



DEPARTMENT OF THE ARMY
SOUTH ATLANTIC DIVISION, CORPS OF ENGINEERS
ROOM 10M15, 60 FORSYTH ST., S.W.
ATLANTA, GA 30303-8801

REPLY TO
ATTENTION OF:

CESAD-RBT

24 June 2011

MEMORANDUM FOR COMMANDER, JACKSONVILLE DISTRICT (CESAJ-EN-T/
[REDACTED])

SUBJECT: Approval of the Review Plan for Interim Operating Criteria and Environmental Assessment for 8.5 Square Mile Area Project, Miami-Dade, Florida

1. References:

a. Memorandum, CESAJ-EN-T, 6 June 2011, Subject: Approval of the Review Plan for Interim Operating Criteria and Environmental Assessment for 8.5 Square Mile Area Project, Miami-Dade, Florida (Enclosure).

b. EC 1165-2-209, Civil Works Review Policy, 31 January 2010.

c. WRDA 2007 H. R. 1495 Public Law 110-114, 8 November 2007.

2. The enclosed Review Plan for the Interim Operating Criteria and Environmental Assessment for 8.5 Square Mile Area Project, Miami-Dade, Florida dated 6 June 2011 submitted by reference 1.a, has been reviewed by this office and is approved in accordance with reference 1.b.

3. We concur with the conclusion of the District that neither ATR nor IEPR is required on this Interim Operating Criteria effort. The primary basis this concurrence is that the effort;

a. Is an interim operating criteria that will be included in a final operational plan currently scheduled for completion in 2013.

b. Does not call for design (structural, mechanical, hydraulic, etc.) or construction activities.

c. Does not adversely impact a structure or feature of a structure whose performance involves potential life safety risk.

d. Does not support a significant investment of public monies.

e. Does not affect any special features, such as cultural resources, historic properties, survey markers, etc. that should be protected or avoided.

CESAD-RBT

24 June 2011

SUBJECT: Approval of the Review Plan for Interim Operating Criteria and Environmental Assessment for 8.5 Square Mile Area Project, Miami-Dade, Florida

4. The district should take steps to post the Review Plan to its web site and provide a link to CESAD-RBT. Before posting to the web site, the names of Corps/Army employees should be removed.

5. The SAD point of contact is [REDACTED].

FOR THE COMMANDER:

Encl



CHRISTOPHER T. SMITH, P.E.
Chief, Business Technical Division



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

REPLY TO
ATTENTION OF

CESAJ-EN-T

6 June 2011

MEMORANDUM FOR Commander, South Atlantic Division (CESAD-RBT)

SUBJECT: Approval of Review Plan for Interim Operating Criteria and Environmental Assessment for 8.5 Square Mile Area Project, Miami-Dade County, Florida

1. References.

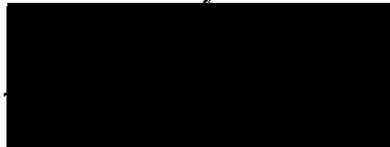
- a. EC 1165-2-209, Civil Works Review Policy, 31 January 2010
- b. WRDA 2007 H. R. 1495 Public Law 110-114, 08 Nov 07

2. I hereby request approval of the enclosed Review Plan and concurrence with the conclusions that Agency Technical Review (ATR) and Independent External Peer Review (IEPR) of the Interim Operating Criteria and Environmental Assessment are not required. The ATR and IEPR determinations are based on the EC 1165-2-209 Risk Informed Decision Process as presented in the Review Plan. Approval of this Review Plan is for the Interim Operating Criteria and Environmental Assessment as other work products. The Review Plan complies with applicable policy, provides District Quality Control and has been coordinated with the CESAD. It is my understanding that non-substantive changes to this Review Plan, should they become necessary, are authorized by CESAD.

3. The district will post the CESAD approved Review Plan to its website and provide a link to the CESAD for its use. Names of Corps/Army employees are withheld from the posted version, in accordance with guidance.

FOR THE COMMANDER:

Encl



REVIEW PLAN

For

Interim Operating Criteria for 8.5 Square Mile Area Project And Environmental Assessment

Miami-Dade County, Florida

Jacksonville District

6 June 2011

THE INFORMATION CONTAINED IN THIS REVIEW PLAN IS DISTRIBUTED SOLELY FOR THE PURPOSE OF PREDISSEMINATION PEER REVIEW UNDER APPLICABLE INFORMATION QUALITY GUIDELINES. IT HAS NOT BEEN FORMALLY DISSEMINATED BY THE U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT. IT DOES NOT REPRESENT AND SHOULD NOT BE CONSTRUED TO REPRESENT ANY AGENCY DETERMINATION OR POLICY.



**US Army Corps
of Engineers** ®

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1. PURPOSE AND REQUIREMENTS

a. Purpose. This Review Plan defines the type of document classification and the scope of review activities for the Interim Operating Criteria and Environmental Assessment (EA) for 8.5 Square Mile Area Project. The water control plan was prepared in accordance with the requirements of ER 1110-2-240, Water Control Management

EC 1165-2-209 stipulates a risk informed decision process be used to determine if the documents covered by this review plan are USACE decision documents, implementation documents or other work products and the appropriate level of review for those documents.

The results of the risk informed decision process indicates that the Interim Operating Criteria and EA are other work products and the review activities consist of District Quality Control. The subject other work products provide for interim operating criteria and do not call for any constructed works. Upon approval, this review plan will be included into the Project Management Plan as an appendix to the Quality Management Plan.

b. References.

- (1). ER 1110-2-240, Water Control Management, 8 October 1982
- (2). EC 1165-2-209, Civil Works Review Policy, 31 January 2010

c. Requirements. This review plan was developed in accordance with EC 1165-2-209, which establishes an accountable, comprehensive, life-cycle review strategy for Civil Works products by providing a seamless process for review of all Civil Works projects from initial planning through design, construction, and Operation, Maintenance, Repair, Replacement and Rehabilitation (OMRR&R). The EC provides the procedures for ensuring the quality and credibility of U.S. Army Corps of Engineers (USACE) decision, implementation, and operations and maintenance documents and work products. The EC outlines three levels of review: District Quality Control, Agency Technical Review, and Independent External Peer Review.

(1) District Quality Control (DQC). DQC is the review of basic science and engineering work products focused on fulfilling the project quality requirements defined in the Project Management Plan (PMP). It is managed in the home district and may be conducted by staff in the home district as long as they are not doing the work involved in the study, or overseeing contracted work that is being reviewed. Basic quality control tools include a Quality Management Plan providing for seamless review, quality checks and reviews, supervisory reviews, Project Delivery Team (PDT) reviews, etc. Additionally, the PDT is responsible for a complete reading of the report to assure the overall integrity of the report, technical appendices and the recommendations before approval by the District Commander. The Major Subordinate Command (MSC)/District quality management plans address the conduct and documentation of this fundamental level of review.

(2) Agency Technical Review (ATR). ATR is an in-depth review, managed within USACE, and conducted by a qualified team outside of the home district that is not involved in the day-to-day production of the project/product. The purpose of this review is to ensure the proper application of clearly established criteria, regulations, laws, codes, principles and professional practices. The ATR team reviews the various work products and assures that all the parts fit together in a coherent whole. ATR teams will be comprised of senior USACE personnel (Regional Technical Specialists (RTS), etc.), and may be supplemented by outside experts as appropriate. To assure independence, the leader of the ATR team shall be from outside the parent MSC.

(3) Independent External Peer Review (IEPR). IEPR is the most independent level of review, and is applied in cases that meet certain criteria where the risk and magnitude of the proposed project are such that a critical examination by a qualified team outside of USACE is warranted.

d. Review Management Organization (RMO). The South Atlantic Division (SAD) is designated as the RMO. The RMO is responsible for managing the review activities described in this Review Plan.

2. PROJECT INFORMATION AND BACKGROUND

The 8.5 Square Mile Area (8.5 SMA) is a component of the Modified Water Deliveries (MWD) to Everglades National Park (ENP) Project, authorized in the 2000 Water Resources Development Act and reauthorized specifically by the U.S. Congress in the 2003 Appropriations Act.

MWD project's features are additions to the overall Central and Southern Florida Project providing wetlands restoration, flood damage mitigation, water supply and recreation to the residents and natural ecosystems of south Florida. The 8.5 SMA is a residential area located to the west of the L-31N Levee in the Eastern Everglades. It was anticipated in the 2000 8.5 SMA General Reevaluation Report (GRR) and Environmental Impact Statement (EIS) that seepage control and flood damage mitigation features, as well as some relocations, would be necessary in order to prevent the 8.5 SMA from experiencing any increase in flooding as a result of the MWD project. Per the July 2000 GRR/Final Supplemental EIS final recommended plan, known as Alternative 6D, major features of the 8.5 SMA Project include a perimeter levee (L-357W), internal levees (L-357), a seepage collection canal (C-357), pump station (S-357) and a flow way leading to a storm water treatment area (STA)/detention cell (L-359). At present, the U.S. Army Corps of Engineers (USACE) and local sponsor, South Florida Water Management District are ready to begin interim operations.

The USACE has evaluated alternatives for the 8.5 SMA Proposed Interim Operating Criteria. The 8.5 SMA features are designed to mitigate for the increased flood risk associated with the planned increased water levels in ENP due to implementation of future MWD components. The proposed water management operating criteria in the report are interim and subject to change prior to completion of the ongoing long-term construction of the MWD Project and the Canal-111 South Dade Project. The 8.5 SMA features will work in conjunction with the existing S-331 pump station, the flood control structure for the immediate area.

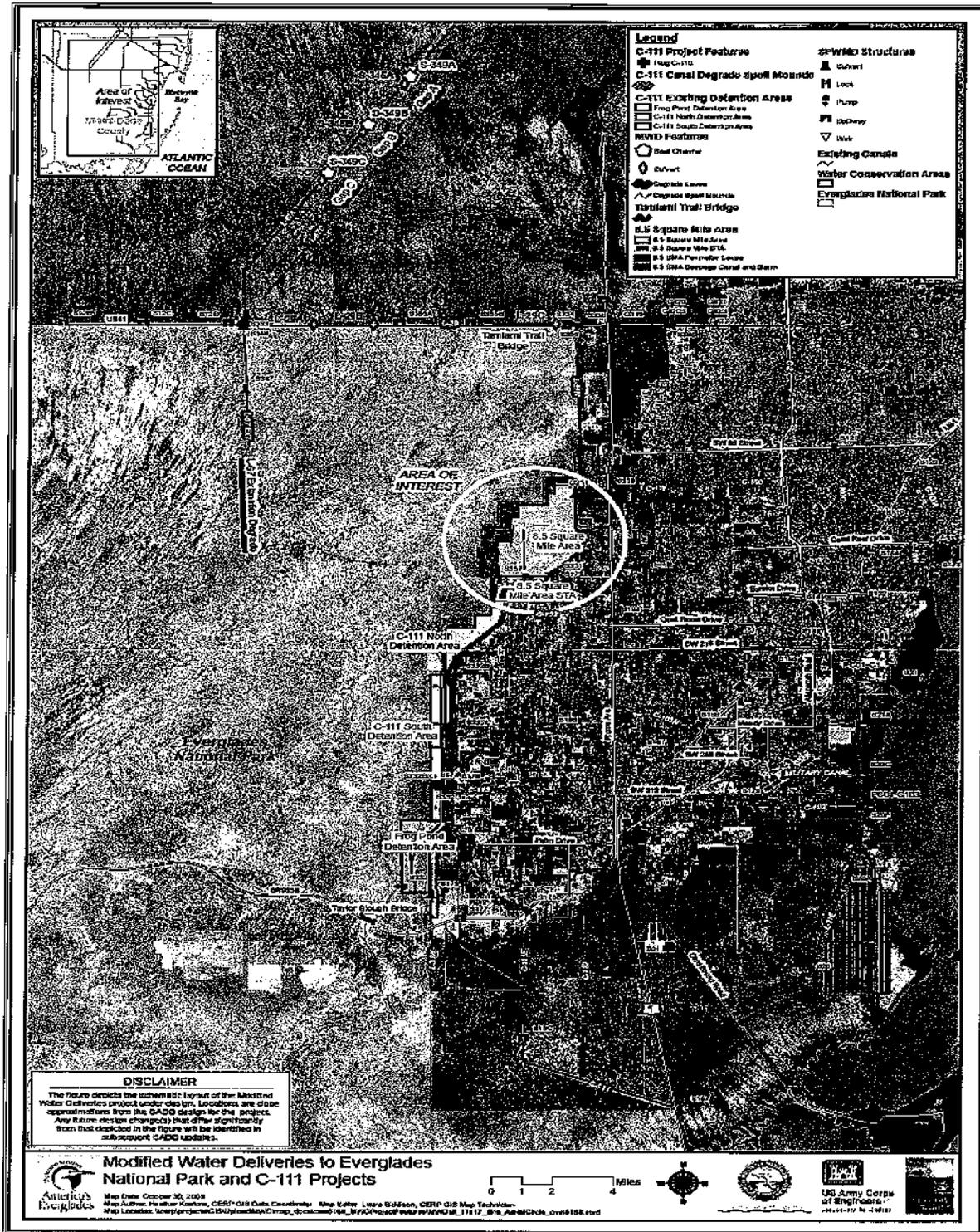
The objectives of the proposed interim operating criteria, consistent with the 2000 GRR/Final Supplemental EIS Recommended Plan, known as Alternative 6D, are to:

1. Maintain surface and groundwater levels within the project areas of the 8.5 SMA between the L-357W levee and L-31 N levee at pre-MWD levels.
2. Preserve or enhance the hydro patterns of land located west of the L-357W levee (Everglades National Park and the publicly owned natural areas).

Operations of the C&SF project in the project area, except for S-357, are currently governed by the *2006 Interim Operating Plan (IOP) for the Protection of the Cape Sable Seaside Sparrow Final Supplemental Environmental Impact Statement*. The Proposed Interim Operating Criteria for the 8.5 SMA components would be incorporated into the Everglades Restoration Transition Plan (ERTP) which is scheduled to replace IOP. The S-357 interim operating criteria will work in conjunction with IOP or ERTP until the full system operating plan is finalized.

Figure 1 shows the location of 8.5 SMA in relation to other features in the area. Figure 2 shows the location of 8.5 SMA in detail.

Figure 1



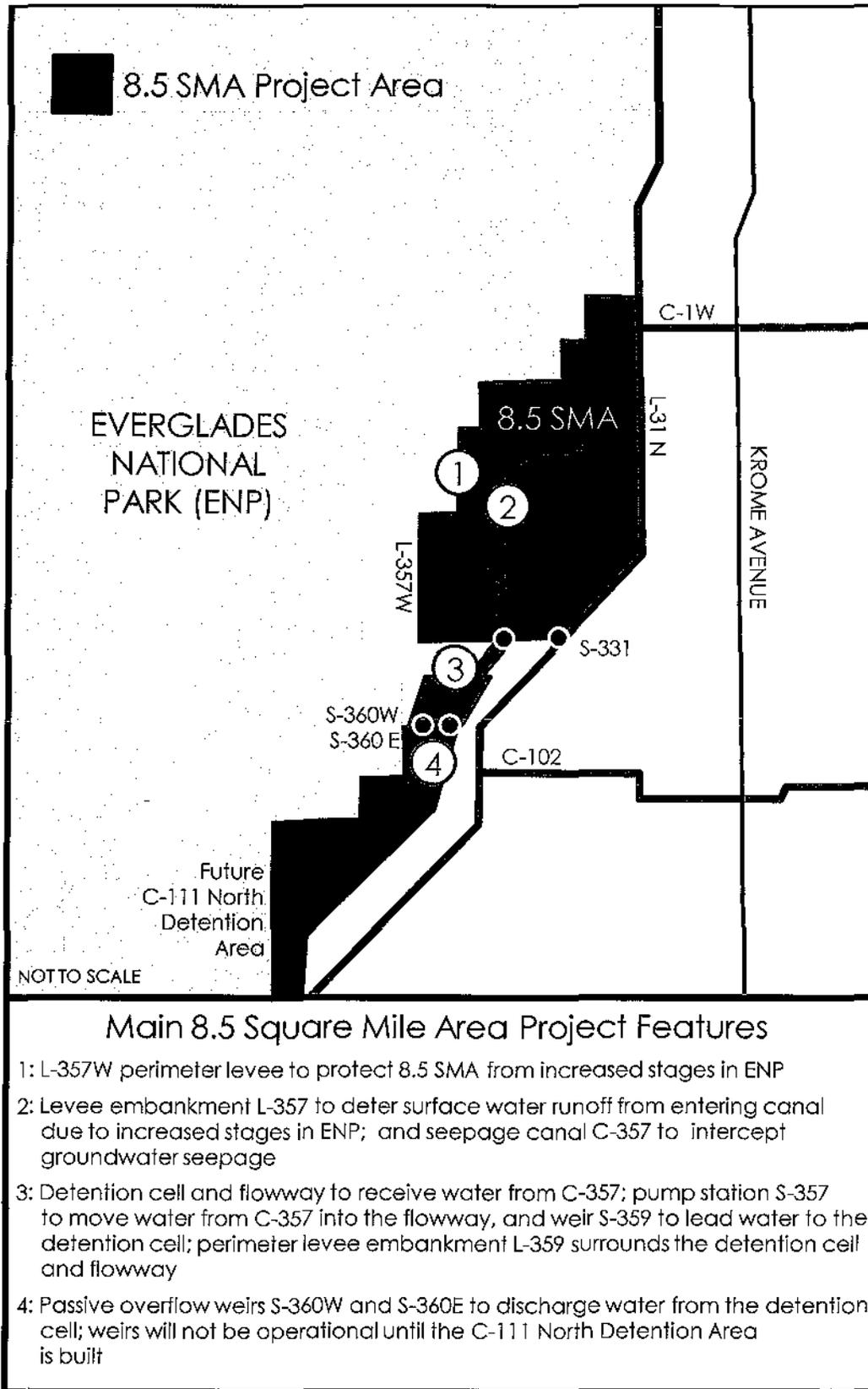


Figure 2.

3. DISTRICT QUALITY CONTROL

District Quality Control and Quality Assurance activities for other work products are stipulated in ER 1110-1-12, Engineering & Design Quality Management. The interim operating criteria and EA were prepared by the Jacksonville District using the SAJ procedures and have undergone DQC.

4. RISK INFORMED DECISION ON TYPE OF DOCUMENT AND APPROPRIATE LEVEL OF REVIEW

The EC 1165-2-209 for review policy directs the team to make a risk informed decision to determine if the documents are decision documents, implementation documents or other work products. And, the appropriate level of review. District Quality Control is required for all products. The appropriateness of ATR and IEPR are based on the risk informed decision process as presented in this section.

Review of the answers to the following questions from Para 15.b of the EC indicate that the Interim Water Control Criteria and EA are other work products as defined in EC 1165-2-209. In addition, the risk informed decision process indicated that ATR and IEPR are not deemed appropriate for the interim water control criteria and EA. The subject other work products provide for interim operating criteria and do not call for any constructed works.

Moreover, the PDT additionally determined that ATR and IEPR would not be necessary because the interim operational criteria are reversible. If S-357 causes adverse impacts to the 8.5 SMA, S-331 will provide the necessary flood mitigation. S-331 has been working as the flood mitigation pump station for this area, while S-357 has not had an operational plan. A final operational plan that will include this area is scheduled to be complete in 2013.

(1) Does it include any design (structural, mechanical, hydraulic, etc)? No. This work product consists of engineering analyses that support of a minor modification to the operations of Pump Stations S-357 and S-331. There is no design work ongoing or currently proposed for any constructed works.

(2) Does it evaluate alternatives? Yes. Alternatives were analyzed. The interim operating criteria and Environmental Assessment (EA) contain those alternatives for different operational schemes for the purpose of evaluating the potential effects from the interim operations of S-357 and S-331 pump stations.

The interim criteria alternatives were limited in scope to minor modifications/adjustments to the operational plan contained in the 2000 GRR/FESIS and the 2009 test operations performed at S-357 pump station.

(3) Does it include a recommendation? Yes. The Interim Operation Criteria and EA document the evaluation of alternatives for different interim operational plans and identify the alternative for the interim operations of S-357 and S-331 pump stations. The recommended interim operational plan is the best scenario to provide flood mitigation and to prevent undesired environmental impacts. These proposed interim operations were limited in scope to minor modification/adjustments to operational plan in the 2000 GRR/SEIS, the 2009 test operations at S-357 pump station and IOP.

(4) Does it have a formal cost estimate? No. A formal cost estimate was not needed because the alternatives considered are operational and are consistent with the original 2000 GRR/SEIS. The alternatives propose operational changes to a system which is currently operated by the South Florida Water Management District. No construction is proposed.

(5) Does it have or will it require a NEPA document? Yes. The EA was prepared to assess the effects associated with implementation of the interim operational plan for S-357 and S-331 pump stations.

(6) Does it impact a structure or feature of a structure whose performance involves potential life safety risks? No. There is no life safety risk associated with this minor operational change. The current

configuration of the system allows for S-331 to provide flood mitigation for this area. Incorporating S-357 into the system merely allows S-357 and S-331 to work in tandem for the benefit of ecological performance and flood mitigation. If the S-357 structure does not operate, S-331 will provide flood mitigation for the area

(7) What are the consequences of non-performance? There are no consequences if S-357 does not perform. The current configuration of the system allows for S-331 to provide flood mitigation for this area. Incorporating S-357 into the system merely allows S-357 and S-331 to work in tandem for the benefit of ecological performance and flood mitigation. If S-357 cannot be operated, S-331 will continue to operate as it does today, per the IOP.

(8) Does it support a significant investment of public monies? No. There is no significant investment of public monies in this minor operational change. However, there was significant investment of public monies in the construction of the 8.5 Square Mile Area Features.

(9) Does it support a budget request? No. This effort is funded by the Department of Interior under the Modified Water Deliveries Project. There is no additional budget requirement for the water control plan. Operational Budget was part of the Modified Water Deliveries Project.

(10) Does it change the operation of the project? Yes. The modification of the operational criteria allows for S-331 and S-357 to operate in tandem for the benefit of ecological performance and flood mitigation. It should be noted, this operational criteria is a slight modification to the operations that were defined in the 2000 GRR/SEIS and the 2009 testing period.

(11) Does it involve ground disturbances? No. There is no construction associated with this plan nor will the operations of the system introduce any such disturbances. All adjustments to the 2009 testing period are operational in nature with the proposed operations consistent with current IOP approved operations.

(12) Does it affect any special features, such as cultural resources, historic properties, survey markers, etc, that should be protected or avoided? No. The water control criteria and EA do not propose any actions that will affect any cultural resource or historic properties or other related appurtenances. The modification of the operational criteria is merely a slight modification to the operations in the 2000 GRR/SEIS, the operations conducted during the 2009 testing period and IOP.

(13) Does it involve activities that trigger regulatory permitting such as Section 404 or stormwater/NPDES related actions? No. There will be no off- site discharges that warrant Section 404 or NPDES permit actions.

(14) Does it involve activities that could potentially generate hazardous wastes and/or disposal of materials such as lead based paints or asbestos? No. There will be no hazardous wastes and/or disposal thereof generated by this plan.

(15) Does it reference use of or reliance on manufacturers' engineers and specifications for items such as prefabricated buildings, playground equipment, etc? No. This work product is operational in nature, with only minor modification to the 2000 GRR/SEIS, the operations testing protocol conducted in 2009 and IOP. No additional infrastructure is proposed in support of the water control criteria.

(16) Does it reference reliance on local authorities for inspection/certification of utility systems like wastewater, stormwater, electrical, etc? No. This work product has no affect on any local utilities for inspection/certification of utility systems. All work will be performed is confined to USACE and South Florida Water Management District personnel on existing facilities.

(17) Is there or is there expected to be any controversy surrounding the Federal action associated with the work product? No. The 2009 operational testing protocol and the more recent revisions have undergone a series of public meetings and public/agency review. All comments have been incorporated

into the current documentation. The collective State/Federal agencies along with local interests support with the proposed water control criteria and are anticipating operations of the S-357 pump station.

5. INDEPENDENT EXTERNAL PEER REVIEW

a. General. EC 1165-2-209 provides implementation guidance for both Sections 2034 and 2035 of the Water Resources Development Act (WRDA) of 2007 (Public Law (P.L.) 110-114). The EC addresses review procedures for both the Planning and the Design and Construction Phases (also referred to in USACE guidance as the Feasibility and the Pre-construction, Engineering and Design Phases).

b. Type I Independent External Peer Review (IEPR) Determination (Section 2034).

The results of the risk informed decision indicated that the Interim Operating Criteria and EA are not decision documents and Type I IEPR is not required.

c. Type II Independent External Peer Review (IEPR) Determination (Section 2035). This project does not trigger WRDA 2007 Section 2035 factors for Safety Assurance Review (termed Type II IEPR in EC 1165-2-209) and therefore, a review under Section 2035 is not required. The factors in determining whether a review of design and construction activities of a project is necessary as stated under Section 2035 along with this review plans applicability statement follow.

- (1) The failure of the project would pose a significant threat to human life.

The scope of the water control plan and EA are for revision of the water control criteria to better balance the ecological performance and flood mitigation for the 8.5 SMA. As such, it does not include structural changes and does not pose a threat to human life. In the event that operations of S-357 are ceased, S-331 will resume prior operations thus providing flood mitigation for the project area. The modifications to the water control criteria in the 2000 GRR/SEIS, the operations performed under the 2009 testing period do not rise to any level that would warrant concerns for loss of life and are so limited in scope, this project would not benefit from an IEPR.

- (2) The project involves the use of innovative materials or techniques.

This project will utilize methods and procedures used by the Corps of Engineers on other similar works.

- (3) The project design lacks redundancy.

The concept of redundancy is not applicable to this water control plan.

(4) The project has a unique construction sequencing or a reduced or overlapping design construction schedule.

This water control plan does not have or pose unique sequencing or a reduced or overlapping design. The water control plan operation methods and procedures have been used successfully by the Corps of Engineers on other similar works.

6. MODEL CERTIFICATION AND APPROVAL

This project does not use any engineering models that have not been approved for use by USACE.

7. BUDGET AND SCHEDULE

Project Milestones.

Completion Submittal – completed

District Quality Control – completed

8. POINTS OF CONTACT

Per guidance, the names of the following individual will not be posted on the Internet with the Review Plan. Their titles and responsibilities are listed below.

Jacksonville District POCs:

Review Plan, ATR and QM Process:

[REDACTED]

Project Information:

[REDACTED]

Project Manager:

[REDACTED]

South Atlantic Division,

[REDACTED]