

**APPENDIX E CLEAN WATER ACT
SECTION 404(B)(1) EVALUATION**

This page intentionally left blank.

E.1 Clean Water Act Section 404(b)(1) Evaluation

This enclosure evaluates compliance with the CFR 40 Part 230 Section 404(b)(1) Guidelines of the Clean Water Act for the tentatively selected plan (i.e., Alt 6dR) identified in the Central Everglades Planning Project (CEPP) Draft Integrated Limited Re-evaluation Report and Supplemental Environmental Assessment (LRR/SEA). It addresses, at a general level, the potential environmental effects of the wetland and aquatic ecosystem alterations expected from dredge and fill and the construction of the structural components of the proposed action. During plan formulation, it was determined that Alt 6dR is the alternative that meets project objectives and is the Least Environmentally Damaging Practicable Alternative (LEDPA). In summary, the U.S. Army Corps of Engineers (Corps) has completed all analyses required for compliance with Section 404 and the 404(b)(1) analyses are up to date for the feasibility level of design. The South Florida Water Management District (SFWMD) will complete the construction of Alt 6dR upon authorization of the proposed action by the Corps. A Section 404 Dredge and Fill Permit is expected to be obtained from the Corps' Regulatory Division by the SFWMD. A public notice (SAJ-2025-02824) was published by the Corps' Regulatory Division for the remaining features of the CEPP South Phase, inclusive of Alt 6dR, on April 20, 2026. Further evaluation of compliance with Section 404 of the Clean Water Act (CWA) will be conducted through the above-mentioned permit.

E.1.1 Location

A detailed description of the study area can be found in **Section 1.2** of the draft LRR/ SEA. The L-67C Canal to be plugged under Alt 6dR is located in the Blue Shanty Flowway in Water Conservation Area (WCA) 3B. The Blue Shanty Flowway is in western Miami-Dade County in between the L-67A and L-29 canals. The Blue Shanty Flowway is bound by U.S. Highway 41 (Tamiami Trail or SW 8th Street) to the south, the L-67A levee to the west and the L-67D levee to the east.

E.1.2 Project Description

A detailed project description of Alt 6dR can be found in **Section 3.4.4** of the draft LRR/SEA. Alt 6dR includes the construction of 7 large plugs in the L-67C canal in the Blue Shanty Flowway in WCA 3B. Each large plug is 500 feet (ft) long. The southernmost plug is approximately 1,000 ft from the southwestern end of the L-67C canal. The southernmost 3 large plugs are spaced approximately 1,000 ft apart and the remaining 4 large plugs are spaced approximately 1 mile apart. Spacing of the large plugs is adjusted so that the plugs help connect historic primary sloughs. Alt 6dR also includes 28 mini plugs - 27 of the mini plugs are 10 ft long and one mini plug is 70 ft long. One mini plug is larger than the other mini plugs because of higher modeled potential erosion flows at that location. The mini plugs are spaced approximately 1,000 ft apart from each other and from the large plugs.

Construction of Alt 6dR is expected to involve the discharge of dredged or fill material into wetlands or other aquatic resources

E.1.3 Authority and Purpose

A detailed description of the purpose of the project and project authorizations can be found in **Section 1.1** and **Section 1.4** of the draft LRR/SEA.

E.1.4 Public Interest Factors

While the Corps does not process and issue permits for its own activities, pursuant to 33 CFR 336.1, the Corps authorizes its own discharges of dredged or fill material by applying all applicable substantive legal requirements, including public notice, opportunity for public hearing, and application of the Section 404(b)(1) guidelines. As part of its review, the Corps evaluates the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. All factors which may be relevant to the proposal must be considered, including the cumulative effects thereof.

The following factors are relevant to the proposed action. Detailed analysis can be found in the sections noted below from the draft LRR/SEA. **Section 4** of the draft LRR/SEA provides a detailed discussion of the potential environmental effects on the human environment that could result from implementation of the proposed action. Environmental effects are further summarized in the Executive Summary and in **Section 6**.

- Aesthetics – reference **Section 4** of the main report.
- Wetlands – reference **Section 4** of the main report.
- Historic Properties – reference **Section 4** of the main report.
- Fish and Wildlife Values – reference **Section 4** of the main report.
- Flood Hazards – reference **Section 4** of the main report.
- Flood Plain Values – reference **Section 4** of the main report.
- Land Use – reference **Section 4** of the main report.
- Recreation – reference **Section 4** of the main report.
- Water Supply and Conservation – reference **Section 4** of the main report.
- Water Quality – reference **Section 4** of the main report.
- Consideration of Property Ownership – reference **Section 6** of the main report.

The proposed action consists of the construction of plugs in the L-67C canal in the Blue Shanty Flowway in WCA 3B to reduce canal flow, drainage effectiveness and nutrient transport. Alt 6dR would support desirable vegetation (i.e. ridge and slough landscape) in WCA 3B and reduce the potential for eutrophic vegetation expansion, such as cattails. The proposed design modifications are necessary to enhance project function as described in the 2014 CEPP Final Project Implementation Report (PIR) and Environmental Impact Statement (PIR/EIS) and Chief's Report. The proposed action would make a positive contribution to preserving water, fish, and wildlife,

cultural, and wetland resources within the state of Florida. Physical disturbance to the marsh in WCA 3B would occur during construction activities, but once construction of Alt 6dR is complete and the remaining CEPP South Phase features are constructed there is expected to be an increase in wetland function. For these reasons, the Corps concludes that the proposed activity is in the public interest.

E.1.5 General Description of Dredged or Fill Material

The proposed activity will involve the discharge of approximately 70,000 cubic yards of earthen material into the L-67C Canal as the plugs are constructed. These activities will change the depth and profile of the canal.

E.1.5.1 General Characteristics of Material

The Blue Shanty Flowway is in Miami-Dade County. Miami-Dade County, Florida is underlain by Quaternary age carbonate deposits comprised primarily of limestone and unconsolidated sands that form the shallow geologic framework of the region. The dominant geologic unit at the surface is the Miami Limestone, a highly permeable oolitic and bryozoan limestone deposited during Pleistocene high sea level stands that extends across much of eastern Miami-Dade County and the Atlantic Coastal Ridge. Westward toward the Everglades the limestone grades into lower lying, poorly consolidated carbonate sediments overlain locally by organic soils and peat. These surficial deposits comprise the upper portion of the Biscayne Aquifer, a highly transmissive, unconfined aquifer system that is hydraulically connected to surface water features throughout the region. Less permeable units of the Tamiami Formation and Hawthorn Group act as regional confining layers beneath the Biscayne Aquifer. The combination of shallow limestone bedrock, high porosity and permeability, flat topography, and organic surface soils strongly influences groundwater levels, seepage, settlement potential, and constructability across Miami Dade County and the Everglades region.

Soils in the Everglades are primarily composed of peats and mucks. Peat, by definition, consists of 65% or more organic material with relatively little mineral composition. Muck consists of 25 to 65% plant material mixed with mineral soil (i.e., clay, silt, and sand). Levees in the project area, like the L-67C levee, generally consist of sand-to cobble-sized carbonate rock (e.g., limestone) with shells and silt excavated from local borrow pits or adjacent borrow canals to construct the levees.

E.1.5.2 Quantity of Material

The volume of material associated with the plugging of the L-67C canal is approximately 70,000 cubic yards of lime rock material.

E.1.5.3 Source of Material

Construction of the L-67C Canal plugs are to be performed simultaneously with the degrade of the L-67C Levee (excluding two (2) 3,000-foot previously degraded segments) and the degrade of the 6,000-foot segment north of the L-67C/L-67D levee intersection. The material will consist of soils excavated from within the study area (i.e., from the L-67C Levee degrade) and/or material to be brought in from off-site. The material will be suitable for intended uses and will not include hazardous toxic or radioactive waste (HTRW), asphalt, trash, or vegetation.

E.1.6 Description of the Proposed Discharge Site

The following provides a description of the proposed discharge site.

E.1.6.1 Location

Alt 6dR consists of the construction of plugs in the L-67C Canal in the Blue Shanty Flowway in WCA 3B. Construction would occur within and adjacent to the L-67C Canal and levee. Reference **Figure 1** for the location of the L-67C Canal plugs in relation to other remaining CEPP South features. A detailed description of the study area can be found in **Section 1.2** of the draft LRR/SEA.

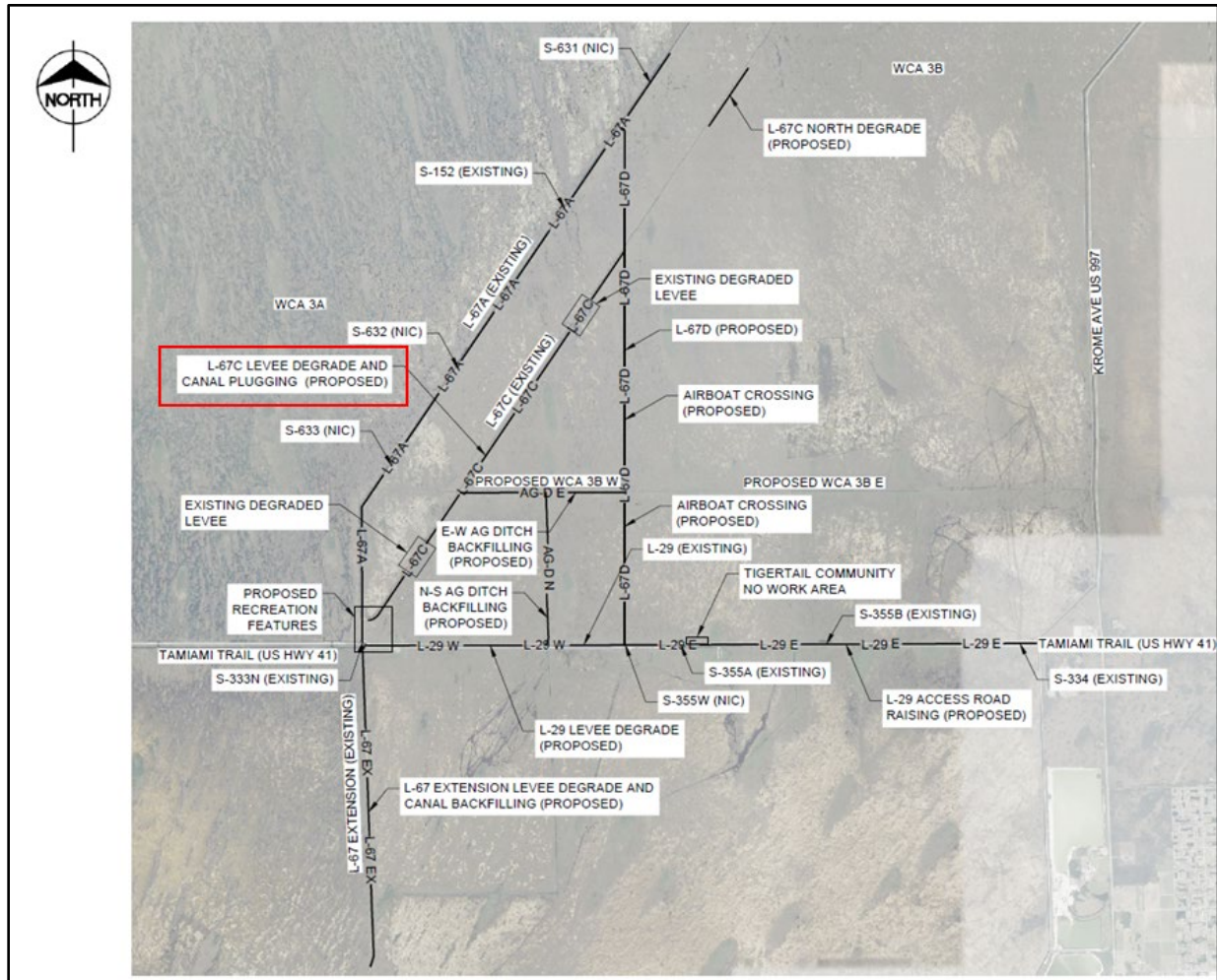


Figure 1. Features of the CEPP South Phase – location of L-67C canal identified in red. (Source Intermediate Design Specifications dated March 2026).

E.1.6.2 Size

Construction of Alt 6dR would result in temporary impacts of up to ~ 69 acres of existing wetlands within and adjacent to the L-67C Canal. This represents the maximum extent of wetland impacts within the limits of construction. The limits of construction were defined to encompass the full width and length of the L-67C Canal and L-67C Levee within the Blue Shanty Flowway, including the area in between. It is likely that the area between the L-67C Canal and the L-67C Levee will only be impacted at the point at which the plugs are constructed. Temporary haul access areas between the L-67C Canal and L-67C Levee will be constructed to access the plug locations reference the red squares in **Figure 2** and **Figure 3**. Acreages will be confirmed during permitting. Each of the plugs will be constructed to match the existing grade of the adjacent marsh. Construction of Alt 6dR would result in the transition of ~ 3.6 acres of open water to marsh through construction of the L-67C Canal plugs. Consideration is being given to the placement of gravel at the top of each plug to prevent erosion. The contractor's staging area will be located at

the start of the L-67C Canal (**Figure 2**). After plug construction, the contractor will remove the access areas and return the areas to existing grade.

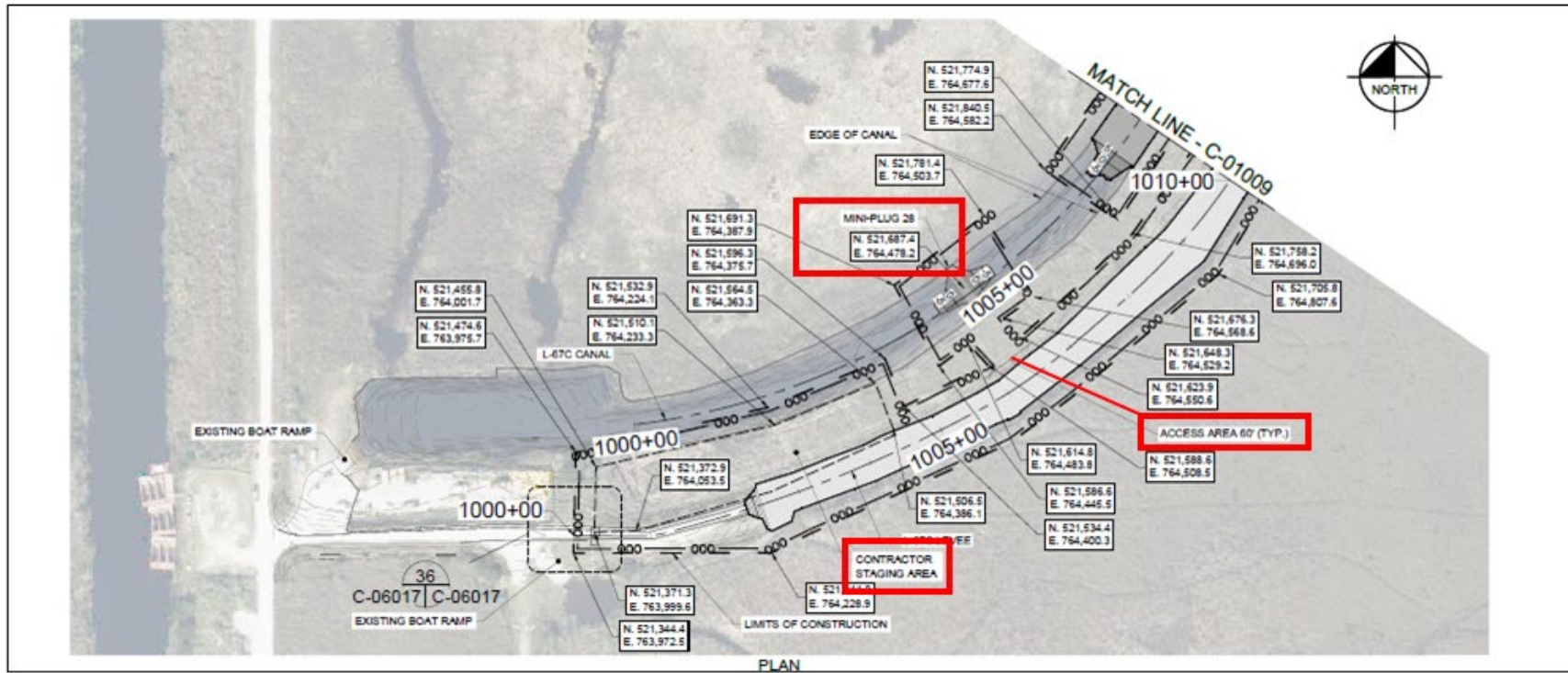


Figure 2. Example plug locations and access areas between L-67C levee and L-67C canal are shown. Limits of construction are also shown (Source Intermediate Design Specifications dated March 2026).

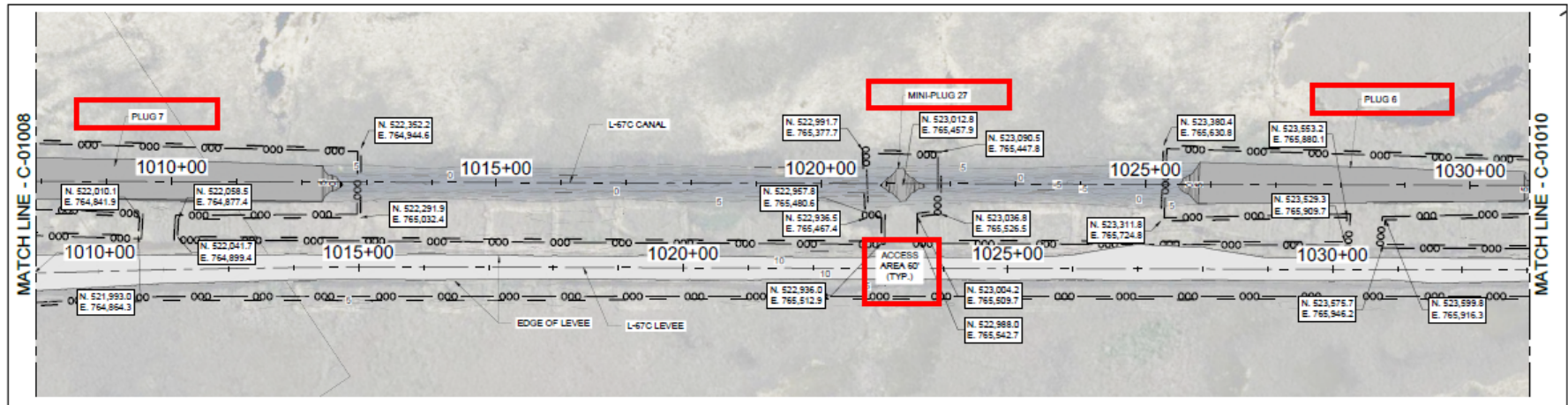


Figure 3. Example plug locations and access areas between L-67C levee and L-67C canal are shown. Limits of construction are also shown (Source Intermediate Design Specifications dated March 2026).

E.1.6.3 Site

Access to the site from the north is from US27/Griffin Road to the L-67A levee trail. Access to the site from the south is from US41/SW8th street to the L-67A levee trail.

E.1.6.4 Habitat

The Everglades consist of an interconnected freshwater wetland system characterized by low relief marshes, sloughs, wet prairies, tree islands, and canal and levee corridors. Vegetation communities are dominated by sawgrass marshes, mixed wet prairie, open water sloughs, and forested tree islands that support diverse fish and wildlife assemblages adapted to shallow sheet flow hydrology and seasonal water level variability. Alt 6dR consists of the construction of plugs in the L-67C Canal in the Blue Shanty Flowway in WCA 3B. For wetland types, refer to the National Wetland Inventory (NWI) map in **Figure 4** and **Figure 5** below. According to the NWI (accessed May 11, 2026), the L-67C Canal is classified as an excavated, permanently flooded, riverine wetland (R2UBHx) and areas adjacent too are defined primarily as palustrine freshwater emergent wetlands in WCA 3B (PEM5Ch).

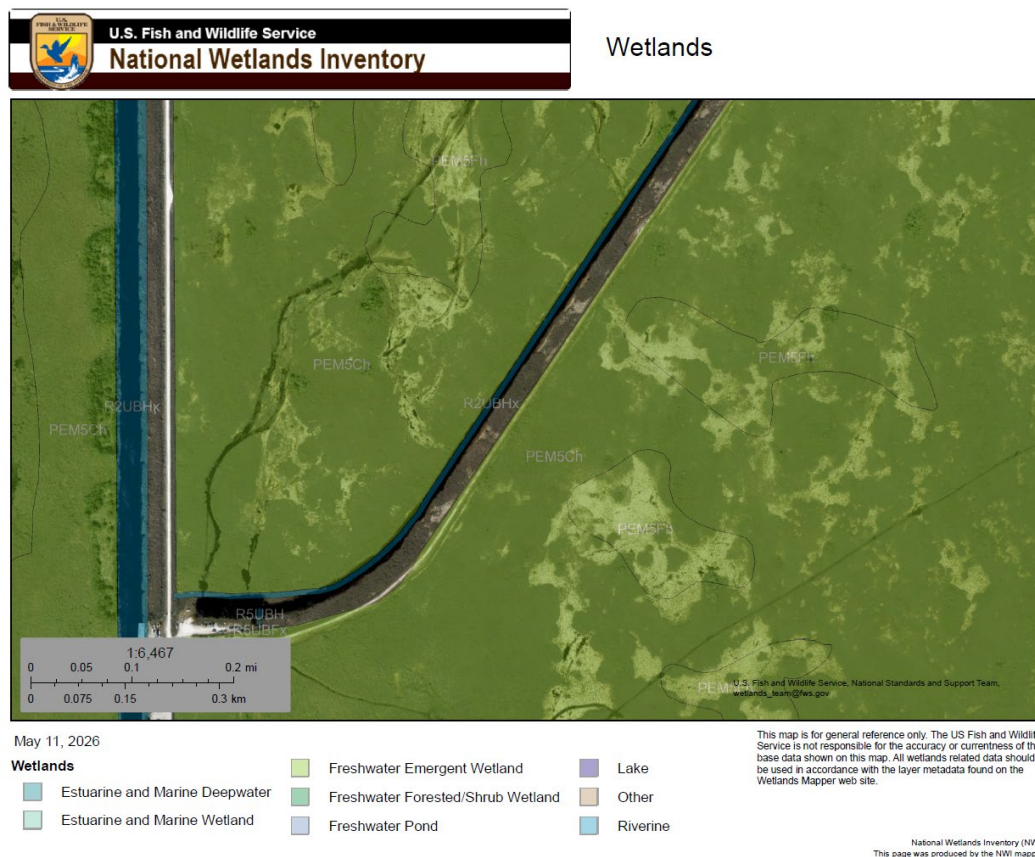


Figure 4. National Wetland Inventory Map of WCA 3B – shows southern extent of L-67C Canal (Classified as R2UBHx).

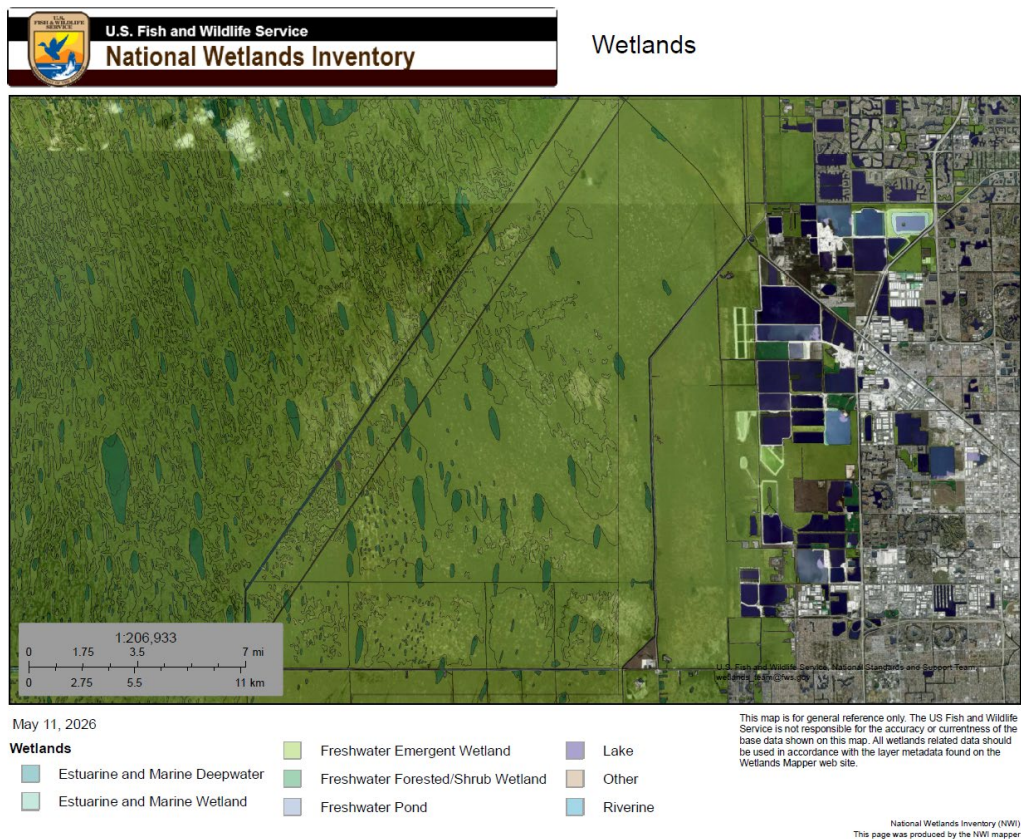


Figure 5. National Wetland Inventory Map of WCA 3B – areas adjacent to L-67C canal (Classified as PEM5Ch).

E.1.6.5 Timing and Duration of Discharge

The SFWMD will construct Alt 6dR. Reference **Section 6.5 (Plan Implementation)** of the main report for the construction of the L-67C plugs as part of the SFWMD's Blue Shanty Flowway Project. The Blue Shanty Flowway Project, which includes construction of the L-67C plugs is currently in final design with award to construct anticipated in Fiscal Year (FY)2027.

E.1.7 Description of Disposal Method

The material will consist of soils excavated from within the study area (i.e., from the L-67C levee degrade) and/or material to be brought in from off-site. Material will be hauled by truck for placement in the L-67C Canal or to staging/stockpile areas. Reference **Figure 2** for the location of the contractor's staging area will be located at the start of the L-67C Canal. Disposal of on-site soils may be required depending on availability of material and/or the presence of possible contamination.

E.1.8 Factual Determinations (40 CFR Section 230.11)

The determinations of effects of each proposed discharge shall include the potential short term and long term effects on the physical, chemical and biological components of the aquatic ecosystem including: (a) physical substrate determinations, (b) water circulation, fluctuation, and salinity determinations, (c) suspended particulate/turbidity determinations, (d) contaminant determinations, (e) aquatic ecosystem and organism determinations, (f) proposed disposal site determinations, (g) determination of cumulative effects on the aquatic ecosystem, and (h) determination of secondary effects on the aquatic ecosystem.

E.1.8.1 Physical Substrate Determinations

Physical substrate determinants are summarized below.

E.1.8.1.1 Substrate Elevation and Type

The natural topography of the area is nearly flat with the exception of the unnatural features (canals and levees and other water management features). The substrate within the construction footprint is typically calcium carbonate limestone rock overlain with peat and muck and/or sandy soils. Levees in the project area, like the L-67C Levee, generally consist of sand-to cobble-sized carbonate rock (e.g., limestone) with shells and silt excavated from local borrow pits or adjacent borrow canals to construct the levees.

E.1.8.1.2 Dredge/Fill Material Movement

The material will consist of soils excavated from within the study area (i.e., from the L-67C Levee degrade) and/or material to be brought in from off-site. The material will be suitable for intended uses and will not include HTRW, asphalt, trash, or vegetation. Best management practices (BMPs) will be employed during construction to control movement of sediment into undisturbed areas and areas outside the construction footprint. The SFWMD will obtain all appropriate permits, as necessary.

E.1.8.2 Physical Effects on Benthos

No adverse impacts to benthic organisms are anticipated other than displacement of those organisms in the construction footprint. These highly prolific organisms are expected to quickly re-establish.

E.1.8.2.1 Water Circulation, Fluctuation, and Salinity Determination

BMPs will be used to minimize the suspension and transport of soil and levee materials into water adjacent to or downstream of the construction footprint including use of sediment controls, turbidity screens, or sediment blockages for adjacent wetlands.

E.1.8.2.2 Suspended Particulate/Turbidity Determinations

During construction, a temporary short-term increase in suspended particulates may occur in the L-67C Canal and water adjacent to the construction footprint. BMPs will be used to minimize the suspension and transport of soil and levee materials into water adjacent to or downstream of the construction footprint including use of sediment controls, turbidity screens, or sediment blockages for adjacent wetlands. In general, any short-term impacts to water quality associated with construction will be ameliorated by construction sequencing, BMP for erosion and sedimentation control, and monitoring during construction. No long-term impacts to water quality are expected.

E.1.8.2.3 Expected Changes in Suspended Particulates and Turbidity Levels in the Vicinity of the Disposal Site

Temporary localized increases in suspended particulates and turbidity levels are expected during construction. Such increases are generally negligible and short term. All appropriate measures to reduce and contain turbidity will be employed to prevent violations of state water quality standards.

E.1.8.2.4 Effects on Chemical and Physical Properties of the Water Column

Chemical and physical properties of the water column are characterized by light penetration, dissolved oxygen, toxic metals, organics, and pathogens, and aesthetics of the water column.

E.1.8.2.4.1 Light Penetration

During construction operations there will be a negligible temporary reduction in light penetration in the L-67C Canal in the immediate vicinity of the activity. Once construction is complete, light penetration is expected to return to pre-construction levels.

E.1.8.2.4.2 Dissolved Oxygen

During construction there may be a temporary reduction in the dissolved oxygen content in the water column in the L-67C Canal due to organic sediment oxygen demand from the disturbed soils in the immediate vicinity of the activity. Once construction is complete, dissolved oxygen is expected to return to pre-construction levels.

E.1.8.2.4.3 Toxic Metals, Organics, and Pathogens

Generally, no toxic metals, anthropogenic organics, or pathogens are anticipated to be released by project construction

E.1.8.2.4.4 Aesthetics of the Water Column

During construction, visual aesthetics will be negatively affected. Once construction is complete, visual aesthetics are expected to return to pre-construction levels.

E.1.8.2.5 Physical Effects on Biota

Effects on biota are summarized below.

E.1.8.2.5.1 Primary Productivity and Photosynthesis

Placement of excavated materials will adversely affect wetlands in the immediate vicinity of construction by destroying vegetation and smothering biota, but once construction of Alt 6dR is complete and the remaining CEPP South Phase features are constructed there is expected to be an increase in wetland function. Construction of plugs in the L-67C Canal is expected to reduce canal flow, drainage effectiveness and nutrient transport. Alt 6dR would support desirable vegetation (i.e. ridge and slough landscape) in WCA 3B and reduce the potential for eutrophic vegetation expansion, such as cattails.

E.1.8.2.5.2 Suspension/Filter Feeders

During construction there will be a temporary increase in turbidity and possibly a decrease in suspension/filter feeders due to construction activities. This temporary increase in turbidity will be short-term and should not have long-term negative impact on these highly fecund organisms.

E.1.8.2.5.3 Sight Feeders

During construction there will be a temporary increase in turbidity and possibly a decrease in sight feeders due to construction activities. No effects on these organisms are expected as the majority of sight feeders are highly mobile and can temporarily move outside the affected area and are expected to return post-construction.

E.1.8.2.6 Contamination Evaluations

No HTRW has been identified within the construction footprint of the L-67C Canal or adjacent upland areas. A desktop evaluation of FDEP's Contamination Locator Map (accessed May 13, 2026) confirmed that no known HTRW is present within or immediately adjacent to the project area. Construction is not expected to result in the discovery of HTRW.

E.1.8.2.7 Aquatic Ecosystem and Organism Determinations

An assessment of effects on the aquatic ecosystem and organism determinations are described below.

E.1.8.2.7.1 Effects on Plankton

No adverse impacts to plankton are anticipated other than displacement of those organisms in the construction footprint.

E.1.8.2.7.2 Effects on Benthos

No adverse impacts to benthic organisms are anticipated other than displacement of those organisms in the construction footprint.

E.1.8.2.7.3 Effects on Nekton

No adverse impacts to nektonic organisms are anticipated other than displacement of those organisms in the construction footprint.

E.1.8.2.7.4 Effects on Aquatic Food Web

Periphyton forms the base of the food web within the study area. Minor temporary impacts to the aquatic food web within the construction footprint is anticipated. Once construction is complete, the aquatic food web is expected to return to pre-construction levels.

E.1.8.2.7.5 Effects on Special Aquatic Sites

The designation of special aquatic sites includes sanctuaries and refuges, wetlands, mudflats, vegetated shallows, coral reefs, and riffle and pool complexes. Special aquatic sites are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized as positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region. An assessment of effects on special aquatic sites are described below.

E.1.8.2.7.5.1 Hardground and Coral Reef Communities

The project is not expected to have an effect on coral reef or hard bottom communities within the downstream estuaries. There are no coral reefs or hard bottom communities located within the construction footprint. Coral reefs and hard-bottom communities are located offshore of waters affected by Alt 6dR.

E.1.8.2.7.5.2 Sanctuaries and Refuges

The L-67C canal to be plugged under Alt 6dR is located in the Blue Shanty Flowway in WCA 3B. WCA 3B is located within the Everglades and Francis S. Taylor Wildlife Management Area (EWMA). Everglades National Park (ENP), inclusive of Florida Bay, is located south of WCA 3B. Construction of plugs in the L-67C Canal is expected to reduce canal flow, drainage effectiveness and nutrient transport. Alt 6dR would support desirable vegetation (i.e. ridge and slough

landscape) in WCA 3B and reduce the potential for eutrophic vegetation expansion, such as cattails.

E.1.8.2.7.5.3 Wetlands

Construction of Alt 6dR would result in temporary impacts of up to ~ 69 acres of existing wetlands within and adjacent to the L-67C Canal. This represents the maximum extent of wetland impacts within the limits of construction. The contractor will employ BMPs within the limits of construction and will make every effort to minimize wetland impacts as practical. There may be temporary impacts on the wetland function in the construction areas, but once construction of Alt 6dR is complete and the remaining CEPP South Phase features are constructed there is expected to be an increase in wetland function. Construction of plugs in the L-67C Canal is expected to reduce canal flow, drainage effectiveness and nutrient transport. Alt 6dR would support desirable vegetation (i.e. ridge and slough landscape) in WCA 3B and reduce the potential for eutrophic vegetation expansion, such as cattails.

E.1.8.2.7.5.4 Mud Flats

There are no mud flats within the construction footprint or within areas directly impacted by the proposed action. Disturbance to these resources are not anticipated.

E.1.8.2.7.5.5 Vegetated Shallows

Submerged aquatic vegetation (SAV) may be present in the L-67C Canal. Construction of Alt 6dR would result in temporary impacts of up to ~ 69 acres of existing wetlands within and adjacent to the L-67C Canal. This represents the maximum extent of wetland impacts within the limits of construction. The contractor will employ BMPs within the limits of construction and will make every effort to minimize wetland impacts as practical. There may be temporary impacts on the wetland function in the construction areas, but once construction of Alt 6dR is complete and the remaining CEPP South Phase features are constructed there is expected to be an increase in wetland function. Construction of plugs in the L-67C Canal is expected to reduce canal flow, drainage effectiveness and nutrient transport. Alt 6dR would support desirable vegetation (i.e. ridge and slough landscape) in WCA 3B and reduce the potential for eutrophic vegetation expansion, such as cattails.

E.1.8.2.7.5.6 Riffle and Pool Complexes

There are no riffle or pool complexes within the construction footprint or within areas directly impacted by the proposed action. Disturbance to these resources are not anticipated.

E.1.8.2.7.5.7 Threatened and Endangered Species

There are federally listed threatened and endangered species potentially present in the study area. Informal consultation was initiated with the USFWS on May 25, 2026. A coordination

meeting was held with the USFWS on May 8, 2026, regarding Endangered Species Act (ESA) consultation. Consultation with the USFWS is ongoing. Reference **Appendix F**.

E.1.8.2.8 Proposed Placement Site Determinations

The material will consist of soils excavated from within the study area (i.e., from the L-67C levee degrade) and/or material to be brought in from off-site. The material will be suitable for intended uses and will not include HTRW, asphalt, trash, or vegetation.

E.1.8.2.8.1 Mixing Zone Determination

The dredged material will not cause unacceptable changes in the mixing zone water quality requirements as specified by the State of Florida's WQC permit procedures as applicable. No adverse impacts related to depth, current velocity, direction and variability, degree of turbulence, stratification, or ambient concentrations of constituents are expected from implementation of the proposed action.

E.1.8.2.8.2 Determination of Compliance with Applicable Water Quality Standards

CEPP complies with water quality standards applicable to the project and adjacent waters. Proposed features are located in and adjacent to waters designated as Class III by the State of Florida. In accordance with Florida Administrative Code (F.A.C.) Rule 62-302 ("Surface Water Quality Standards"), the use classification of Class III waters is "Recreation, Propagation, and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife." In addition to the minimum and general criteria for surface waters found in Section 62-302.500(1) F.A.C., there are numerous water quality criteria for specific parameters for Class III waters listed in Section 62-302.530, F.A.C. Although the proposed plan is not expected to affect most of the parameters listed in this rule, certain parameters (e.g., turbidity, dissolved oxygen and nutrients) listed in the criteria may be affected by construction and operations activities. The construction of Alt 6dR will comply with federal and state water quality standards. Potential Effects on Human Use Characteristics

The following sections discuss municipal and private water supply, recreational and commercial fisheries, water related recreation, aesthetics, parks and preserves.

E.1.8.2.8.3 Municipal and Private Water Supply

No municipal or private water supplies would be adversely impacted by the implementation of the proposed action. Refer to **Section 4** of the main report for additional information pertaining to water supply analyses.

E.1.8.2.8.4 Recreational and Commercial Fisheries

The proposed action is located in WCA 3B within the EWMA which is managed by the Florida Fish and Wildlife Conservation Commission (FWC). Construction of the proposed action may limit the use of deep-draft vessels for purposes of recreation in the L-67C Canal. Deep-draft vessels would be prohibited from traversing the full length of the L-67C Canal in the Blue Shanty Flowway.

Construction of the plugs in the L-67C Canal in the Blue Shanty Flowway would not prohibit access to the canal for shallow-draft vessels (i.e., mud boats, air boats, kayaks, and canoes). Other recreational resources would continue to be accessible in WCA 3A, including use of the L-67A Canal.

The proposed action may result in beneficial effects on recreation in the EWMA in WCA 3B due to improved hydrology and ecosystem health.

No commercial fisheries would be adversely impacted by the implementation of the project.

E.1.8.2.8.5 Water Related Recreation

Water-related recreation (i.e., use of deep-draft vessels by recreational boaters and anglers) may be reduced by the proposed action. Reference **Section D.1.8.2.8.4**.

E.1.8.2.8.6 Aesthetics

During construction, visual aesthetics will be negatively affected. Once construction is complete, visual aesthetics are expected to return to pre-construction levels.

E.1.8.2.8.7 Parks, National and Historical Monuments, National Seashores, Wilderness Areas, Research Sites, and Similar Preserves

The L-67C Canal to be plugged under Alt 6dR is located in the Blue Shanty Flowway in WCA 3B. WCA 3B is located within the EWMA. Everglades National Park (ENP), inclusive of Florida Bay, is located south of WCA 3B. Construction of plugs in the L-67C Canal is expected to reduce canal flow, drainage effectiveness and nutrient transport. Alt 6dR would support desirable vegetation (i.e. ridge and slough landscape) in WCA 3B and reduce the potential for eutrophic vegetation expansion, such as cattails.

E.1.8.2.9 Essential Fish Habitat

The National Marine Fisheries Service (NMFS) Southeast Region's Habitat Conservation Division (HCD) implements the Essential Fish Habitat (EFH) program in the coastal states from North Carolina south through Texas, as well as the territories of Puerto Rico and the U.S. Virgin Islands. One of the principal authorities for protecting and conserving marine fishery habitats is the EFH provisions of the Magnuson-Stevens Act which requires federal agencies that authorize, fund, or undertake projects that may adversely affect EFH to consult with the NMFS. Through

consultation, the HCD provides recommendations to federal agencies to avoid, minimize, mitigate, or otherwise offset the effects of their actions on EFH.

E.1.8.2.9.1 Essential Fish Habitat in the Area

The Magnuson-Stevens Act, defines EFH as “those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity.” The definition of EFH may include habitat for an individual species or an assemblage of species. There is no EFH within the construction footprint or within areas directly impacted by the proposed action (i.e., Blue Shanty Flowway in WCA 3B). Disturbance to EFH is not anticipated.

E.1.8.2.9.2 Determination of Effects on Essential Fish Habitat

There is no EFH within the construction footprint or within areas directly impacted by the proposed action (i.e., Blue Shanty Flowway in WCA 3B). Disturbance to EFH is not anticipated.

E.1.8.2.9.3 Determination of Cumulative Effects on the Aquatic Ecosystem

No adverse cumulative effects on the aquatic ecosystem would occur as a result of the construction. BMPs will be used to minimize the suspension and transport of soil and levee materials into water adjacent to or downstream of the construction footprint including use of sediment controls, turbidity screens, or sediment blockages for adjacent wetlands. Coastal construction is not proposed as a part of the proposed action. The proposed action is not seaward of the mean high-water line. Discharge of pollutants into or upon coastal waters, estuaries, tidal flats, beaches, and lands adjoining the seacoast are not expected.

E.1.8.2.9.4 Determination of Secondary Effects on the Aquatic Ecosystem

No adverse secondary impacts on the aquatic ecosystem would occur as a result of the construction. BMPs will be used to minimize the suspension and transport of soil and levee materials into water adjacent to or downstream of the construction footprint including use of sediment controls, turbidity screens, or sediment blockages for adjacent wetlands. Coastal construction is not proposed as a part of the proposed action. The proposed action is not seaward of the mean high-water line. Discharge of pollutants into or upon coastal waters, estuaries, tidal flats, beaches, and lands adjoining the seacoast are not expected.

The SFWMD would complete the construction of Alt 6dR. Contract specifications would require the contractor to employ BMPs with regard to erosion and turbidity control. The contractor would be required to prevent oil, fuel, or other hazardous substances from entering the air, ground, drainage, local bodies of water, or wetlands. The contract specifications would require that the contractor adopt safe and sanitary measures for the disposal of solid waste and would require a spill prevention plan. The contractor would also be required to transport and dispose of any construction and demolition debris in accordance with applicable requirements. The contractor would also be required to keep construction activities under surveillance,

management, and control to minimize interference with, disturbance to, and damage of fish and wildlife.

E.1.8.2.10 Findings of Compliance or Non-Compliance with the Restrictions on Discharge

The discharge of fill materials is not anticipated to cause or contribute to violations of any applicable state water quality standards for Class III waters or Outstanding Florida Waters where applicable. The discharge operation is not anticipated to violate the Toxic Effluent Standards of Section 307 of the Clean Water Act.

The placement of fill materials in the study area is not anticipated to jeopardize the continued existence of any species listed as threatened and endangered or result in the likelihood of destruction or adverse modification of any critical habitat as specified by the ESA of 1973, as amended.

The placement of fill material is not anticipated to result in adverse effects on human health and welfare, including municipal and private water supplies, recreational and commercial fishing, plankton, fish, shellfish, wildlife, and special aquatic sites. The life stages of aquatic species and other wildlife is not anticipated to be adversely affected. Adverse effects on aquatic ecosystem diversity, productivity and stability, and recreational, aesthetic, and economic values are not anticipated.

Based on the guidelines, the proposed discharge site for the discharge of fill and/or dredged material is specified as complying with the requirements of these guidelines.