the water quality treatment requirements which will apply to construction/operation of any new structures. For example, the DGRR (page 78) states that “all alternatives that discharge water from a point source have design features that utilize water quality treatment impoundments or buffers”. This does not appear to be true for Alternative 1. The documents state that for several of the alternatives, water from the SMA will be discharged to a Stormwater Treatment Area (STA) for treatment. However, it appears that STA costs (real estate, capital, operation and maintenance, long-term water quality monitoring) are not included.

These long-term water quality concerns and costs would be less applicable with the operational alternatives, e.g., Alternative 5 (*Total Buy-Out Plan* via willing sellers and condemnation of remaining parcels), since potential sources of long-term water quality degradation within the 8.5 SMA would be largely eliminated. All of the structural alternatives will require additional long-term water quality monitoring at key locations, such as S-357. Cost estimates should be revised to include water quality treatment and monitoring. If these estimates are not developed prior to the Record of Decision, it should be stated that although these additional costs are likely, they have not been included.

Project operations can impact water quality. Seepage water from east of L-31 is known to be of poorer water quality than seepage water from the Park. The DSEIS/DGRR should be revised to include specific statements about how the water management system will be operated to maximize water quality by minimizing the delivery of seepage water from east of L-31.

EPA believes that Alternative 5 is the most consistent with balancing water quality/quantity goals (with restoration of approximately 1,400 acres of wetlands) of this 8.5 SMA project as well as the Central and Southern Florida (C&SF) Project. On the other hand, Alternative 1 with its structural flood control features isolating the entire 8.5 SMA would result in significantly more short- and long-term water quality degradation along with the most extensive wetland losses (approximately 2,500 acres) and drawdown area within the Park. Its structural isolation would require removal of internal surface water runoff which, we believe, could require water quality treatment prior to pumpage into ENP.

Intermediate to Alternatives 1 and 5 in terms of water quality and wetlands protection are Alternatives 4, 6B, and 8A. Alternative 4 (*Landowner's Choice Land*

Acquisition Plan) proposes the buy-out of willing sellers and a mitigation package for the incremental flood damages experienced by the remaining property owners, while Alternative 6B offers flood protection in the more developed areas with buy-outs creating a western buffer. Alternative 4 would minimize most of our water quality/wetland concerns (wetland gain of approximately 1,400 acres). It proposes buying out the majority of the property owners and at the same time meets the most important needs of other stakeholders. This acquisition of parcels from willing sellers uses an innovative combination of flowage easements, life estates with flowage easements, and fee simple purchase as a means of lessening the adverse effects of additional flooding. The significant environmental disruptions (both short- and long-term resulting from direct and indirect processes) attendant to all structural designs are effectively eliminated. It can be accomplished relatively quickly, its flexibility answers the concerns voiced by most of the current property owners, it provides a balance between environmental and societal objectives, and it is reasonably definitive and should resolve this matter for the majority of property owners. Further, Alternative 4 should have the latitude to mesh with other MWD elements when they are built and as our knowledge of the entire Everglades system improves. However, we acknowledge that Alternative 4 may result in some property owners resisting any of the proposed flood mitigation options.

The Alternative 6 variants (6B, 6C and 6D) would provide differing structural flood protection/mitigation. Water quality effects would be a function of the size of the buffer area (6B largest to 6C smallest) and whether development increases through time in the remaining protected areas. Water quality concerns could be lessened by assuring that these alternatives always have an internal levee adjacent to the seepage canal to prevent surface water inflow. Although the text for Alternative 6D states that there would be two interior levees, Figure A4 shows only one. Similar to Alternative 1 and all alternatives involving structural resolution, the protected property areas will still be materially affected by internal surface water which would require removal and water quality treatment. However, since development is more concentrated in the southeast quadrant of the SMA, overall water quality and wetland issues in the unprotected areas should improve.

Qualitatively, the water quality benefits of Alternatives 4 and 6B appear to be comparable, whereas quantitatively their wetland restoration values diverge from a gain of approximately 1,400 to 250 acres, respectively. Alternative 4 has a water quality detriment in the fact that some scattered residences with poorly functioning septic tanks and farm operations will remain with their runoff being eventually added to the C&SF Project. Alternative 6B isolates the more dense development in the southeast quadrant of the SMA, but the layout facilitates potential treatment measures. The other Alternative 6 variants (6C/6D) are less desirable (wetland losses of approximately 2,050 to 50 acres, respectively) since they enlarge the protected area for development and provide the potential for increased long-term water quality degradation. The DSEIS notes the present lack of enforcement of zoning ordinances in this area and makes the reasonable inference

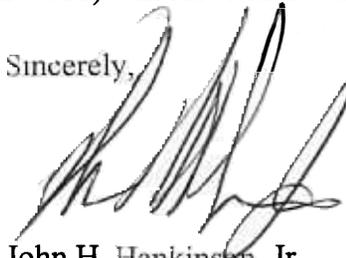
that development can be expected to intensify through time. Accordingly, Alternative 8A with its flow-way design and net gain of approximately 400 acres of wetlands is more environmentally preferable than the 6C/6D alternatives. We also note that while Alternative 7 has an immediate net gain in wetland potential greater than 8A and the same as 5 and 4 (approximately 1,400 acres), its long-term water quality/wetland ramifications are more problematic in this regard since, in the absence of zoning enforcement, development can be expected to intensify in the protected areas.

From a water quality degradation and wetlands restoration perspective and in support of the goals of C&SF Project, EPA ranks the alternatives from most to least environmentally preferable as: 5, 4, 6B, 8A, 6D, 6C, 7, 2B, 9, 3, 1. This recommendation supposes that all internal surface waters within any leveed area will be treated to "marsh-ready" levels before delivery into the Park to reduce long-term water quality degradation. Using this perspective, EPA has environmental concerns with some alternatives and more substantive environmental objections with others (generally due to their structural aspects). Additional information on the issues noted above will be necessary for informed decision-making on this action.

Since a preferred alternative was not identified in the DSEIS, we have rated all alternatives presented in the DSEIS. We believe Alternative 5 is the environmentally preferred alternative since it generally restores the area to its natural conditions and Alternative 1 has the most adverse environmental consequences since its structural approach maximizes internal surface water and wetland drainage. Accordingly, we rate Alternative 5 as LO (i.e., *Lack of Objections*) and Alternative 1 as EO-2 (i.e., *Environmental Objections*, with additional information requested). Because of their intermediate impacts, we rate 4 and 6B as EC-2 (*Environmental Concerns* with additional information requested), with a preference for the 4 due to the overall wetland gain. The remaining alternatives (8A, 6D, 6C, 7, 2B, 9 and 3) are rated as EO-2 in descending environmental order because of their substantive structural impacts.

Thank you for the opportunity to comment on this action. If we can be of further assistance or if a meeting is desirable to discuss this or related projects, Richard Harvey (561-615-5292) and Heinz Mueller (404-562-9611) will serve as initial points of contact.

Sincerely,



John H. Hankinson, Jr.
Regional Administrator

Enclosure

DETAILED WATER QUALITY COMMENTS

Dr. William Walker's 1997 report titled *Analysis of Water Quality and Hydrologic Data from the C-111 Basin*, is noteworthy. Dr. Walker analyzed 1984-1996 hydrologic data and phosphorus data from the C-111 basin in order to determine relationships between hydrologic factors and phosphorus concentration and load at South Florida Water Management District (SFWMD) or USACE water control structures throughout the Basin. He found that the source water is critical, and that seepage water from the Park tends to have much lower phosphorus (as low as 6 ppb) than water from east of L-31. This compares to water inflows to the C-111S basin that averaged 24 ppb. He suggested some key principles for protecting water quality that are relevant to USACE water management decisions concerning the 8.5 SMA: inflow of seepage water from east of L-31 should be minimized and the system should be designed for operational flexibility. If water quality does not meet all applicable water quality regulatory requirements at the point of discharge into the Park, then the USACE design must include a means for water quality treatment, such as a wetland or buffer area.

The DGRR notes several water quality issues that must be addressed. Recent water quality data for surface water within the 8.5 SMA indicate elevated total phosphorus, fecal coliform, and total coliform bacteria, and occasional detections of pesticides. Total phosphorus concentration for eight locations within the 8.5 SMA during October 1999 ranged from 140 ppb to 930 ppb (DSEIS Table 2). This compares to the 10 ppb default numeric total phosphorus criterion for the Everglades Protection Area, and the 11 ppb phosphorus limit mandated by the Federal Court Order for S-332, S-18C and S-175. However, in the January 1, 2000 Everglades Consolidated Report, SFWMD reports that for S-331/S-173 from May 1998 to April 1999, the median total phosphorus concentration was 8 ppb (n=28; pg. A4-3-40).

The SFWMD has detected pesticides at low concentrations on several occasions (DSEIS Table 1). Table 1 contains several errors: the units for surface water samples should be ug/L, not ug/kg; endosulfan sulfate was detected, not endosulfan; 'hezazinone' should be 'hexazinone'; and the 0.032 reported for G211 was actually at S331 on 8/4/99. In addition, other detections are omitted from the table: atrazine was detected in surface water at S331 on 4/19/99 at 0.055 ug/L and on 1/6/99 at 0.029 ug/L; atrazine was detected at G211 on 1/6/99 at 0.012 ug/L. Atrazine is the most commonly detected pesticide product in South Florida surface waters. It is a herbicide of low aquatic toxicity and there is no Florida Class III numeric water quality criterion.

The DSEIS and the DGRR recognize these water quality concerns, and the potential long-term incompatibility of surface water or ground water from the 8.5 SMA with the Everglades. Several alternatives include interior levees to segregate runoff from inside the 8.5 SMA so that it will not mix with cleaner seepage water from the Park. The DGRR (page 78) states that "...all alternatives that discharge water from a point source have design features that utilize a water quality treatment impoundments or buffers"). This does not appear to be true for all alternatives, such as Alternative 1. No details or costs for any of these water quality treatment features are provided.



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

REPLY TO
ATTENTION OF

Planning Division
Environmental Branch

JUL 27 2000

Mr. John H. Hankinson, Jr.
Regional Administrator, United States
Environmental Protection Agency, Region 4
Atlanta Federal Center, 61 Forsyth Street
Atlanta, Georgia 30303-8960

Dear Mr. Hankinson:

Thank you for the comments and recommendations included in your letter of May 30, 2000, on the Draft Supplement to the Environmental Impact Statement (DSEIS) draft General Reevaluation Report (GRR) for the 8.5 Square Mile Area (8.5 SMA) Modified Water Deliveries Project. Based on your evaluation of the documents submitted to date, you have rated the nine alternatives (and two variations of one alternative) variously LO (Alternative 5, total buyout), EC-2 (Alternatives 4 and 6B) and EO-2 (all other alternatives, 8A, 6D, 6C, 7, 2B, 9 and 3, in descending order of acceptability to EPA). The comment period for the draft documents has ended, and, after intense and extensive public coordination, public meetings, workshops and interagency discussions, a recommended plan has been selected. The Final SEIS and GRR will identify Alternative 6D, suitably modified, as the recommended plan.

Because you notified us that you rate this alternative EO-2, we want to provide the following additional information. We believe that this alternative is fully compatible with environmental restoration, capable of addressing water quality concerns raised in your May 30 letter, and further acceptable in terms of cost-effectiveness, completeness, socio-economic impacts, local sponsor support, wetlands enhancement and other natural resource concerns.

Because you raised concerns related to the water quality impacts of the structural and mixed alternatives, we have increased and sharpened the water quality discussion in SEIS Sections 3 (Affected Environment) and 4 (Environmental Effects). Details on hydrologic modeling and outputs may be found in the Engineering Appendix to the GRR Report (Appendix C). Water quality modeling conducted by our Engineering Division and verified by our contractor and cooperating agencies (Department of the Interior and South Florida Water Management District) indicates that it will be necessary to provide a water treatment area located to the south of the seepage canal (south of Richmond Drive). This area would cover approximately 206 acres. It would receive

south of the seepage canal (south of Richmond Drive). This area would cover approximately 206 acres. It would receive the seepage water pumped from the collector canal and provide sufficient residence time and contact with periphyton algae to allow the waters returned to the Park to meet 10 ppb default numeric total phosphorus criterion. This is the criterion for the Everglades Protection Area and the 11 ppb P limit mandated by the Federal Court Order referenced in your letter given existing water quality parameters in the 8.5 SMA. The treatment area has been included in the description of the recommended plan (GRR Section 7) and its costs have been included in the M-CACES cost estimate. We have further committed to have this treatment area constructed and capable of operating, prior to operating the recommended plan.

We should also state that interior low levees or berms would be constructed on both sides of the seepage canal, to prevent direct runoff of surface water into the canal. We expect surface water to reach the seepage canal indirectly, after percolating down *in-situ*.

The DSEIS did reference the surface water contaminant data from October 1999 (during the rather extreme surface water levels reached right after Hurricane Irene passed over the area). However, these data are not typical, nor do surface water contaminant "hot-spots" reflect groundwater contaminant levels. Since the seepage canal will intercept groundwater, these data are not really relevant to the analysis, except as an indication of extreme conditions. As land acquisition and restoration actions progress in the western, buffer area (the area west of the new flood mitigation levee) under the recommended plan, the potential for ground water contamination will continue to decrease. The local sponsor, the South Florida Water Management District, and the Federal partners have further expressed their intention to continue to pursue willing-seller land acquisition in other areas of the 8.5 SMA, as lands come on the market (refer to GRR Section 7, Description of the Recommended Plan). As these actions progress the potential for contamination should continue to decline.

EPA commented favorably on Alternatives 5 (total buyout) and 4 (landowners' choice buyout). However, it became clear during the course of detailed formulation and public coordination (refer to GRR Section 6, Plan Formulation and Selection) that these two alternatives suffered from two major drawbacks: 1) they were extremely costly; apparently beyond the reasonably foreseeable funding capability of the sponsors; and 2) they met strong, cohesive

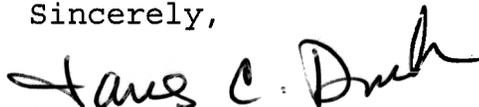
opposition from the residents of the 8.5 SMA. While there is evidence that some landowners might be willing to sell, if a reasonable offer were made for their lands, a large number of landowners stated their unwillingness to relocate

The rewritten Section 6 of the GRR explains the drawbacks of some of the other alternatives that received favorable comments from your agency. Alternative 7 was considered deficient in terms of engineering, potentially not sustainable, and excessively costly for the wetlands functional benefits it generated. Alternative 8A, with its large footprint (and requirement for considerable excavation and disposal) also carried an unacceptably high price tag, and produced no more wetlands functional benefits than the recommended plan. Alternative 6C did not provide an acceptable level of wetlands functional "lift", while Alternative 6B would have required a relatively large number of residential relocations and carried a much higher price tag than the recommended plan.

The recommended plan consists of the alignment of Alternative 6D, with the addition of some further commitments among the cooperating agencies regarding land management, additional land acquisition from willing sellers, and up-front development of the water quality treatment area. There are also commitments regarding operation of the flood mitigation features to prevent additional flood protection, restoration of the "buffer zone" lands by removal of structures, and incorporation of fish and wildlife enhancement features into project features. This plan was developed upon the recommendation of the local sponsor, after a careful formulation and evaluation process, and with the assistance and concurrence of the agencies of the Department of the Interior, as the alternative plan best able to maximize environmental benefits at a reasonable cost. The recommended plan is described in detail in Section 7 of the revised GRR.

We hope that this information, along with the additional analysis provided in the revised Final GRR/SEIS, satisfies your concerns and will allow you to revise your previous objections to the recommended plan as currently described. It is clear that design of the recommended plan will require optimization of the alignment and further development of the water quality treatment area. We look forward to working with EPA on this project.

Sincerely,



James C. Duck
Chief, Planning Division



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JUN 30 2000

Dr. Joseph Westphal
Assistant Secretary of the Army
Civil Works
108 Army Pentagon
Washington, D.C. 20310-0108

Dear Dr. Westphal:

The Department of the Interior appreciates the efforts of the Army Corps of Engineers (Army Corps) to find a practicable and sustainable solution for the 8.5 Square Mile Area (8.5 SMA) component of the Modified Water Delivery Project through the on-going National Environmental Policy Act (NEPA) Supplemental Environmental Impact Statement (SEIS) process. The purpose of this letter is to provide additional comment to the Army Corps on the 8.5 SMA Draft SEIS taking into account the recent recommendations of the South Florida Water Management District (SFWMD) Governing Board concerning Alternative 6D.

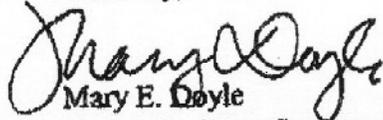
The SFWMD Governing Board recently recommended to the Army Corps that Alternative 6D be modified to ensure hydrologic restoration, as well as to address water quality, land acquisition and future land use issues, with the modified Alternative 6D adopted as the optimal plan for the 8.5 SMA. The Department shares the views expressed by the SFWMD for Alternative 6D and recommends to the Army Corps that Alternative 6D be modified as proposed by the SFWMD Governing Board, with the revised plan considered for adoption as the proposed Federal action in the final SEIS. With proposed modifications successfully addressed, Alternative 6D provides significant environmental benefits beyond what is contained in the present design for the 8.5 SMA as reflected in Alternative 1.

The Department's previous objections (addressed in a letter dated May 30, 2000) on Alternative 6D were based on the concern that the alternative did not meet a required project objective of providing a flood protection system for all the residents in the 8.5 SMA and, as such, did not represent a sustainable solution to "restore the natural hydrologic conditions within the Park" as required by P.L. 101-229. Modification of the current design for Alternative 6D to satisfy the concerns of the Department and the SFWMD, as expressed above, can result in an effective and sustainable solution for the 8.5 SMA component of the Modified Water Delivery Project.

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As a cooperating agency, the Department is prepared to assist the Army Corps in addressing each of the recommendations made by the SFWMD Governing Board and looks forward to working with the Army Corps to achieve the environmental benefits anticipated from this project.

Sincerely,



Mary E. Doyle
Acting Assistant Secretary
Water and Science

cc: Colonel Joe R. Miller