APPENDIX E – PERTINENT CORRESPONDENCE

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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 14 2009

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

Dear Dr. Mattick:

The U.S. Army Corps of Engineers (Corps), Jacksonville District along with the South Florida Water Management District, U.S. Geological Survey, and the Everglades National Park propose to construct the DECOMP Physical Model (DPM) to address uncertainties raised by the larger De-compartmentalization and Sheetflow Enhancement project. The scope of the DPM is to conduct a large-scale field study to address scientific, hydrologic, and water management issues utilizing a temporary controllable conveyance feature. Portions of the DPM project area are primarily located in the following 7.5-minute Quad: Coopertown NW.

The DPM will consist of a 750 cfs culvert on the L-67A levee, a 3000 foot gap in the L-67C levee, and the complete and partial backfilling of 1000 foot segments of the L-67C canal (Figure 1). These features are temporary and will be removed at the end of the project. These features will provide a controllable hydrologic connection between WCA-3A and WCA-3B that provides velocities in excess of 3 cm/sec in pulsed events lasting 14 to 40 days. These pulsed flows will be conducted in an operation window that extends from the end of October through January.

Elevation and tree community surveys were conducted on tree islands within the DPM project's area of potential effect. The results indicate that the islands in WCA 3B are significantly drier than the islands in WCA 3A; however, most of the islands are dominated by flood-tolerant species. This suggests that the average annual hydro-period on the islands in WCA 3B could be increased significantly above the values reported for these islands over the last seven years, while still maintaining hydrologic conditions within the known tolerances of their dominant species. The DPM project is not expected to have an adverse effect on tree islands or potential cultural resource sites on those islands in the project area.

The structural elements of the DPM project will be constructed within the existing canals and levees, and will be reversed at the end of the project. Pre-field research by the Corps did not identify any recorded sites within the project's area of potential effect. The Corps has determined that the project does not have the potential to affect historic properties eligible for listing on the National Register of Historic Places.

I request your concurrence with the Corps' determination of no potential effect. If there are any questions, please contact Ms. Natalie Garrett at 904-232-1250 or e-mail at natalie.s.garrett@usace.army.mil.

Sincerely,

Eric P. Summa
Chief, Environmental Branch

Enclosures

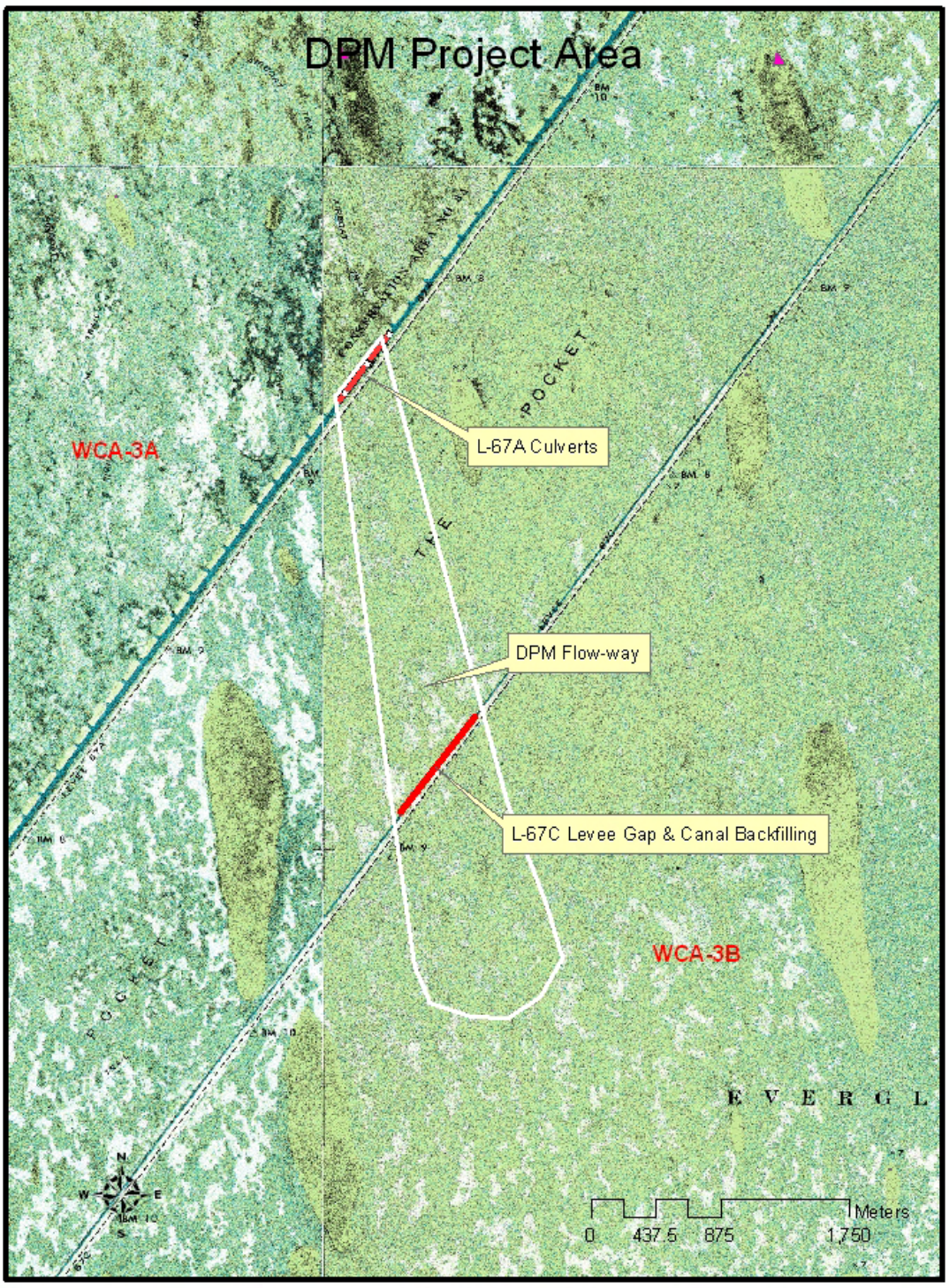

Figure 1: Coopertown NW Quad

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 14 2009

Mr. Steve Terry
NAGPRA & Section 106 Representative
Miccosukee Tribe
Post Office Box 440021
Miami, Florida 33144-0021

Dear Mr. Terry:

The U.S. Army Corps of Engineers (Corps), Jacksonville District along with the South Florida Water Management District, U.S. Geological Survey, and the Everglades National Park propose to construct the DECOMP Physical Model (DPM) to address uncertainties raised by the larger De-compartmentalization and Sheetflow Enhancement project. The scope of the DPM is to conduct a large-scale field study to address scientific, hydrologic, and water management issues utilizing a temporary controllable conveyance feature. Portions of the DPM project area are primarily located in the following 7.5-minute Quad: Coopertown NW.

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Elevation and tree community surveys were conducted on tree islands within the DPM project's area of potential effect. The results indicate that the islands in WCA 3B are significantly drier than the islands in WCA 3A; however, most of the islands are dominated by flood-tolerant species. This suggests that the average annual hydro-period on the islands in WCA 3B could be increased significantly above the values reported for these islands over the last seven years, while still maintaining hydrologic conditions within the known tolerances of their dominant species. The DPM project is not expected to have an adverse effect on tree islands or potential cultural resource sites on those islands in the project area.

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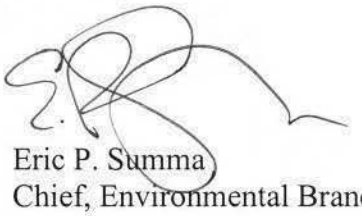

Eric P. Summa
Chief, Environmental Branch

Enclosures

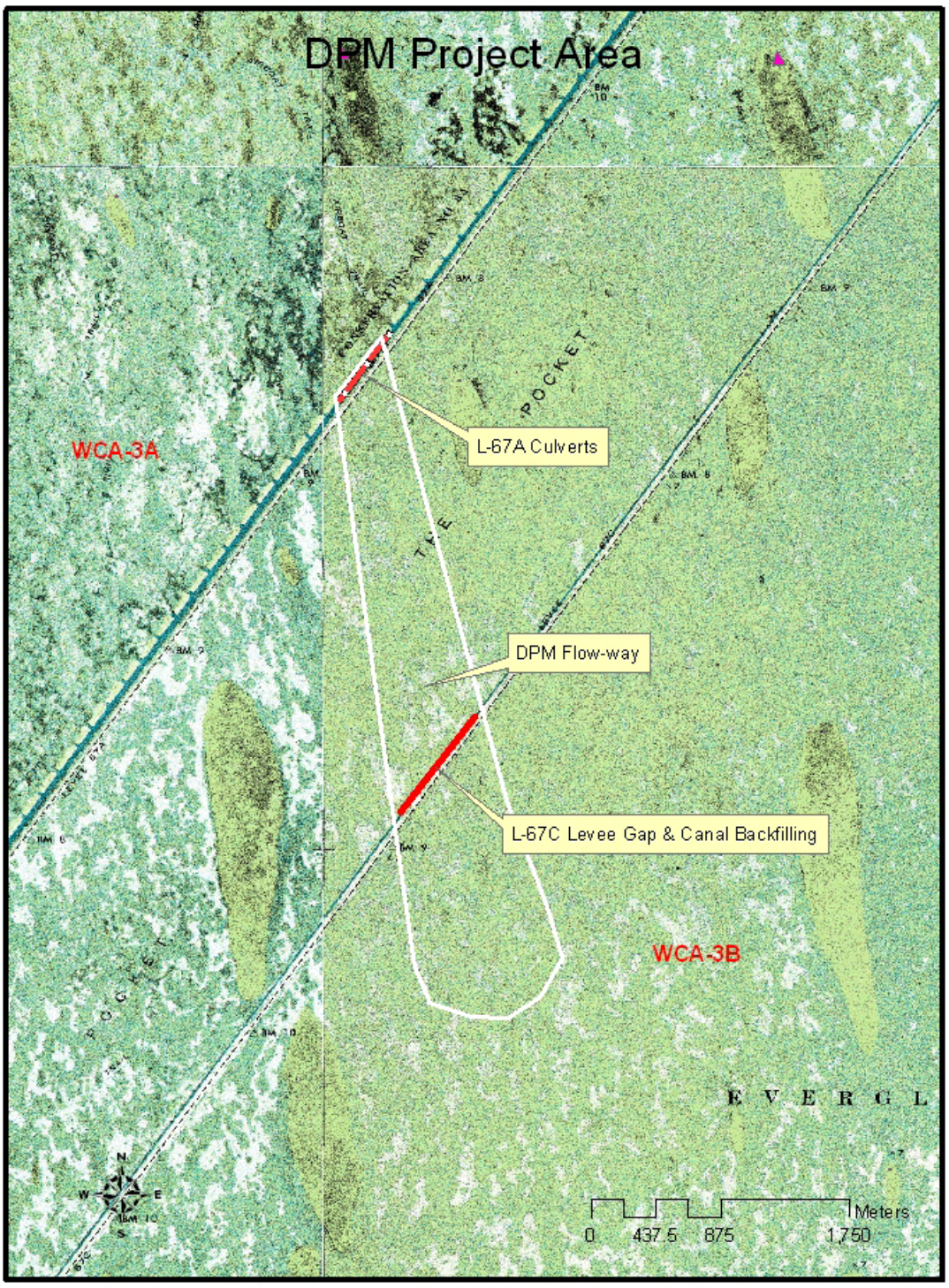

Figure 1: Coopertown NW Quad

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 14 2009

Mr. Willard S. Steele
Tribal Historic Preservation Officer
Seminole Tribe of Florida
Ah-Tah-Thi-Ki Museum
HC-61, Box 21-A
Clewiston, Florida 33440

Dear Mr. Steele:

The U.S. Army Corps of Engineers (Corps), Jacksonville District along with the South Florida Water Management District, U.S. Geological Survey, and the Everglades National Park propose to construct the DECOMP Physical Model (DPM) to address uncertainties raised by the larger De-compartmentalization and Sheetflow Enhancement project. The scope of the DPM is to conduct a large-scale field study to address scientific, hydrologic, and water management issues utilizing a temporary controllable conveyance feature. Portions of the DPM project area are primarily located in the following 7.5-minute Quad: Coopertown NW.

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Elevation and tree community surveys were conducted on tree islands within the DPM project's area of potential effect. The results indicate that the islands in WCA 3B are significantly drier than the islands in WCA 3A; however, most of the islands are dominated by flood-tolerant species. This suggests that the average annual hydro-period on the islands in WCA 3B could be increased significantly above the values reported for these islands over the last seven years, while still maintaining hydrologic conditions within the known tolerances of their dominant species. The DPM project is not expected to have an adverse effect on tree islands or potential cultural resource sites on those islands in the project area.

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I request your concurrence with the Corps' determination of no potential effect. If there are any questions, please contact Ms. Natalie Garrett at 904-232-1250 or e-mail at natalie.s.garrett@usace.army.mil.

Sincerely,

Eric P. Summa
Chief, Environmental Branch

Enclosures

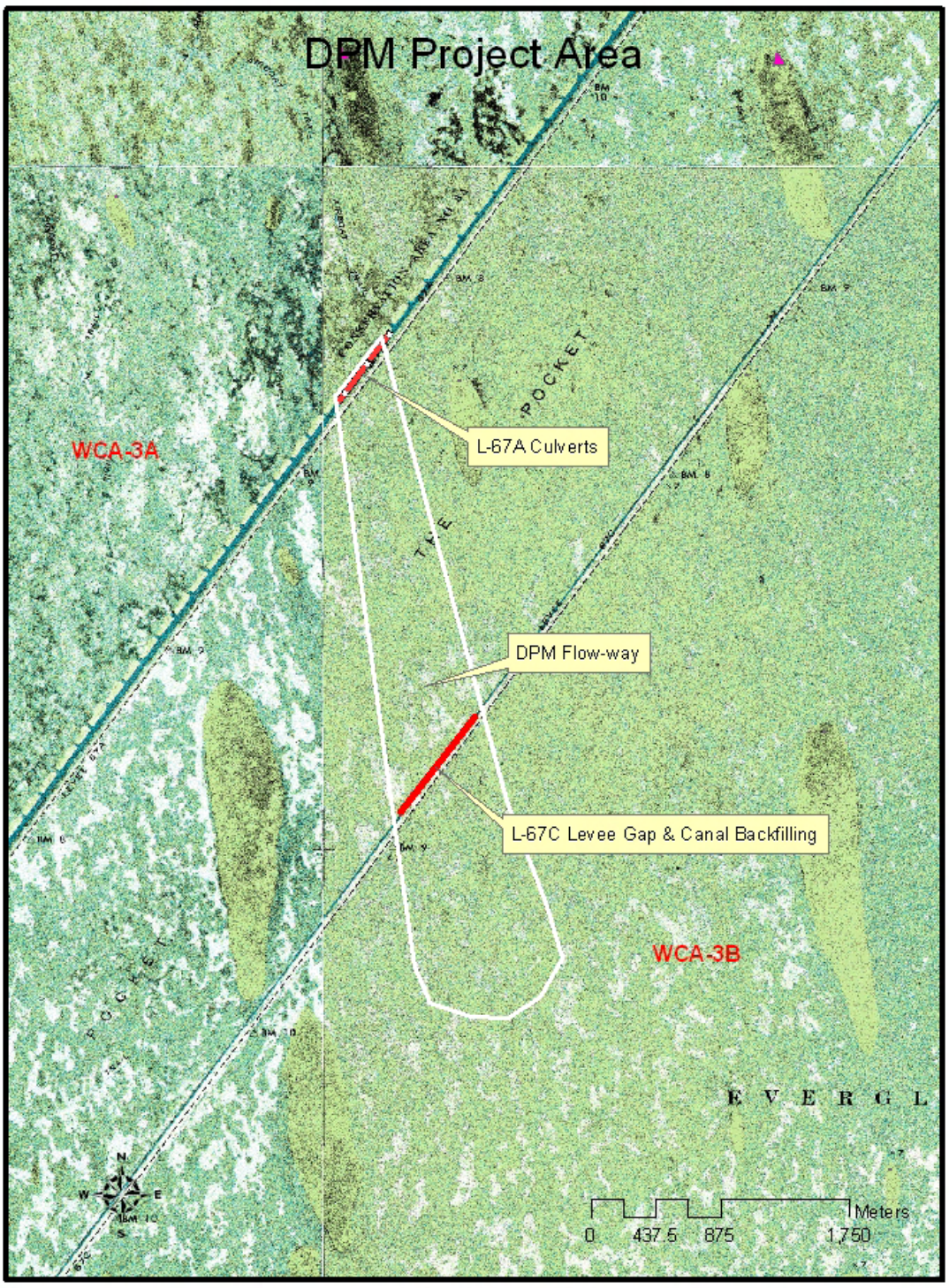

Figure 1: Coopertown NW Quad

FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF HISTORICAL RESOURCES

Mr. Eric Summa
Planning Division
Jacksonville USACE
P.O. Box 4970
Jacksonville, Florida 32232-0019

August 4, 2009

Re: DHR Project File No. 2009-04057
Received by DHR: July 16, 2009
US Army Corps of Engineers, South Florida Water Management District, US Geological Survey, and the Everglades National Park
Project: Construct DECOMP Physical Model
Miami-Dade County

Dear Mr. Summa:

Our office reviewed the referenced project for possible impact to historic properties listed, or eligible for listing, in the National Register of Historic Places. The review was conducted in accordance with Section 106 of the National Historic Preservation Act of 1966 as amended, and 36 CFR Part 800: Protection of Historic Properties; and the National Environmental Policy Act of 1969, as amended and the implementing state regulations.

It is the opinion of this office that the proposed project will have no effect on historic properties.

If you have any questions concerning our comments, please contact Michael Hart, Historic Sites Specialist, by phone at (850) 245-6333, or by electronic mail at mrhart@dos.state.fl.us. Your continued interest in protecting Florida's historic properties is appreciated.

Sincerely,

Laura A. Kammerer

Laura A. Kammerer
Deputy State Historic Preservation Officer
For Review and Compliance

500 S. Bronough Street • Tallahassee, FL 32399-0250 • http://www.flheritage.com

❒ Director's Office
(850) 245-6300 • FAX: 245-6436

❒ Archaeological Research
(850) 245-6444 • FAX: 245-6452

✓ Historic Preservation
(850) 245-6333 • FAX: 245-6437

Garrett, Natalie S SAJ

From: Steve Terry [SteveT@miccosukeetribe.com]
Sent: Monday, July 27, 2009 3:44 PM
To: Garrett, Natalie S SAJ
Subject: DECOMP Physical Model

Follow Up Flag: Follow up
Flag Status: Red

Natalie,
THe Miccosukee Tribe received the letter from the Corps of Engineers concerning the proposal to construct the DECOMP Physical Model to address uncertainities. After careful review of the letter and scant documentation provided, Mr. Dayhoff and I have concluded the following.

Please check the State Master List to determine what tree islands have archaeological sites located on them Has a Phase I study been done for this project to ascertain the impacts of this project? What is the proposed water levels? There is not sufficient information given so that the Tribe can determine if these islands will be flooded or not. As you know, the Tribe cannot allow these islands to be flooded.

Thank you for consulting with the Miccosukee Tribe. Please contact me (305) 223-8380, Ext. 2243, if you have any questions.

Steve Terry
NAGPRA & Section 106 Coordinator for
Fred Dayhoff
NAGPRA & Section 106 Representative
Miccosukee Tribe
P.O. Box 440021
Miami, FL 33144-0021
(305) 223-8380, Ext. 2243
Stevet@miccosukeetribe.com

SEMINOLE TRIBE OF FLORIDA
TRIBAL HISTORIC PRESERVATION OFFICE

TRIBAL HISTORIC
PRESERVATION OFFICE

SEMINOLE TRIBE OF FLORIDA
AH-TAH-THI-KI MUSEUM

HC-61, BOX 21A
CLEWISTON, FL 33440

PHONE: (863) 983-6549
FAX: (863) 902-1117

Natalie Garrett
Department of the Army
Jacksonville District Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232-0019

THPO#: 003880

Wednesday, July 22, 2009

Subject: Proposal to construct the DECOMP Physical Model, Everglades National Park, Florida

Dear Ms. Garrett,

The Tribal Historic Preservation Office of the Seminole Tribe of Florida (STOF-THPO) has received your correspondence concerning the aforementioned project. The STOF-THPO concurs with the findings of "no historic properties affected" within the APE for this project. However, the STOF-THPO would like to be informed should any archaeological and/or historic resources be discovered during the construction process.

We thank you for the opportunity to review the information that has been sent to date regarding this project. Please reference ***THPO-003880*** for any related issues.

We look forward to working with you in the future.

Sincerely,

FOR

Willard Steele,
Tribal Historic Preservation Officer

Direct routine inquiries to:

Dawn Hutchins,
Compliance Review Supervisor

JLP:dh

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

REPLY TO
ATTENTION OF

Planning and Policy Division
Environmental Branch

MAR 16 2017

Mr. Larry Williams, Field Supervisor
U.S. Fish and Wildlife Service
1339 20th Street
Vero Beach, FL 32960

Dear Mr. Williams,

The Jacksonville District, U.S. Army Corps of Engineers (Corps) is beginning preparation of a National Environmental Policy Act (NEPA) Environmental Assessment (EA) for the Water Conservation Area 3 (WCA 3) Decompartmentalization (Decomp) and Sheetflow Enhancement Physical Model (DPM). The DPM is a field test conducted along a 3,000 foot stretch of the L-67A and L-67C levees and canals in WCA 3A and 3B to determine how best to design and formulate plans for future Decompartmentalization of WCA 3, as visualized in the Comprehensive Everglades Restoration Plan (CERP).

The DPM is located within the Everglades of southeastern Florida in Miami-Dade County. The DPM includes the temporary installation of 10, 60-inch culverts (collectively called S-152) with a combined discharge capacity of 750 cubic feet per second installed along a stretch of the L-67A levee. Three 1,000 foot backfill treatments (no backfill, partial backfill and complete backfill) are located within the L-67C canal, adjacent to and directly east of the S-152 structure. The L-67C levee is gapped for 3,000 feet, directly east of the backfill treatments, to allow the flow from WCA 3A to pass through the culverts, through the pocket between the L-67A and L-67C levees, across the backfill treatments and into WCA 3B. The DPM is designed to provide information regarding the effects of levee removal and canal backfill on the ridge and slough landscape.

An EA and Design Test Documentation Report (DTDR) was completed for the DPM with the signing of a Finding of No Significant Impact (FONSI) on April 13, 2010. The 2010 EA and DTDR anticipated operational testing of the DPM to begin in early 2011 and continue until late 2014. Construction of the DPM was delayed. Operational testing for the first flow event occurred in 2013. A Supplemental FONSI was signed on July 8, 2015 to address potential effects of two additional operational periods in 2015 and 2016, not proposed in the 2010 EA and DTDR. Operations of the DPM are currently limited to the months of October, November, December and January.

Additional operation of the DPM beyond the October 2016-January 2017 time frame requires additional NEPA documentation. The Corps has received a letter dated July 11, 2016, from the South Florida Water Management District expressing agreement with the Corps to extend the operation of the DPM under the Design Agreement for the CERP through Fiscal Year 2019. Additional years of operation will provide greater confidence in the overall reliability of the data collected and will allow the opportunity to more accurately address uncertainties associated with decompartmentalization of WCA 3, as well as address the mandated Reasonable and Prudent Alternative (RPA) of the July 22, 2016 Everglades Restoration Transition Plan Biological Opinion. The RPA requires additional testing of the DPM through Fiscal Year 2018.

Pursuant to the Endangered Species Act, as amended, the Corps is requesting written confirmation of species or their critical habitat either listed or proposed for listing that may be present within the referenced study area (Figure 1) upon receipt of this letter. The Corps has tentatively determined that the following list of threatened and endangered species may be present within the study area as illustrated in Tables 1 and 2. If you have any questions, or need further information, please contact Melissa Nasuti by email (melissa.a.nasuti@usace.army.mil) or telephone (904-232-1368). Thank you for your assistance in this matter.

Sincerely,

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

Enclosures

cc:
Mr. Miles Meyer, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, Florida 32960

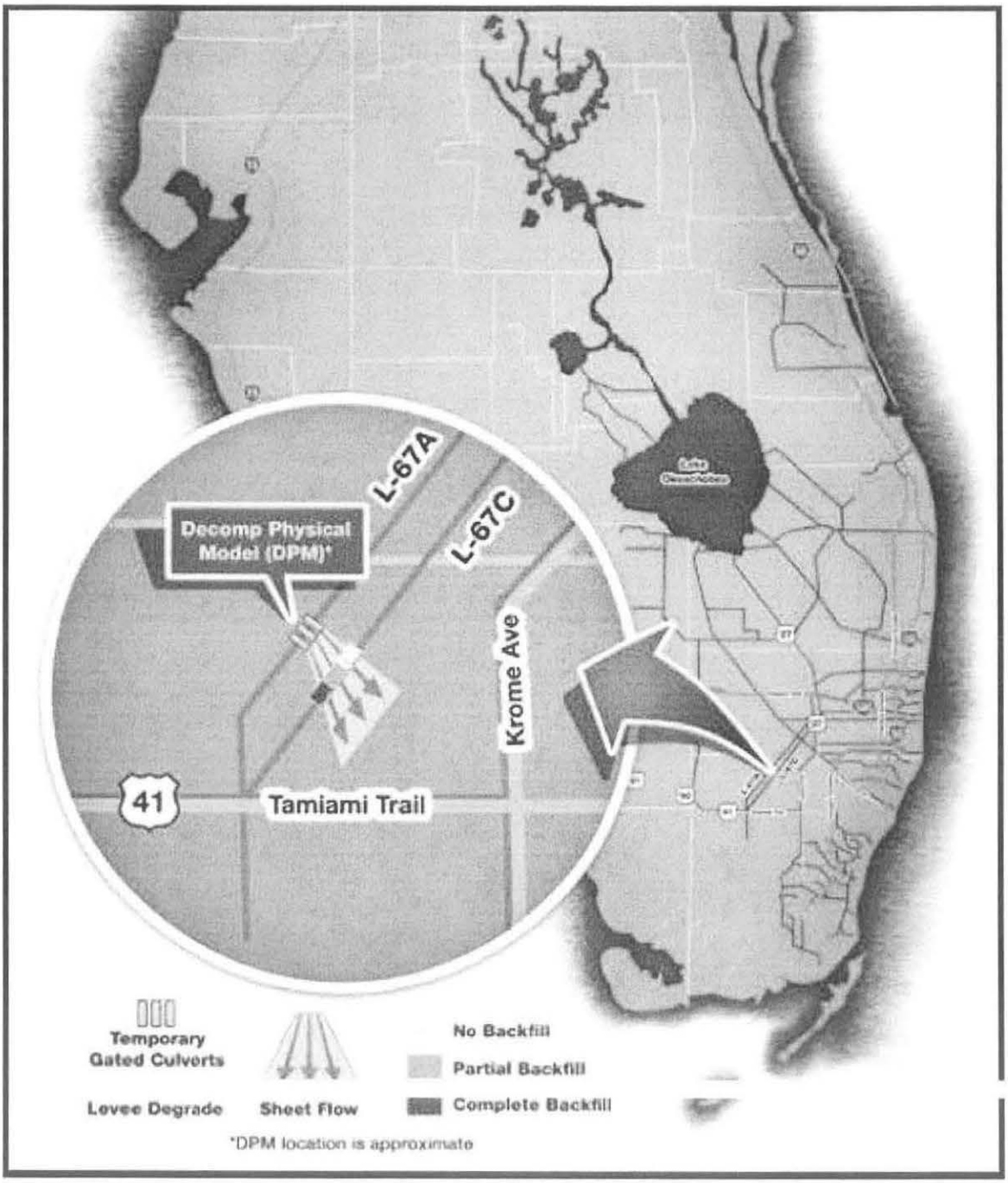

Figure 1. Project Area

Table 1. List of Federally Threatened and Endangered Species within the area potentially affected by the project (E: Endangered, T: Threatened, SA: Similarity of Appearance, CH: Critical Habitat, C: Candidate Species)

Common Name	Scientific Name	Status
Mammals		
Florida panther	*Puma concolor coryi*	E
Florida manatee	*Trichechus manatus latirostris*	E, CH**
Florida bonneted bat	*Eumops floridanus*	E
Birds		
Cape Sable seaside sparrow	*Ammodramus maritimus mirabilis*	E, CH**
Everglade snail kite	*Rostrhamus sociabilis plumbeus*	E, CH**
Wood stork	*Mycteria americana*	T
Reptiles		
American Alligator	*Alligator mississippiensis*	T, SA
Eastern indigo snake	*Drymarchon corais couperi*	T
Gopher tortoise	*Gopherus polyphemus*	C

** Indicates Critical Habitat for the designated species is not within the action study area

Table 2. List of State Listed Species within the area potentially affected by the project (E: Endangered, T: Threatened, SC: Species of Special Concern)

Common Name	Scientific Name	Status
Mammals		
Florida black bear	*Ursus americanus floridanus*	T
Everglades mink	*Mustela vison evergladensis*	T
Florida mouse	*Podomys floridanus*	SC
Florida mastiff bat	*Eumops glaucinus floridanus*	E
Birds		
Limpkin	*Aramus guarauna*	SC
Little blue heron	*Egretta caerulea*	SC
Tricolored heron	*Egretta tricolor*	SC
Snowy egret	*Egretta thula*	SC
Reddish egret	*Egretta rufescens*	SC
White ibis	*Eudocimus albus*	SC
Florida sandhill crane	*Grus canadensis pratensis*	T
Burrowing owl	*Athene cunicularia*	T
Invertebrates		
Florida tree snail	*Liguus fasciatus*	SC

Nasuti, Melissa A CIV USARMY CESAJ (US)

From: Palmer, Kevin <kevin_palmer@fws.gov>
Sent: Tuesday, April 04, 2017 10:20 AM
To: Nasuti, Melissa A CIV USARMY CESAJ (US)
Cc: miles meyer
Subject: Re: [Non-DoD Source] DPM

Hi Melissa,

Glad you are doing well. Thank you for clarifying the intent to change the operating window to 'year-round' for the next round of testing, which will require additional NEPA. I'm assuming some analysis, or other agreement, indicates that operating the culverts when water levels are lower in the L-67A will not increase phosphorus loading in WCA-3B beyond the current limit.

Regarding the species list you provided in your correspondence... I would make the following changes... remove alligator and gopher tortoise. Remove the 'double asterisk' next to snail kite critical habitat as the "pocket" between L-67A and L-67C is designated snail kite habitat so it does exist within the project area.

Determinations from previous correspondence were no effect for panther, manatee and sparrow. MANLAA for bonneted bat, snail kite, wood stork and eastern indigo snake.

Let me know if I missed anything or if you need anything further from the Service. We look forward to receiving and reviewing your next request.

Thanks,
Kevin

On Fri, Mar 31, 2017 at 8:13 AM, Nasuti, Melissa A CIV USARMY CESAJ (US) <Melissa.A.Nasuti@usace.army.mil <mailto:Melissa.A.Nasuti@usace.army.mil> > wrote:

Kevin,

With regard to changes, the current NEPA covered the time span of October through January of a given year. Operational testing of the structure was limited to this time frame primarily due to potential water quality concerns. Additional NEPA documentation is being prepared to extend the window to operate the structure year round. Constraints will continue to be in place including not operating the structure if Site 71 exceeds the stage constraint of 8.5 NGVD.

Anticipate sending a simple letter stating species effects determinations.

Believe we are on the same page.

Taking the email below as confirmation of the species list provided. I noticed that we did not previously include the alligator. Should this species be included?

Thanks,

Melissa

-----Original Message-----
From: Palmer, Kevin [mailto:kevin_palmer@fws.gov <mailto:kevin_palmer@fws.gov>]
Sent: Tuesday, March 28, 2017 2:41 PM
To: Nasuti, Melissa A CIV USARMY CESAJ (US) <Melissa.A.Nasuti@usace.army.mil <mailto:Melissa.A.Nasuti@usace.army.mil> >
Cc: miles meyer <miles_meyer@fws.gov <mailto:miles_meyer@fws.gov> >
Subject: [Non-DoD Source] DPM

Hi Melissa,

Hope you are doing well. I just received your letter requesting a species list for the 3-year extension of the DPM project. I looked back through the record and it looks like we concurred with a two-year extension in 2015 (attached) which updated the species list (added FBB). There have not been any recent changes to the species list pertinent to that project. If there are no significant changes to the project, you could go ahead and submit your species affects determinations and request for concurrence which we could get turned around quickly.

Let me know how you wish to proceed.

Additionally, your characterization of the Service's RPA pertaining to the DPM structure found in the 2016 ERTP BO, is inaccurate. The Service is more concerned with flowing water east through the structure into its historic flow path, rather than continued testing. This, of course, is the main goal of the ERTP. The Service continues its support of the DPM as well as the complete removal of over 240 miles of canals, levees and other impediments originally envisioned in the CERP.

Thank you for coordinating this with us.

Kevin

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Kevin Palmer
U.S. Fish and Wildlife Service
South Florida Ecological Services Field Office
1339 20th Street
Vero Beach, Florida 32960-3559
Phone: 772-469-4280
Fax: 772-562-4288 & 564-7393
Email: Kevin_Palmer@fws.gov <mailto:Kevin_Palmer@fws.gov> <mailto:Kevin_Palmer@fws.gov <mailto:Kevin_Palmer@fws.gov> >

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Kevin Palmer
U.S. Fish and Wildlife Service
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Vero Beach, Florida 32960-3559
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DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-0019

APR 12 2017

Planning and Policy Division
Environmental Branch

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

Dear Chairman Cypress:

The purpose of this letter is to invite you and/or your representative to participate on the Project Delivery Team (PDT) for the Physical Model for the Water Conservation Area 3 (WCA 3) Decompartmentalization and Sheetflow Enhancement (DECOMP) Project and to formally initiate Government-to-Government consultation between the Miccosukee Tribe of Indians of Florida and the Jacksonville District, U.S. Army Corps of Engineers (Corps). The Corps is beginning preparation of a National Environmental Policy Act (NEPA) assessment for the continued operation of the DECOMP Physical Model (DPM).

Section 601(b)(1) of the Water Resources Development Act of 2000, Public Law 106-541, authorized the Comprehensive Everglades Restoration Plan (CERP) as a framework for modifications and operational changes to the Central and South Florida Project to restore, preserve, and protect the south Florida ecosystem while providing for other water-related needs of the region including water supply and flood protection. The WCA 3 DECOMP Project is a component of CERP. The main purpose of the DECOMP Project is to remove sheetflow obstructions in order to reestablish the ecological and hydrological connection between WCA 3A and 3B, Everglades National Park, and Big Cypress National Preserve. The Corps and South Florida Water Management District (SFWMD) entered into a design agreement dated May 12, 2000 for purposes of conducting activities related to planning, engineering and design of CERP projects including DECOMP. The DPM is being conducted pursuant to that agreement as a design effort to gather information to formulate decompartmentalization of WCA 3 and use for the design of CERP features.

An Environmental Assessment and Design Test Documentation Report was completed for the DPM with the signing of a Finding of No Significant Impact on April 13, 2010. Operations of the DPM are currently limited to the months of October, November, December and January. Additional operation of the DPM beyond the October 2016-January 2017 period requires additional NEPA documentation. The Corps has received a letter dated July 11, 2016, from the SFWMD expressing agreement with the Corps to extend the operation of the DPM under the Design Agreement for CERP through Fiscal Year 2019. Additional years of operation will provide greater confidence in the overall reliability of the data collected and will allow the opportunity to more accurately address uncertainties associated with decompartmentalization of WCA 3, as well as address the mandated Reasonable and Prudent Alternative of the July 22, 2016 Everglades Restoration Transition Plan Biological Opinion.

We intend to pursue an open and public process and recognize the obligations that the Corps has to the Miccosukee Tribe, including consultation under NEPA and Section 106 of the National Historic Preservation Act. Pursuant to Executive Order 13175, and in consideration of the Corps' Trust Responsibilities, I would like to invite the Miccosukee Tribe to participate in Government-to-Government consultation as part of our obligation for continued coordination. Additionally, the Corps would also like to invite you or your designated staff to participate on the DPM PDT that will be conducting the technical analyses and evaluations in support of extended operations. If you elect, please identify the appropriate Tribal member(s) or person(s) who could represent the Tribe on the PDT.

If you have any questions regarding the information in this letter, please feel free to contact me or you may contact Melissa Nasuti at 904-232-1368 or Melissa.A.Nasuti@usace.army.mil.

Sincerely,

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

Enclosure

cc:
Fred Dayhoff, NAGPRA Representative, Consultant to Miccosukee Tribe, HC 61 SR 68 Old Loop Road, Ochopee, FL 34141
Kevin Donaldson, Real Estate Services, Miccosukee Tribe of Indians of Florida, P.O. Box 440021, Tamiami Station, Miami, FL 33144
Gene Duncan, Director Water Resources Department, Miccosukee Tribe of Indians of Florida, P.O. Box 440021, Tamiami Station, Miami, FL 33144

Figure 1. Project Area

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-0019

APR 12 2017

Planning and Policy Division
Environmental Branch

The Honorable Marcellus Osceola Jr.
Chairman, Seminole Tribe of Florida
6300 Stirling Road
Hollywood, FL 33024

Dear Chairman Osceola:

The purpose of this letter is to invite you and/or your representative to participate on the Project Delivery Team (PDT) for the Physical Model for the Water Conservation Area 3 (WCA 3) Decompartmentalization and Sheetflow Enhancement (DECOMP) Project and to formally initiate Government-to-Government consultation between the Seminole Tribe of Florida and the Jacksonville District, U.S. Army Corps of Engineers (Corps). The Corps is beginning preparation of a National Environmental Policy Act (NEPA) assessment for the continued operation of the DECOMP Physical Model (DPM).

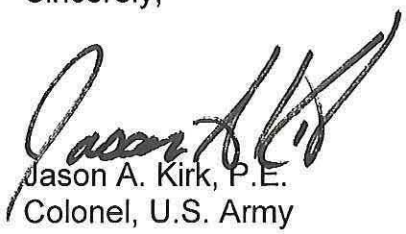
Section 601(b)(1) of the Water Resources Development Act of 2000, Public Law 106-541, authorized the Comprehensive Everglades Restoration Plan (CERP) as a framework for modifications and operational changes to the Central and South Florida Project to restore, preserve, and protect the south Florida ecosystem while providing for other water-related needs of the region including water supply and flood protection. The WCA 3 DECOMP Project is a component of CERP. The main purpose of the DECOMP Project is to remove sheetflow obstructions in order to reestablish the ecological and hydrological connection between WCA 3A and 3B, Everglades National Park, and Big Cypress National Preserve. The Corps and South Florida Water Management District (SFWMD) entered into a design agreement dated May 12, 2000, for purposes of conducting activities related to planning, engineering and design of CERP projects including DECOMP. The DPM is being conducted pursuant to that agreement as a design effort to gather information to formulate the decompartmentalization of WCA 3 and use for the design of CERP features.

An Environmental Assessment and Design Test Documentation Report was completed for the DPM with the signing of a Finding of No Significant Impact on April 13, 2010. Operations of the DPM are currently limited to the months of October, November, December, and January. Additional operation of the DPM beyond the October 2016-January 2017 period requires additional NEPA documentation. The Corps has received a letter dated July 11, 2016, from the SFWMD, expressing agreement with the Corps to extend the operation of the DPM under the Design Agreement for CERP through Fiscal Year 2019. Additional years of operation will provide greater confidence in the overall reliability of the data collected and will allow the opportunity to more accurately address uncertainties associated with decompartmentalization of WCA 3, as well as address the mandated Reasonable and Prudent Alternative of the July 22, 2016 Everglades Restoration Transition Plan Biological Opinion.

We intend to pursue an open and public process and recognize the obligations that the Corps has to the Seminole Tribe of Florida including consultation under NEPA and Section 106 of the National Historic Preservation Act. Pursuant to Executive Order 13175, and in consideration of the Corps' Trust Responsibilities, I would like to invite the Seminole Tribe of Florida to participate in Government-to-Government consultation as part of our obligation for continued coordination. Additionally, the Corps would also like to invite you or your designated staff to participate on the DPM PDT that will be conducting the technical analyses and evaluations in support of extended operations. If you elect, please identify the appropriate Tribal member(s) or person(s) who could represent the Tribe on the PDT.

If you have any questions regarding the information in this letter, please feel free to contact me or you may contact Melissa Nasuti at 904-232-1368 or Melissa.A.Nasuti@usace.army.mil.

Sincerely,



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

Enclosure

cc:
Dr. Paul N. Backhouse, Ph.D., Seminole Tribe of Florida, Tribal Historic Preservation Officer, Ah Tha Thi Ki Museum, 30290 Josie Billie Hwy, PMB 1004, Clewiston, Florida 33440
Cherise Maples, Director, Environmental Resource Management, Seminole Tribe of Florida, 6300 Stirling Road, Hollywood, FL 33024
Michelle Diffenderfer, Lewis, Longman and Walker, 515 N Flagler Drive, Suite 1500, West Palm Beach, FL 33401
Patricia Powers, Bose Public Affairs Group, 2000 M Street, N.W., Suite 520, Washington, D.C. 20036

Figure 1. Project Area

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

REPLY TO
ATTENTION OF

Planning and Policy Division
Environmental Branch

JUN 07 2017

Mr. Larry Williams, Field Supervisor
U.S. Fish and Wildlife Service
1339 20th Street
Vero Beach, FL 32960

Dear Mr. Williams,

The Jacksonville District, U.S. Army Corps of Engineers (Corps) is beginning preparation of a National Environmental Policy Act (NEPA) Environmental Assessment (EA) for the Water Conservation Area 3 (WCA 3) Decompartmentalization and Sheetflow Enhancement Physical Model (DPM). The DPM is a field test conducted along a 3,000 foot stretch of the L-67A and L-67C levees and canals in WCA 3A and 3B to determine how best to design and formulate plans for future decompartmentalization of WCA 3, as visualized in the Comprehensive Everglades Restoration Plan .

The DPM is located within the Everglades of southeastern Florida in Miami-Dade County. The DPM includes the temporary installation of 10, 60-inch culverts (collectively called S-152) with a combined discharge capacity of 750 cubic feet per second installed along a stretch of the L-67A levee. Three 1,000 foot backfill treatments (no backfill, partial backfill and complete backfill) are located within the L-67C canal, adjacent to and directly east of the S-152 structure. The L-67C levee is gapped for 3,000 feet directly east of the backfill treatments to allow the flow from WCA 3A to pass through the culverts, through the pocket between the L-67A and L-67C levees, across the backfill treatments and into WCA 3B. The DPM is designed to provide information regarding the effects of levee removal and canal backfill on the ridge and slough landscape.

An EA and Design Test Documentation Report (DTDR) was completed for the DPM with the signing of a Finding of No Significant Impact (FONSI) on April 13, 2010. The 2010 EA and DTDR anticipated operational testing of the DPM to begin in early 2011 and continue until late 2014. A Supplemental FONSI was signed July 8, 2015 to document NEPA compliance for a third and fourth year of testing in 2015 and 2016. Operational testing of the DPM has included three flow events which started in the fall of 2013 (November 5, 2013 – December 30, 2013) and continued through 2014 (November 4, 2014 – January 29, 2015), 2015 (November 16, 2015 – January 28, 2016) and 2016 (October 17, 2016 – January 31, 2017). Operations of the DPM are currently limited to the end of the wet season through the early dry season as defined in the 2010 EA and FONSI. The Corps is proposing to continue DPM operations in 2017 year round, with the potential for additional testing through the year 2021. Additional years of operation will provide greater confidence in the overall reliability of the data collected and will allow the opportunity to more accurately address uncertainties associated with decompartmentalization of WCA 3, as well as address the mandated Reasonable and Prudent Alternative of the July 22, 2016 Everglades Restoration Transition Plan Biological Opinion to continue operation of DPM through Fiscal Year 2018.

The Corps requested written confirmation of federally listed threatened and endangered species that are either known to occur or are likely to occur within the project area from the U.S. Fish and Wildlife Service (USFWS) by letter dated April 9, 2009. Concurrence on the presence of listed species was received July 22, 2009. Informal consultation was initiated December 17, 2009. The Corps had determined that the plan identified in the 2010 EA and FONSI would have the following effects on federally listed species and critical habitat.

a. May effect, not likely to adversely affect, Eastern indigo snake (*Drymarchon corais couperi*), wood stork (*Mycteria americana*), Everglade snail kite (*Rostrhamus sociabilis*), and Everglade snail kite critical habitat.

b. No effect on West Indian Manatee (*Trichechus manatus*), Cape Sable seaside sparrow (*Ammodramus maritimus mirabilis*) and Florida panther (*Felis concolor coryi*).

Concurrence on these determinations was received from USFWS February 9, 2010. A Final Fish and Wildlife Coordination Act Report was received December 22, 2009.

Informal consultation with USFWS was re-initiated by letter dated March 31, 2015, as a result of the Florida bonneted bat (*Eumops floridanus*) being identified as a federally listed endangered species with the potential to occur within the project area. The Corps determined that operation of the DPM as proposed in the 2010 EA and FONSI and 2015 Supplemental FONSI, may effect, but is not likely to adversely affect, this species. The USFWS concurred with this determination by letter dated April 28, 2015.

Pursuant to Section 7 of the Endangered Species Act (ESA), the Corps is requesting written confirmation for no change in listed species determinations as previously consulted upon. Environmental effects of the DPM are discussed in the 2010 EA and FONSI, 2015 Supplemental FONSI and forthcoming 2017 EA. Additional operational testing beyond the October to January timeframe is not expected to appreciably impact water depths within WCA 3A or WCA 3B. The Site 71/SRS1 stage constraint for WCA 3B of 8.5 feet National Geodetic Vertical Datum of 1929 will continue to apply. The DPM is short term and temporary in nature; any potential changes to existing natural resources within the project area are not expected to be of lasting duration. The physical features of the DPM are expected to be removed at the end of the field test and the project site would be returned to original conditions.

If you have any questions concerning this project or our determinations, please contact Mrs. Melissa Nasuti by email melissa.a.nasuti@usace.army.mil or by telephone 904-232-1368. Thank you for your assistance in this matter.

Sincerely,

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

Enclosure

Cc:
Mr. Miles Meyer, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, Florida 32960
Mr. Kevin Palmer, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, Florida 32960

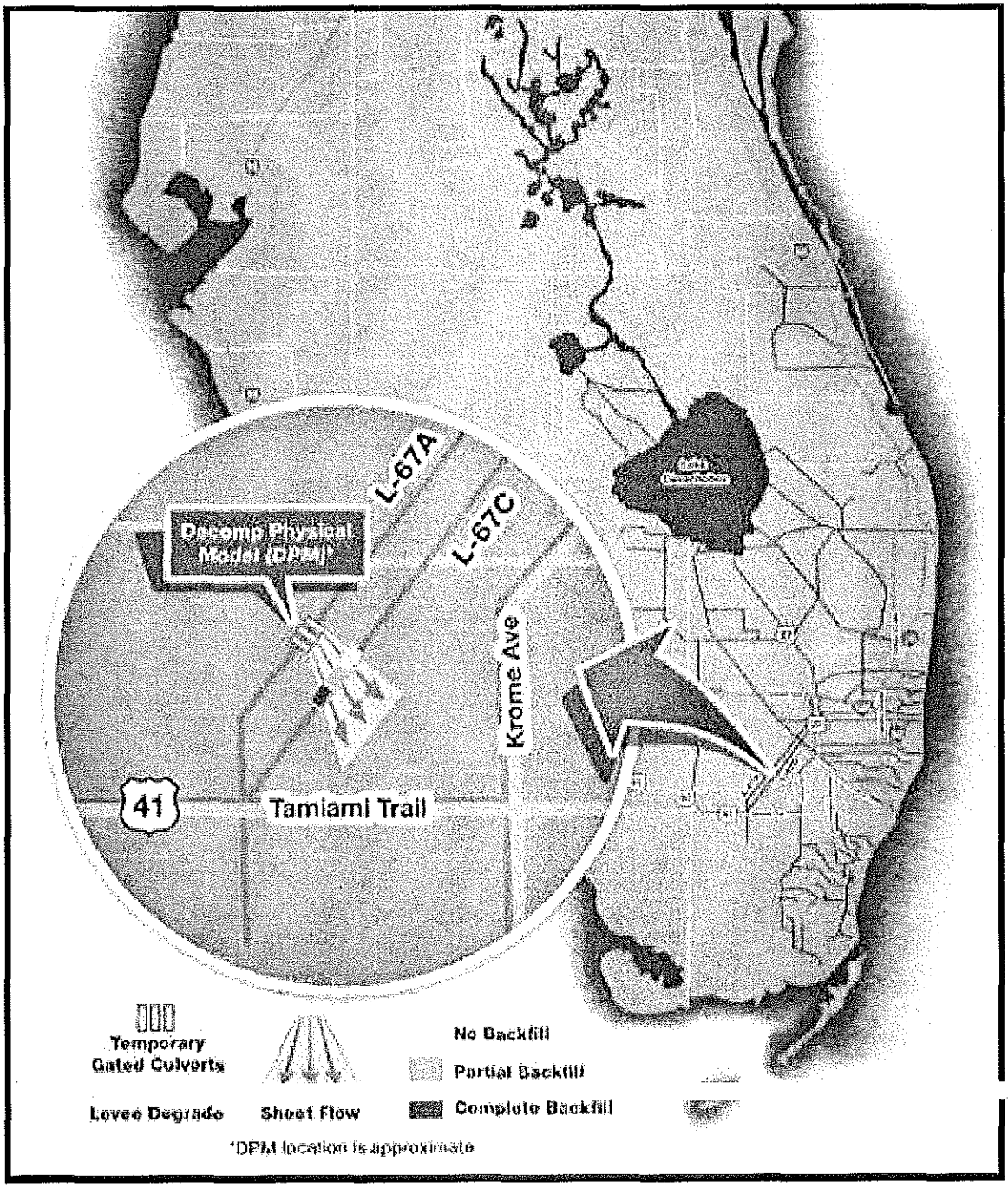


Figure 1. Project Area

APPENDIX A – CENTRAL AND SOUTHERN FLORIDA PROJECT

OPERATIONAL STRATEGY
FOR
WATER CONSERVATION AREA 3
DECOMPARTMENTALIZATION (DECOMP) AND SHEET FLOW ENHANCEMENT PROJECT – PHYSICAL MODEL
PHASE 2

JACKSONVILLE DISTRICT
U.S. ARMY CORPS OF ENGINEERS
JUNE 2017

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OPERATIONAL STRATEGY FOR WATER CONSERVATION AREA 3 DECOMPARTMENTALIZATION (DECOMP) AND SHEET FLOW ENHANCEMENT PROJECT - PHYSICAL MODEL PHASE 2

1 GENERAL OVERVIEW

The Comprehensive Everglades Restoration Plan (CERP) was authorized by Congress in 2000. The main objective of the plan is hydrologic restoration which will be achieved by increasing water storage capacity and redistributing water to reestablish ecologically desirable patterns of depth, distribution, and flow in the freshwater wetlands and salinity regimes in estuaries. CERP contains multiple elements, designed to restore ecosystem function and ensure adequate water supply (storage and distribution) while other efforts are designed to address water quality. Considered by many to be the heart of CERP, the Water Conservation Area 3 Decompartmentalization and Sheet Flow Enhancement (Decomp) Project aims to reestablish sheet flow in the Everglades by decompartmentalization (i.e., removing barriers to flow and unnatural preferential flow paths provided by canals). The goal of Decomp is to hydrologically reconnect a significant component of the Everglades peatland: Water Conservation Area (WCA) 3A, WCA-3B, and Northeast Shark River Slough (NESRS). The Decomp effort will require a significant amount of engineering which will result in dramatic alteration to the ecosystem. The Decomp effort proposed under CERP entails the full or partial removal of several levees, the full or partial backfilling of canals, and alteration of a major roadway, Tamiami Trail. This operational strategy for the DPM was developed to help guide operations of the temporary design-test structure (S-152) consistent with existing water management operating criteria and constraints identified in the April 2010 Installation, Testing and Monitoring of a Physical Model for the Water Conservation Area 3 Decompartmentalization and Sheet Flow Enhancement Project Final Environmental Assessment and Design Test Documentation Report (2010 EA) and with the science objectives stated in the 2010 DPM Science Plan. The 2010 EA included a Finding of No Significant Impact (FONSI). Information on the Decomp Physical Model (DPM) design test, a field-scale test, can be found in the 2010 EA. The 2010 EA anticipated operational testing of the DPM to begin in early 2011 and continue until late 2014. Construction of the DPM was delayed. Two operational periods of DPM testing were performed from 5 November 2013 to 30 December 2013 and from 4 November 2014 to 29 January 2015. A Supplemental FONSI was signed on 8 July 2015 to address potential effects of two additional operational periods in 2015 and 2016, not proposed in the 2010 EA. The Supplemental FONSI concluded that two additional operational periods in 2015 (October 2015 – January 2016) and 2016 (October 2016 – January 2017) would not result in a significant effect on the human environment. Two additional operational periods of DPM testing were performed from 16 November 2015 to 28 January 2016 and from 17 October 2016 to 31 January 2017.

The physical features of the DPM (see DPM Overview map in **Figure 1** and DPM Location map in **Figure 2**) are temporary and are expected to be removed at the end of the field test. The DPM includes four phases: pre-installation monitoring, installation, operations/testing, and disbandment/return to pre-test conditions. The project site would be returned to original conditions at the conclusion of the test. The DPM has been a large-scale field test designed to address hypotheses about reintroducing flow with marsh velocities thought to be representative of those that occurred historically from WCA-3A to WCA-3B. The physical features and operations are designed to mimic historic flow conditions in a controlled and predictable manner that will enable scientifically relevant investigations. The information gained from this field test has provided critical information for 1) assessing various canal backfilling options that will likely be evaluated in the Decomp Project and 2) understanding the extent to which the magnitude and direction of sheetflow is necessary to maintain the landscape characteristics of the Everglades. All elevations in this document are in feet, North American Vertical Datum of 1988 (ft., NAVD) unless otherwise noted.

The Corps is proposing a fifth year of testing in 2017, with the potential for additional years of testing through the year 2021 for purposes of gaining information to further address scientific, hydrologic and water management uncertainties that require clarification prior to the design of decompartmentalization features within WCA 3, included in CERP. Water flow, stage, sediment movement, water quality and ecological parameters will continue to be measured consistent with the DPM EA and FONSI (dated April 13, 2010). Extension of DPM operations outside of the October-January (end of the wet season through the early dry season) time frame, to year round subject to conditions, as well as, additional years of operation, will provide greater confidence in the overall reliability of the data collected and will allow the opportunity to more accurately address uncertainties associated with decompartmentalization of WCA 3. Continued operation of the DPM will also increase the likelihood of capturing a wider range of hydrologic events to substantiate lessons learned to date.

Furthermore, additional operation of the DPM beyond the October 2016-January 2017 time frame is being pursued to address the mandated Reasonable and Prudent Alternative (RPA) of the July 22, 2016 Everglades Restoration Transition Plan (ERTP) Biological Opinion by the United States Fish and Wildlife Service (FWS). The RPA requires that the Corps, in partnership with the SFWMD and subject to the successful completion of National Environmental Policy Act and other environmental requirements continue to operate the field test, pursuant to State Water Quality Certification, for purposes of obtaining additional information through FY 2017 and FY 2018. The RPA acknowledged that continued utilization of the DPM during the time limited effort is expected to provide direct and incidental benefits to the Cape Sable Seaside Sparrow by shifting water east.

Phase 2 of the DPM field test will begin early in the 2017-2018 dry season via the opening of all gates of S-152 and may continue, subject to constraints as noted in this Operational Strategy (including Section 4.1 OPERATIONAL WINDOW), through 2021. Because of the short

duration (up to four years) of Phase 2 of the DPM, a Project Operating Manual is not necessary. However, an operational strategy is necessary for successful implementation and completion of the DPM Phase 2.

DPM Science Team:

The primary purpose of Phase 2 of the DPM is to conduct scientific tests and obtain scientific data related to the ecological effects of backfilling canals and modifying levees. The scientific tests have been carefully designed by the DPM Science Team and the test results are of significant value to future Everglades restoration efforts. The DPM Science Team is comprised of scientists and hydrologists from the U.S. Army Corps of Engineers (USACE), South Florida Water Management District (SFWMD), U.S. Geological Survey (USGS), FWS, and Everglades National Park (ENP). Prior to Phase 2 of the DPM, the DPM Science Team will review existing hydrologic, ecologic, and water quality data of canals, marshes, and tree islands in WCA 3. Based on review of the data and conditions, and consideration of the operational constraints, the DPM Science Team will exchange information relevant to the optimal time and duration to operate S-152 in order to meet project objectives. The DPM Science Team will coordinate with USACE Water Management Section staff (OD-MW) regarding gate operations of S-152.

2 DPM SITE LOCATION AND FEATURES DESCRIPTION

The DPM is situated between WCA-3A and WCA-3B (**Figure 2**) in a region referred to as the "pocket". The pocket is approximately 1.2 miles in width and is bounded on the upstream (northwest) by the L-67A and downstream (southeast) side by the L-67C canal and levee system. The DPM will focus its efforts in a region in the pocket referred to as the flow-way. The flow-way is oriented along an apparent historic flow-path from approximately north-northwest to south-southeast. The flow-way is approximately 1.8 miles in length and is not oriented perpendicular to the existing L-67A and L-67C. The flow-way contains several large sloughs and sawgrass ridges; however, no tree islands are contained within the flow-way.

The L-67A canal is both a borrow canal and conveyance canal, receiving waters from the Miami Canal, S-9 pump station, and WCA-3A. The L-67A canal is bounded on the east by the L-67A levee and on the west by a spoil mound due to placement of soil sidecast during the excavation of the L-67A borrow canal. A series of gaps in the spoil mound allows mixing of canal water with WCA-3A marsh water. The L-67C levee and the associated L-67C borrow canal were constructed to reduce seepage under the eastern perimeter levees of WCA-3, L-33 and L-30, by providing a step down of the water level difference between WCA-3A and WCA-3B, thereby providing flood protection for the developed communities east of WCA-3B. The L-67C borrow canal does not directly receive discharges from control structures nor is it used for conveyance. The L-67C canal is bounded to the southeast by the L-67C levee and to the west by a small discontinuous spoil mound created during the excavation of the L-67C borrow

canal. Inflow into the pocket occurs through seepage, from WCA-3A, and direct rainfall. Under pre-DPM conditions, water leaves the pocket through a combination of evaporation, seepage, and surface discharge through an approximately 1,000 feet (ft) long gap in the L-67C levee located about eight miles southwest of the Miami Canal (C-304) within WCA-3B.

During Phase 2 of DPM operations, flow will be manipulated by allowing water to pass from WCA-3A through the L-67A canal into the pocket through ten gated 60-inch diameter high density polypropylene culverts (S-152) with a combined maximum flow of 750 cubic feet per second (cfs). The ten culverts with vertical slide gates have been installed side-by-side and will discharge directly into sloughs within the flow-way. The S-152 culvert structure will not be remotely operated but will be manually operated on-site. In order to establish sheet flow and evaluate canal back filling options, a 3,000 ft long gap has been opened in the L-67C levee downstream of S-152. Levee material was deposited in the L-67C canal to create a 1,000 ft long completely full backfill segment and a 1,000 ft long partially full backfill segment. The remaining 1,000 ft long segment of the L-67C canal within the DPM flow-way was left unaltered. Following completion of the DPM Phase 2, it is expected that S-152 will no longer be operated and the L-67C canal and levee will be reconstructed to pre-construction (or better) conditions. **Figure 3 and Figure 4** contain a depiction of the schematic layout of the DPM at L-67A and L-67C, respectively.

3 DPM CONSISTENCY WITH EXISTING OPERATING CRITERIA

The U.S. Army Corps of Engineers (USACE) is responsible for conducting water management operations at the S-12s and S-355s, as well as working closely with the South Florida Water Management District (SFWMD), in ensuring that the current WCA-3A Interim Regulation Schedule and South Dade Conveyance System (SDCS) operations are implemented. Water levels in WCA-3A are currently managed according to the WCA-3A Interim Regulation Schedule and the Modified Water Deliveries (MWD) Increment 1.1 and 1.2 Operational Strategy (Increment 1 Plus). Increment 1 Plus includes the WCA-3A regulation schedule and SDCS operations. The WCA-3A regulation schedule stipulates that the L-67A Borrow Canal stage should not be drawn down below 7.5 ft., NGVD unless water is supplied from another source. When WCA-3A water levels are in Zones D/E/E1 of the WCA-3A regulation schedule, releases from WCA-3A are determined by the Rainfall Plan (WCA-3A Surface Water Deliveries to Everglades National Park). The WCA-3A regulation schedule relies on the Rainfall Plan for determining the amount, timing, and distribution of surface water flows from WCA-3A to SRS. When WCA-3A water levels are in Zone A, releases from WCA-3A are to be made up to maximum practicable. The SFWMD is responsible for operation and maintenance of S-333 which releases water from WCA-3A to NESRS via the L-29 Canal and culvert through Tamiami Trail.

The current WCA-3A regulation schedule and Increment 1 Plus will continue to be used during the DPM unless replaced by subsequent authorized operating criteria. Operation of the S-355A and S-355B structures are included within ERTP. FDEP permit (FDEP Permit Number 0246512-003) has been issued to USACE for operation of S-355A and S-355B. Total surface water deliveries to NESRS during the DPM are anticipated to increase under the current Increment 1 Plus operations. In addition, deliveries to meet water supply demands in the Lower East Coast will be maintained.

The USACE will be responsible for operation and maintenance of S-152. S-152 discharges initiated during Phase 2 of the DPM are intended to proceed until scientific objective(s) are met or until constraint(s) are anticipated to be exceeded. If either the WCA-3A interim regulation schedule or ERTP is modified prior to or during implementation of the DPM, the modified operations and associated constraints, where applicable, will be in effect. The USACE water management section will exchange information with the DPM science team regarding whether and how the changes might affect DPM scientific objectives.

4 CONSTRAINTS

A number of operational constraints are described in this section that relate to the DPM operational criteria explained in section 5.2.

4.1 OPERATIONAL WINDOW

Phase 2 of the DPM field test may include year round operation of S-152, with all of the S-152 gates open full, subject to constraints as noted in this Operational Strategy, from as early as November 2017 through 2021. The original operational window for the DPM per FDEP Permit Number 0304879-003 was November through December; later modified to include January. However, DPM (S-152) Phase 2 operations will be consistent with FDEP Permit 0304879 as modified (including the most recent modification of this permit). Should operations be desirable outside the currently permitted operational window, the science team will develop new water quality Operational Rules which would be provided to the FDEP for approval. In addition, a permit modification may be required before operations could occur outside of the currently permitted operational window.

4.2 WCA-3B STAGE

The current level of flood protection east of the L-30 and L-31N levees must be maintained. Increased water levels within WCA-3B may result in increased seepage to the east as well as potential impacts to the protective levee system. This may occur when the stage at SRS-1 and/or Site 71 in WCA-3B rises to 8.5 ft., NGVD or higher.

4.3 FISH AND WILDLIFE

Adverse impacts to protected fish and wildlife species are not expected, consistent with the conclusions identified in the 2010 EA. Should an adverse impact be anticipated or occur, the field test will be halted. The U.S. Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FWC) will be consulted and the test adjusted accordingly.

4.4 L-67A BORROW CANAL

The WCA-3A regulation schedule stipulates that the L-67A Borrow Canal stage should not be drawn down below 7.5 ft., NGVD unless water is supplied from another source.

4.5 SOUTH DADE CONVEYANCE SYSTEM

Typically the SDCS conveys water that includes seepage from WCA-3B. The SDCS must have available capacity to effectively manage the increased seepage volume that could occur if stages within WCA-3B rise to 8.5 ft., NGVD or higher at SRS-1 and/or Site 71.

4.6 WATER QUALITY OF DISCHARGES TO WCA'S AND ENP

The DPM will include control measures to ensure that there are no unanticipated adverse impacts to water quality as a result of this test. The test is proposed to start near the end of the wet season (i.e. November-December) when historically the water quality is relatively better than at other times of the year. If water quality monitoring data indicates the potential for an adverse effect on water quality, the DPM operations will be suspended or adjusted to minimize or eliminate the potential effect. Any discharges through S-355A and B will continue to be monitored in accordance with the FDEP monitoring requirements. It is anticipated that this test will include operation of the S-355 A and B structures in accordance with FDEP permit conditions and DPM objectives and constraints. The DPM field test is not dependent on operability of the S-355A and B structures.

Water Quality Operational Rules:

Water Quality Operational Rules have been or will be developed using S-151 water quality data and marsh stage data (Eden 8) for determining a recommendation on whether, in the permitted Phase 2 of the DPM, discharges through S-152 may be performed. These rules have been or will be developed, modified, and/or supplemented and they will have been incorporated into FDEP Permit Number 0304879 prior to the start of Phase 2 of the DPM. It is possible that this permit will be modified in the future, thereby incorporating changes and/or additions to water quality operational rules. During Phase 2 of the DPM, operation of S-152 (discharging through S-152), if it occurs, will be consistent with FDEP Permit Number 0304879 as modified (including the most recent modification of this permit). Any

modifications to the rules will be incorporated into the FDEP permit or into a document referenced in the FDEP permit.

Prior to Phase 2 of the DPM, an interagency team (different than the Science Team), which would consist of interested members from each stakeholder agency such as the Corps, SFWMD, FWS, FWC, FDEP, ENP, USGS and appropriately Federally recognized Tribes will be assembled to review data and exchange information related to the latest site specific sampling and relevant Science Team work. The Corps, in consultation with the SFWMD, will determine S-152 operations using the Operational Rules described above and consideration of interagency team information; also the Corps may consider any additional information obtained at the S-152 sampling site.

4.7 L-29 BORROW CANAL

The Tamiami Trail transportation corridor must remain functional during construction and operation of the DPM. The high water constraint for the Tamiami Trail L-29 Borrow Canal will remain consistent with Increment 1 Plus for the duration of the DPM Phase 2. Under Increment 1 Plus, S-333 discharges are typically discontinued if L-29 canal levels exceed 7.5 ft., NGVD under Increment 1.1 and 7.8 ft., NGVD under Increment 1.2. If the L-29 stage maximum operating limit is modified prior to or during implementation of Phase 2 of the DPM, the modified constraint will replace the previous high water constraint.

In addition, there has been a history in which the tailwater at the S-355s has exceeded the headwater. During the DPM, consistent with Increment 1 Plus, the S-355s will remain closed when there is no head or a reverse head across the S-355s.

4.8 G-3273

The G-3273 constraint of 6.8 ft., NGVD has been relaxed and will not be modified from the current Increment 1 Plus for the purposes of the DPM Phase 2. During the DPM Phase 2, operation of S-333 will follow the Increment 1 Plus criteria. If the G-3273 constraint is modified prior to or during implementation of the DPM, the modified constraint will be in effect.

4.9 WEATHER/CLIMATE CONDITIONS

Phase 2 of the DPM field test may include year round operation of S-152, with all of the S-152 gates open full, subject to constraints as noted in this Operational Strategy, from as early as November 2017 through 2021. However, DPM (S-152) operations will be consistent with FDEP Permit 0304879 as modified (including the most recent modification of this permit; see section 4.1 OPERATIONAL WINDOW). Tropical storm events or unusually dry or wet conditions can occur prior to or during this timeframe. Any of these conditions may require

modification of this timeframe with appropriate review and approval from FDEP and coordination with the DPM science team to ensure operations can achieve scientific objectives of this project.

5 OVERALL PLAN FOR WATER MANAGEMENT

The operational window is anticipated to be November 2017 through 2021 subject to constraints as noted in this Operational Strategy (see section 4.1 OPERATIONAL WINDOW) and will consist of one or more cycles of opening/closing S-152. S-152 may discharge up to 750 cfs to facilitate the DPM Phase 2 field test, until either DPM objective(s) are met or S-152 is closed subject to the constraints. DPM (S-152) operations will be consistent with FDEP Permit 0304879 as modified (including the most recent modification of this permit; see section 4.1 OPERATIONAL WINDOW).

Water will flow from S-152 across the pocket towards the 3,000-foot gap in the L-67C levee and into WCA-3B. An FDEP permit (FDEP Permit Number 0246512-003) has been issued to USACE for operation of S-355A and S-355B. Any discharges through S-355A and/or S-355B will be in accordance with this permit as modified. WCA-3B will be managed by targeting to convey S-152 discharges through WCA-3B to the L-29 borrow canal via S-355A and B. S-152 releases will be determined based upon several conditions including but not limited to: Rainfall Plan, DPM test objectives, WCA-3B water level, L-29 borrow canal water level, and SDCS status.

During Phase 2 of the DPM, the S-355A and S-355B structures are anticipated to be used to the maximum extent practicable for providing the surface water deliveries to NESRS specified by the Rainfall Plan and the WCA-3A regulation schedule. Closure of the S-355s may be initiated during high water conditions in WCA-3A to maximize regulatory releases from S-333. During periods of WCA-3A regulatory releases to the SDCS, the capability to continue operation of the S-355s will be assessed. When the combined S-355 discharge capability is not adequate to pass the desired 55 percent of the Rainfall Plan, S-333 will be used to supplement the flows, as necessary. Operational adjustments of the S-355s will be determined with consideration of test conditions and system conditions which include S-152 discharges.

5.1 IMPLEMENTATION OF RAINFALL PLAN.

During Phase 2 of the DPM field test, frequent exchange of information is expected to occur between USACE Jacksonville District Water Management Section staff (OD-MW) and member(s) of the DPM Science Team regarding gate operations. Before the start of DPM Phase 2, a conference call or meeting will occur between the DPM Science Team and OD-MW to discuss communication regarding operations during Phase 2. Science Team and OD-MW points of contact (POCs) will be established and contact information may be exchanged. It is expected that on an approximately bi-weekly basis throughout Phase 2, the Rainfall Plan target

discharge amount(s) to NESRS will be shared with OD-MW and Science Team POC(s). It will be the responsibility of USACE Jacksonville District Environmental Branch (PD-E), not the operator or OD-MW, to make decisions that affect project compliance regarding fish and wildlife and water quality constraints. Science Team POC(s) will share information with OD-MW staff regarding the target discharge at S-152 on an approximately bi-weekly basis throughout Phase 2. The Corps will develop assurances that fish and wildlife and water quality constraints are met for the S-152 target discharge for the week(s) of S-152 discharge being considered. A compliance determination that fish and wildlife and water quality constraints are met for the S-152 target discharge that week(s), based on the assurances, will be made by PD-E. Should an adequate compliance determination not be provided to OD-MW for an S-152 target discharge then S-152 will be closed.

Based on the above information, OD-MW will operate the S-355s and coordinate with SFWMD on their operation of S-333 to achieve the Rainfall Plan target discharge amount to NESRS.

5.2 S-152 OPERATING CRITERIA.

During each cycle S-152 may discharge up to 750 cfs to facilitate the DPM field test, until either DPM objective(s) are met or S-152 is closed as outlined below.

1. When WCA-3B stages (at SRS-1 and/or Site 71) equal or exceed 8.5 ft., NGVD, S-152 releases may be reduced or discontinued unless the 8.5 ft., NGVD criteria has been modified.

2. When S-355A and B are closed due to high water in L-29 Borrow Canal, S-152 releases may be reduced or discontinued before the 7.5 ft., NGVD (Increment 1.1) or 7.8 ft., NGVD (Increment 1.2) stage limit is reached.

3. When water quality constraint criteria per FDEP Permit Number 0304879 are exceeded, S-152 releases may be reduced or discontinued.

4. When the L-67A Borrow Canal stage is below 7.5 ft., NGVD and water is not available from another source S-152 releases will be discontinued as no water is available from WCA-3A.

6 DATA COLLECTION AND ANALYSIS.

Headwater, tailwater, flow, and precipitation data pertinent to the DPM will be made available at an OD-MW website. During testing within Phase 2 of the DPM, headwater and tailwater stages will be frequently monitored (e.g., one reading per fifteen to 60 minutes) as will water quality (per FDEP Permit Number 0304879). DPM Science Team staff will be monitoring and

interpreting data. A Water Control Data Acquisition System Plan (WCDASP) can be found in Appendix B.

7 WCA-3B SCHEDULE OF MAXIMUM ALLOWABLE STAGES.

Implementation of the Rainfall Plan may include the use of a schedule for WCA-3B water levels. Due to the intra-annual variability of water levels within WCA-3, increased operational flexibility may be expected during the dry season and following the end of the hurricane season (i.e., November 30). A schedule of maximum allowable stages at Site 71 and/or SRS-1 may be developed by OD-MW in coordination with the DPM Science Team and approved by USACE and SFWMD water managers. The weekly values of this schedule will be developed based on the state of the system just before the test.

8 STANDING INSTRUCTIONS TO S-152 OPERATOR.

Culvert structures can have four possible flow regimes resulting from the effects of gates and tailwater effects. The flow regimes are:

1. Uncontrolled Free Flow. The gates are fully opened and the discharge is unaffected by the tailwater stage.

2. Uncontrolled Submerged Flow. The gates are fully opened and the discharge is reduced by tailwater conditions.

3. Controlled Free Flow. The gates are partially opened and the discharge is unaffected by the tailwater stage.

4. Controlled Submerged Flow. The gates are partially open and the discharge is reduced by the tailwater conditions.

The S-152 discharge rating curve that is being used must be applicable to the particular flow regime encountered. Discharge rating curves for S-152 for anticipated flow regimes at S-152 (controlled/uncontrolled submerged flow) are found in Appendix A, Figures A-1 through A-4. The gates should be opened and closed gradually to provide an even transition to the new flow regime and to minimize hydraulic effects downstream. Figure A-5 (Appendix A) shows the S-152 maximum allowable gate opening for the design discharge of 800 cfs.

9 DEVIATION FROM NORMAL REGULATION.

The USACE Jacksonville District Water Management Section is responsible for handling deviation requests and transmitting them through the USACE Jacksonville District Commander to the South Atlantic Division (SAD) Engineer for final decision. The USACE Jacksonville District Commander is occasionally requested to deviate from normal regulation

schedules. Prior approval for a deviation is required from the SAD Engineer except as noted in subparagraph "9.1" below. Deviation requests usually fall into the following categories:

9.1 EMERGENCIES.

Examples of some emergencies that may potentially occur at a project are: drowning and other accidents, failure of the operation facilities, chemical spills, treatment plant failures and other temporary pollution problems. Water control actions necessary to abate the problem are taken immediately unless such action would create equal or worse conditions. USACE Districts must inform their Division office as soon as practicable, prepare written confirmation of the deviation and description of the cause and furnish it to the USACE Division water control manager. Divisions may develop forms to facilitate the reporting of emergency deviations.

9.2 UNPLANNED MINOR DEVIATIONS.

There are unplanned instances that create a temporary need for minor deviations from the normal regulation plan, although they are not considered emergencies. Construction accounts for the major portion of these incidents and typical examples include utility stream crossings, bridge work, and major construction contracts. Deviations are sometimes necessary to carry out maintenance and inspection of facilities. Requests for changes in release rates generally involve time periods ranging from a few hours to a few days. Each request is analyzed on its own merits. In evaluating the proposed deviation, consideration must be given to upstream watershed conditions, potential flood threat, and alternative measures that can be taken. In the interest of maintaining good public relations, requests generally are complied with providing there are no foreseen adverse effects on the overall regulation of the project (or projects) for the authorized purposes. Approval for these minor deviations normally will be obtained from the SAD office by telephone. Written confirmation explaining the deviation and its cause will be furnished to the SAD water control manager.

9.3 PLANNED DEVIATIONS.

Each condition should be analyzed on its own merits. Sufficient data on flood potential, watershed conditions, possible alternative measures, benefits to be expected, and probable effects on other authorized and useful purposes, together with the USACE Jacksonville District recommendation, will be presented by letter or telefacsimile to SAD for review and approval.

FIGURES

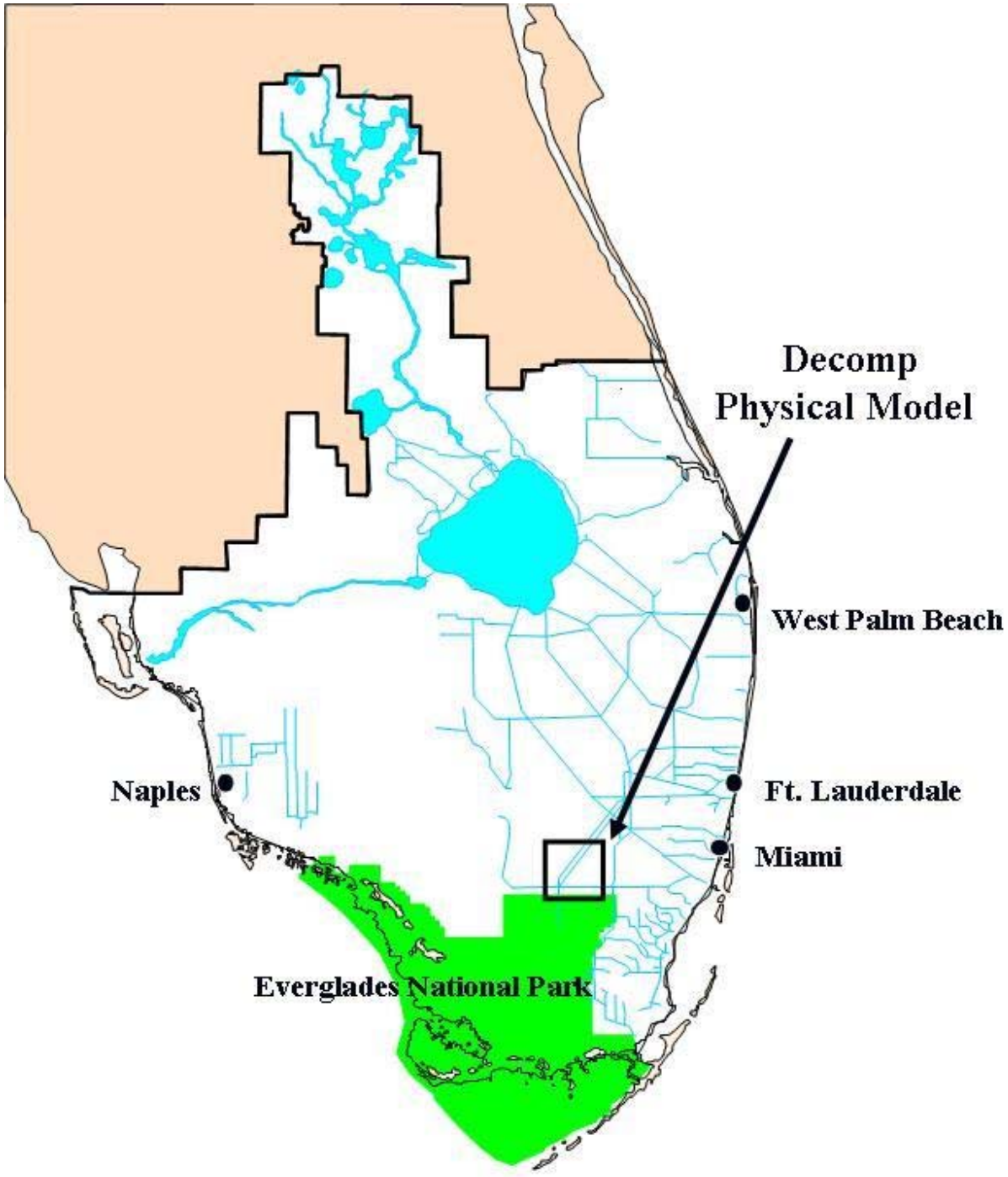

FIGURE 1: DECOMP PHYSICAL MODEL OVERVIEW

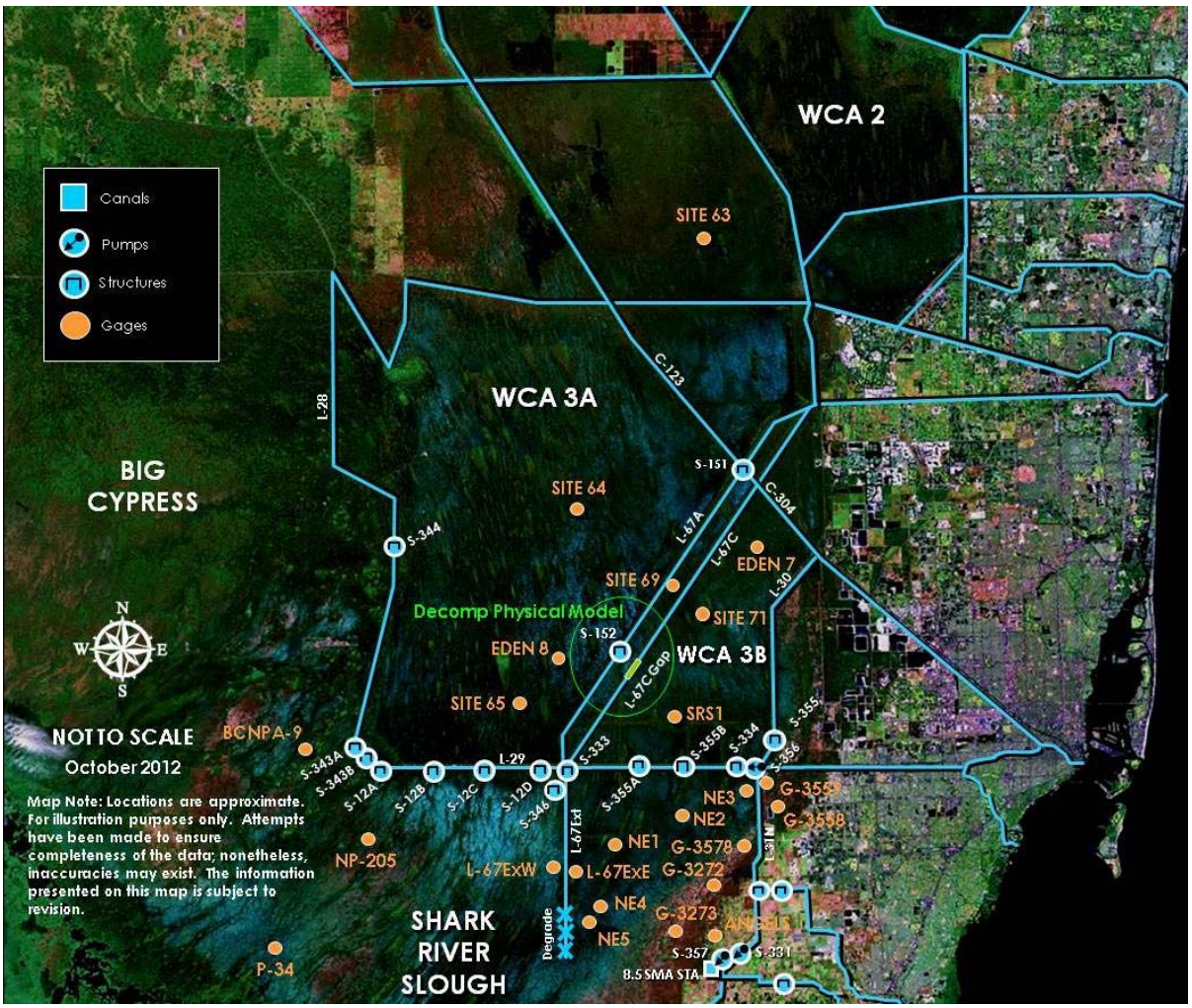

FIGURE 2: DECOMP PHYSICAL MODEL LOCATION

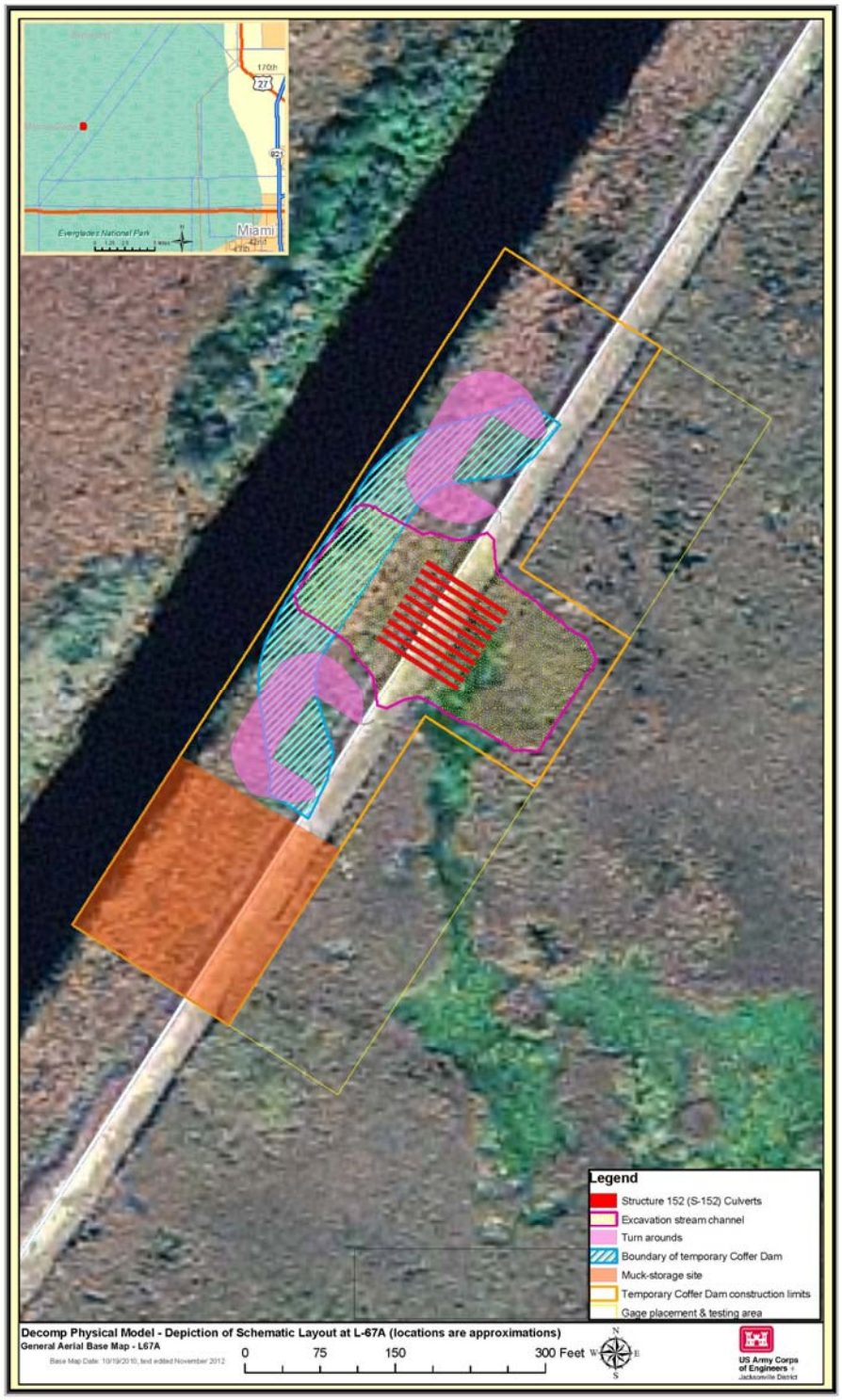

FIGURE 3: DECOMP PHYSICAL MODEL - DEPICTION OF SCHEMATIC LAYOUT AT L-67A

FIGURE 4: DECOMP PHYSICAL MODEL - DEPICTION OF SCHEMATIC LAYOUT AT L-67C

APPENDICES

APPENDIX A

STRUCTURE DESCRIPTION

Structure 152 (S-152)

Location. This culvert structure is located in the L-67A levee at NAD 1983 coordinates x = 780,838.878 y = 556,457.152.

Description. S-152 consists of ten High Density Polypropylene (HDPP) 60 inch diameter barrels with discharge controlled by vertical slide gates.

Purpose. S-152 will control flows from WCA-3A through the pocket to WCA-3B for the DPM field test.

Operation. See Section 5 Overall Plan for Water Management.

TABLE A-1: S-152 HYDRAULIC DESIGN DATA SHEET

Location (NAD 1983): L-67A Levee x = 780,838.878 y = 556,457.152

Design Conditions	Discharge (CFS)	800	cfs
	Headwater Elevation	7.20	ft., NAVD 88
	Tailwater Elevation	6.70	ft., NAVD 88
SPF Conditions	Discharge (CFS)	NA	cfs
	Headwater Elevation	13.1	ft., NAVD 88
	Tailwater Elevation	11.1	ft., NAVD 88
Culvert Data	Number of Barrels	10	
	Barrel Type	HDPE	
	Culvert Diameter	60	inches
	Culvert Length	100	ft
	Upstream Pipe Invert	1.0	ft., NAVD 88
	Downstream Pipe Invert	1.0	ft., NAVD 88
	Upstream Headwall	No	
	Downstream Headwall	No	
	Type of Control	Vertical Slide Gate	
Culvert Entrance/Exit Data	Side Slopes (Vert. on Hor.)	1 on 3	
	Upstream Bottom Width	108.0	ft
	Upstream Bottom Elevation	0.0	ft., NAVD 88
	Downstream Bottom Width	108.0	ft
	Downstream Bottom Elevation	0.0	ft., NAVD 88
Energy Dissipation	**Riprap Requirements**		
	Rip Rap Design Velocity	7.50	fps
	Upstream Length	10.00	ft
	Upstream Protection Elevation	13.00	ft., NAVD 88
	Downstream Length	20.00	ft
	Downstream Protection Elevation	11.00	ft., NAVD 88
	Energy Dissipator	No	

Note: To convert elevations at S-152 from ft., NAVD to ft., NGVD, the conversion is:

ft., NAVD + 1.52 ft = ft., NGVD. This is based on NGS monument reports on the following established benchmarks: PID AC4780, AC4779, AC4421, AC4776, and AC4775.

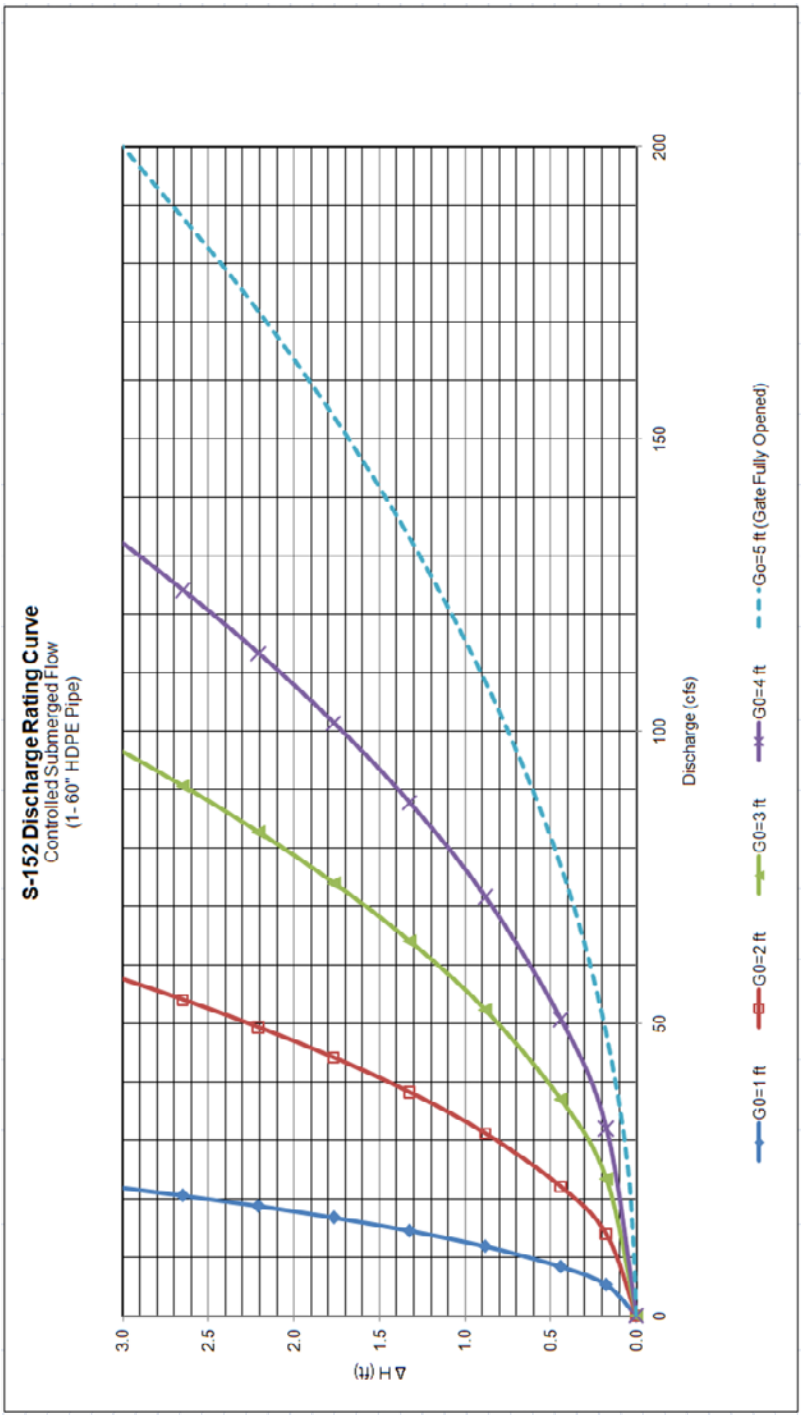

FIGURE A-1: S-152 DISCHARGE RATING CURVE – CONTROLLED FLOW (1 PIPE)

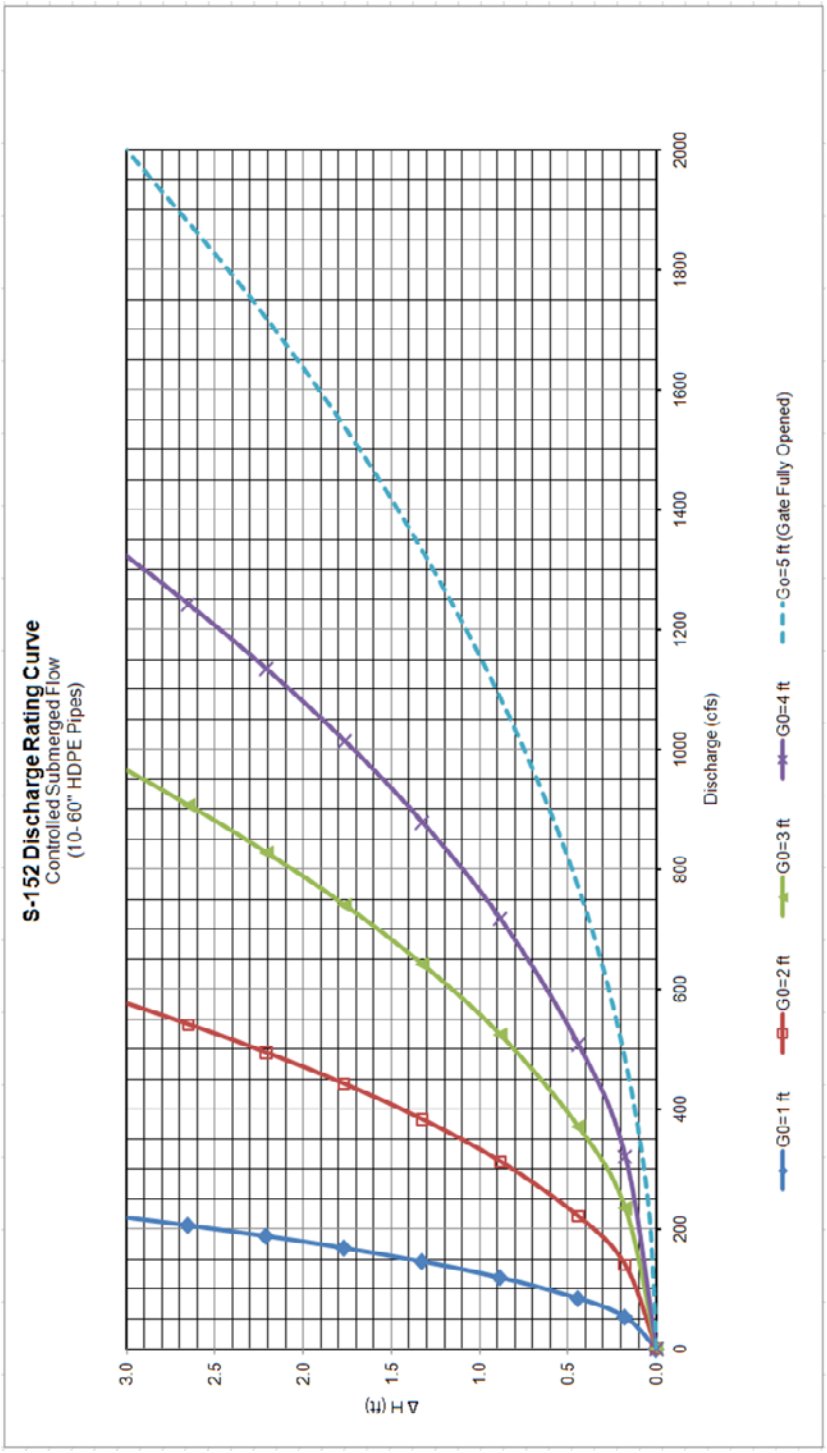

FIGURE A-2: S-152 DISCHARGE RATING CURVE – CONTROLLED FLOW (10 PIPES)

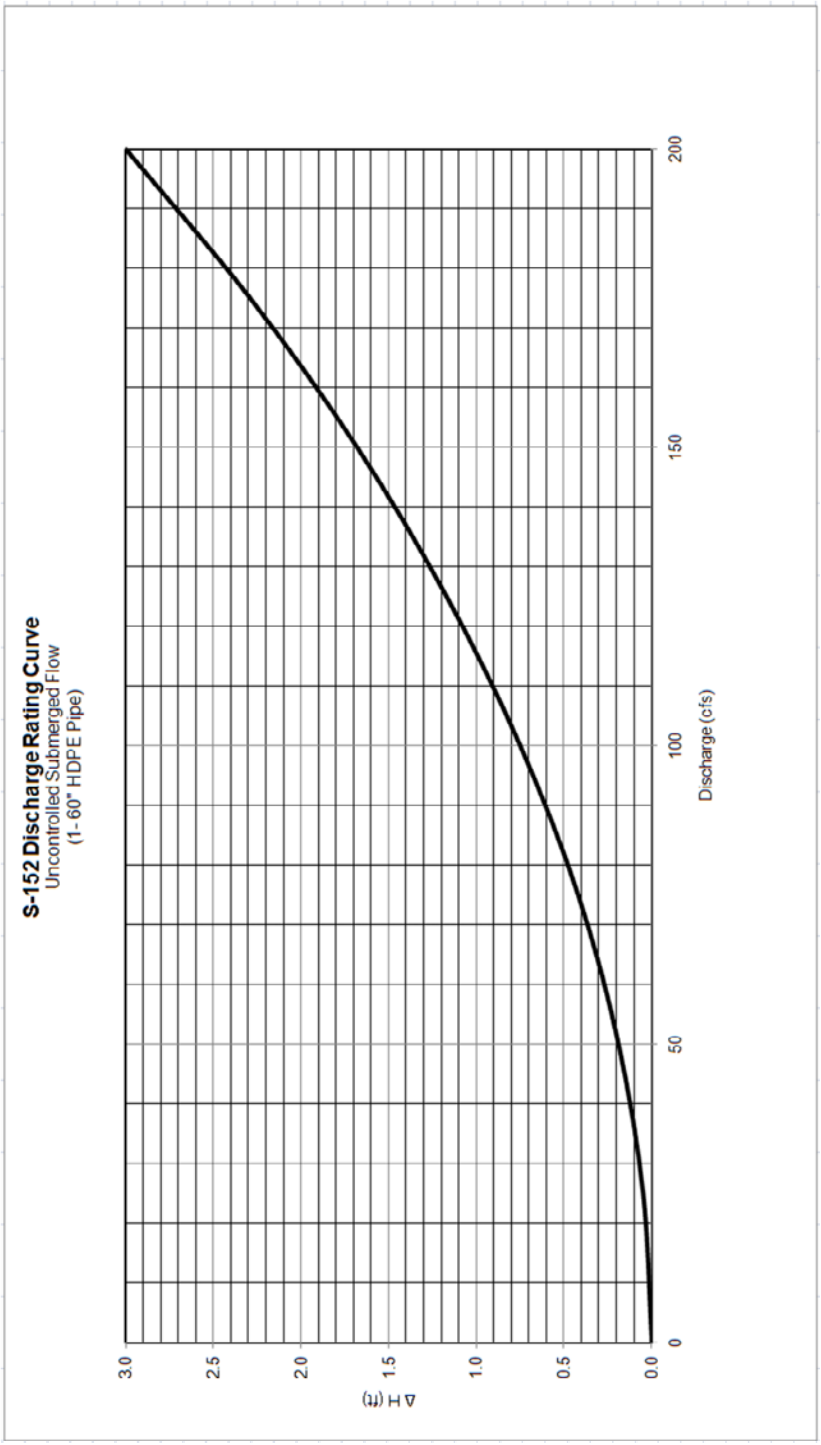

FIGURE A-3: S-152 DISCHARGE RATING CURVE – UNCONTROLLED FLOW (1 PIPE)

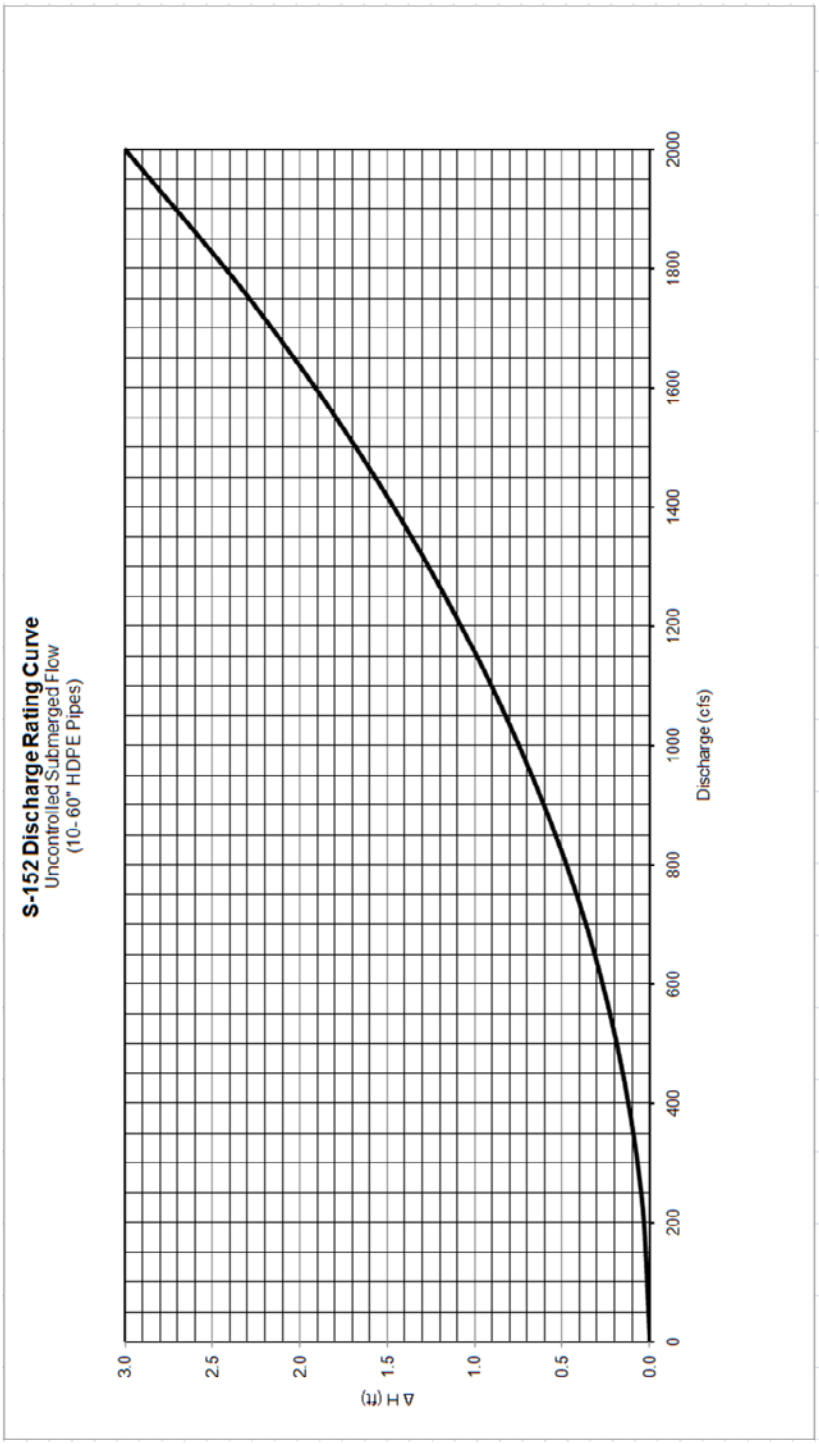

FIGURE A-4: S-152 DISCHARGE RATING CURVE – UNCONTROLLED FLOW (10 PIPES)

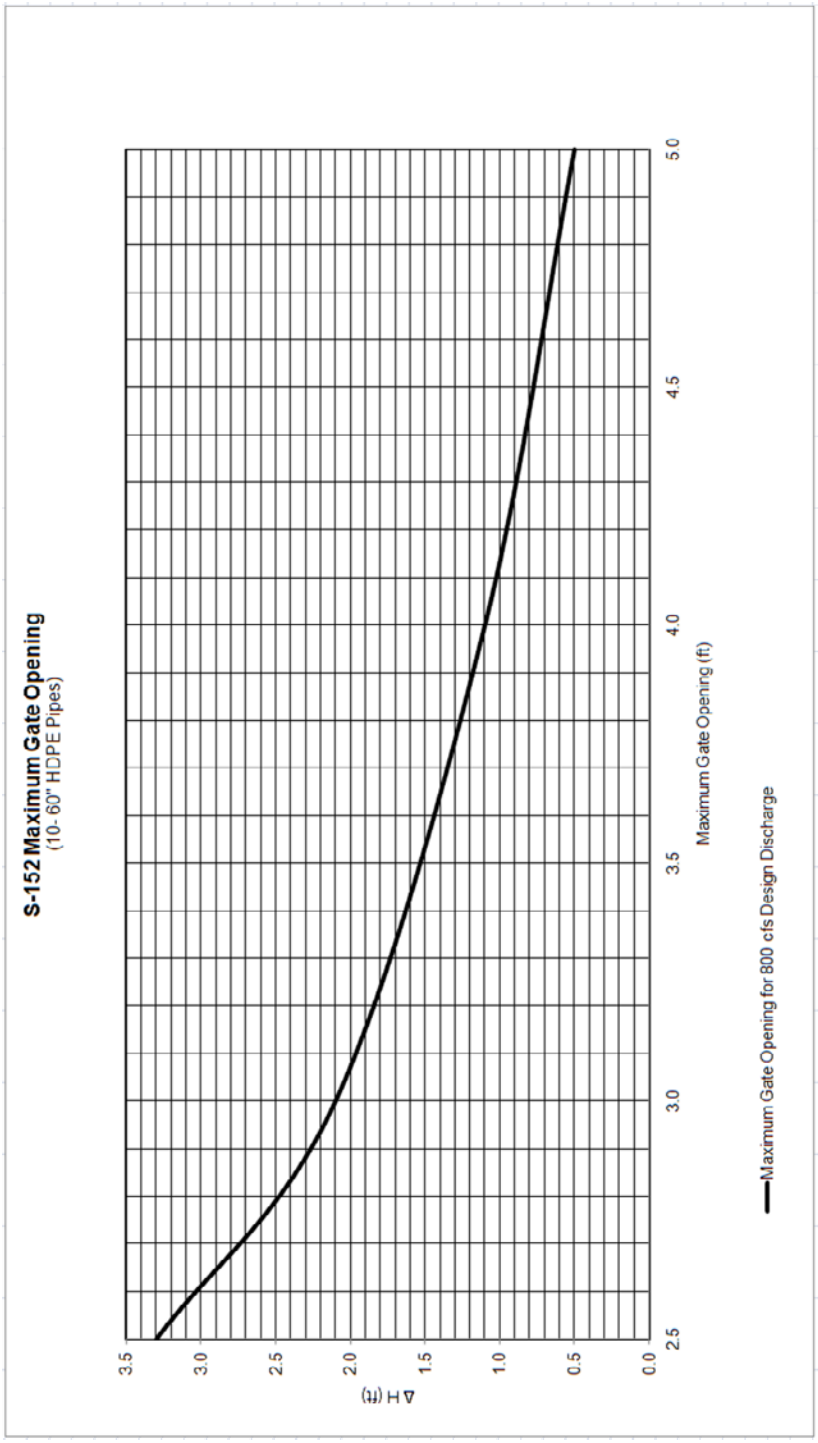

FIGURE A-5: S-152 MAXIMUM GATE OPENING

APPENDIX B

WATER CONTROL DATA ACQUISITION SYSTEM PLAN (WCDASP)

APPENDIX B

WATER CONTROL DATA ACQUISITION SYSTEM PLAN (WCDASP)

The S-152 is a manually operated gated culvert structure (Appendix A). S-152 will be equipped for remote monitoring of the headwater stage, tailwater stage, and point velocity meters if required. This Water Control Data Acquisition System Plan discusses data acquisition essential to the water control management function. This WCDASP will be a subset of the Water Control Data System specific to CERP.

Real time stage information will be available from stage recorders on the headwater and tailwater sides of S-152, and from existing gages in the project area including the SRS-1 and Site 71 gages in WCA-3B. Headwater, tailwater, and flow data from S-152 will be sent to the SFWMD operation center and to the Water Management Section, Jacksonville District, USACE via radio telemetry and/or Geostationary Operational Environmental Satellite telemetry and/or interagency data exchange procedures.

Stage, flow, and precipitation data for the DPM would be maintained in SFWMD and USACE databases. Data from the SFWMD operated data acquisition system such as stage, flow, and rainfall data will be available at a frequency of one reading per hour.

During testing within DPM Phase 2, headwater and tailwater stages will be frequently monitored (e.g., one reading per fifteen to 60 minutes) as will water quality per FDEP Permit Number 0304879.

From:	Moreno, Meredith A CIV USARMY CESAJ (US)
To:	"gened@miccosukeetribe.com"; Castaneda, Amy
Cc:	LoSchiavo, Andrew J CIV USARMY CESAJ (US); Taplin, Kimberley A CIV USARMY CESAJ (US); "Ramirez, Armando"; Nasuti, Melissa A CIV USARMY CESAJ (US)
Subject:	DECOMP Physical Model EA
Date:	Wednesday, May 10, 2017 2:29:00 PM
Attachments:	12-april-17_usace to micc_Decomp GovtoGov-2.pdf

Good afternoon all,

The Corps is currently working on an EA for an extension of the Decompartmentalization and Sheetflow Enhancement (DECOMP) Physical Model (DPM) Operations (see attached letter to Chairman). If you are interested, Melissa Nasuti (Environmental) and I (cultural resources) would like to schedule a meeting to discuss the alternatives and modeling that I am utilizing to determine effects to cultural resources/tree islands.

We would be happy to travel to your offices or host a webmeeting. Melissa and I are available May 17, June 5, or June 7 if you are interested in a meeting. If there is a day that works better for the tribe, please let me know and we can try and make ourselves available. I will call Mr. Dayhoff separately to invite him to the meeting.

Thank you,

Meredith A. Moreno, M.A., RPA
Archaeologist
Planning Division, Environmental Branch
Jacksonville District, US Army Corps of Engineers
Office: 904-232-1577
Mobile: 904-861-9967

From:	Moreno, Meredith A CIV USARMY CESAJ (US)
To:	"Paul Backhouse"; "Bradley Mueller"; "Anne Mullins"; Victoria Menchaca; Cherise Maples; "stacymyers@semtribe.com"; "KentLoftin@semtribe.com"
Cc:	Taplin, Kimberley A CIV USARMY CESAJ (US); "Ramirez, Armando"; LoSchiavo, Andrew J CIV USARMY CESAJ (US)
Subject:	DECOMP Physical Model EA
Date:	Wednesday, May 10, 2017 2:23:00 PM
Attachments:	12-april-17_usace to seminole_Decomp GovtoGov.pdf
Importance:	High

Good afternoon all,

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Thank you,

Meredith A. Moreno, M.A., RPA
Archaeologist
Planning Division, Environmental Branch
Jacksonville District, US Army Corps of Engineers
Office: 904-232-1577
Mobile: 904-861-9967

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

REPLY TO
ATTENTION OF

Planning and Policy Division
Environmental Branch

JUN 0 8 2017

Mr. Fred Dayhoff, Tribal Representative
NAGPRA, Section 106
Miccosukee Tribe of Indians of Florida
HC 61 SR 68
Ochopee, Florida 34141

Re: Extension of Decompartmentalization and Sheetflow Enhancement (DECOMP) Physical Model (DPM) Operations, Miami-Dade County, Florida

Dear Mr. Dayhoff:

The U.S. Army Corps of Engineers, Jacksonville District (Corps) is studying the environmental effects for an extension to the Decompartmentalization and Sheetflow Enhancement (DECOMP) Physical Model (DPM) Operations. The main purpose of the DECOMP Project is to restore natural landscape patterns and native flora and fauna in Water Conservation Area (WCA) 3A and Everglades National Park (ENP) by redistributing water entering the system and removing natural barriers to sheetflow in order to restore natural hydroperiods, flow and water depths, and to reestablish ecological connectivity. The DPM is a limited duration, fully controlled field test which utilizes S-152 to deliver experimental flows into WCA 3B to evaluate environmental responses to flow and evaluate the effects of partial and complete backfilling of canals and levee modifications.

An Environmental Assessment (EA) and Design Test Documentation Report (DTDR) was completed for the DPM with the signing of a Finding of No Significant Impact (FONSI) on April 13, 2010. The project provided for the temporary installation of 10, 60-inch culverts (collectively called S-152) installed along a 3,000 foot stretch of the L-67A levee (Figure 1). Three 1,000 foot backfill treatments (no backfill, partial backfill and complete backfill) are located within the L-67C canal, adjacent to and directly east of the S-152 structure. The L-67C levee is gapped for 3,000 feet, directly east of the backfill treatments, to allow the flow from WCA 3A to pass through the culverts, through the "pocket" between WCA 3A and WCA 3B, and across the backfill treatments into WCA 3B.

The 2010 EA and DTDR anticipated operational testing of S-152 to begin in early 2011 and continue until late 2014; however, construction of the DPM was delayed by one year. A Supplemental FONSI (dated July 8, 2015) was prepared to document National Environmental Policy Act compliance for purposes of proposing a third and fourth year of testing in 2015 and 2016. Operations of the DPM are currently limited to the months of October, November, December, and January based on criteria developed during planning stages of the project.

The Corps is proposing a fifth year of DPM testing in 2017, with the potential for additional years of testing through the year 2021 for purposes of gaining information to further address scientific, hydrologic, and water management uncertainties that require clarification prior to the design of decompartmentalization features within WCA 3. The proposed extension of the DPM operations would also include year-round testing consistent with current environmental and operational constraints to manage potential concerns related to increased water levels within WCA 3B. Specific constraints related to elevated water levels include the following; when WCA 3B stages (as measured at gages SRS-1 and/or Site 71) equal or exceed 8.5 feet NGVD29, S-152 releases will be reduced or discontinued; when water control structures S-355A and B are closed due to high water in the L-29 Borrow Canal, S-152 releases will be reduced or discontinued before the 7.5 feet NGVD (Increment 1.1) or 7.8 feet NGVD (Increment 1.2) stage limit is reached; and when the L-67A Borrow Canal stage is below 7.5 feet NGVD, and water is not available from another source, S-152 releases will be discontinued as no water is available from WCA 3A.

Based on ecological monitoring of the DPM testing conducted over the last three years by the South Florida Water Management District, the area of potential effect (APE) of the DPM is limited to WCA 3B and the effects themselves are small in magnitude. Prior flow events demonstrate that immediate responses to flow from the DPM rapidly diminished beyond approximately 500 meters of the S-152 structure. The maximum rise in water depths within the adjacent slough during the 2013-2015 flow events was 20 centimeters directly adjacent to S-152 structure, 12 centimeters approximately 500 meters south of S-152, 6 centimeters approximately 1,500 meters south of S-152, and 3.5 centimeters approximately 2,500 meters south of S-152.

In order to assess potential direct and indirect effects to cultural resources within the APE, the Corps developed a detailed analysis of the maximum water elevation the 31 previously identified tree islands and 36 archaeological sites is WCA 3B may be subject to based on the DPM constraint of 8.5 feet NGVD29 (as measured at gages SRS-1 and Site 71) (Figure 2). Using the Everglades Depth Estimation Network, water elevations were collected and reviewed for the tree islands in WCA 3B when Site 71 was at or above 8.5 feet NGVD29. Water elevations from September 1994 to March 2016 were averaged by month to estimate the maximum water elevation the tree islands and corresponding cultural resources may be exposed to prior to discontinuation of the DPM test. These results were then compared to water elevations at the same tree islands during the 2002-2012 period of Interim Operational Plan regulation in accordance with the Everglades Restoration Transition Plan (ERTP) Programmatic Agreement (PA).

As a result of this analysis, WCA 3B may experience slight water level increases due to the operational testing of S-152; however, increased water depths will not exceed the maximum water elevations tree islands and corresponding cultural resources have experienced historically. Additionally, tree islands that have not been subject to seasonal inundation during the IOP period will not be inundated as a result of DPM operations. It is important to note that the direct effect of DPM operations are limited to a distance of approximately 3,000 meters south of S-152, and situations that would require the discontinuation of testing based on the constraints noted above would likely be the result of flooding or drought conditions.

Based upon this analysis, the temporary nature of the field test, and as no inundation of tree islands is expected other than those typically experienced during seasonal operations, implementation of DPM is not anticipated to adversely affect cultural resources. In addition, as part of the ERTP PA, the Corps is currently monitoring water levels at the 31 known tree islands (25 of which contain known cultural resources) within WCA 3B. This monitoring will continue throughout the operational field test to provide further information to inform future water management plans and ensure oversight of this determination.

In summary, the Corps has determined that the continued operation of DPM will have no adverse effects on historic properties listed or eligible for listing in the National Register of Historic Places. Pursuant to Section 106 of the National Historic Preservation Act (16 USC 470) and it's implementing regulations (36 CFR 800), and in consideration of the Corps' Trust Responsibilities to the Miccosukee Tribe of Indians of Florida, the Corps kindly requests your comments on the determination of no adverse effect. If there are any questions or comments, please contact Ms. Meredith Moreno at (904) 232-1577 or by e-mail at Meredith.A.Moreno@usace.army.mil.

Sincerely,

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

Enclosure

Figure 1. Location of the DPM in relation to the L-67A and L-67C canals.

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

REPLY TO
ATTENTION OF

Planning and Policy Division
Environmental Branch

JUN 0 8 2017

Mr. Theodore Isham
Historic Preservation Officer
Seminole Nation of Oklahoma
PO Box 1498
Wewoka, Ok 74884

Re: Extension of Decompartmentalization and Sheetflow Enhancement (DECOMP) Physical Model (DPM) Operations, Miami-Dade County, Florida

Dear Mr. Isham:

The U.S. Army Corps of Engineers, Jacksonville District (Corps) is studying the environmental effects for an extension to the Decompartmentalization and Sheetflow Enhancement (DECOMP) Physical Model (DPM) Operations. The main purpose of the DECOMP Project is to restore natural landscape patterns and native flora and fauna in Water Conservation Area (WCA) 3A and Everglades National Park (ENP) by redistributing water entering the system and removing natural barriers to sheetflow in order to restore natural hydroperiods, flow and water depths, and to reestablish ecological connectivity. The DPM is a limited duration, fully controlled field test which utilizes S-152 to deliver experimental flows into WCA 3B to evaluate environmental responses to flow and evaluate the effects of partial and complete backfilling of canals and levee modifications.

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As a result of this analysis, WCA 3B may experience slight water level increases due to the operational testing of S-152; however, increased water depths will not exceed the maximum water elevations tree islands and corresponding cultural resources have experienced historically. Additionally, tree islands that have not been subject to seasonal inundation during the IOP period will not be inundated as a result of DPM operations. It is important to note that the direct effect of DPM operations are limited to a distance of approximately 3,000 meters south of S-152, and situations that would require the discontinuation of testing based on the constraints noted above would likely be the result of flooding or drought conditions.

Based upon this analysis, the temporary nature of the field test, and as no inundation of tree islands is expected other than those typically experienced during seasonal operations, implementation of DPM is not anticipated to adversely affect cultural resources. In addition, as part of the ERTP PA, the Corps is currently monitoring water levels at the 31 known tree islands (25 of which contain known cultural resources) within WCA 3B. This monitoring will continue throughout the operational field test to provide further information to inform future water management plans and ensure oversight of this determination.

In summary, the Corps has determined that the continued operation of DPM will have no adverse effects on historic properties listed or eligible for listing in the National Register of Historic Places. Pursuant to Section 106 of the National Historic Preservation Act (16 USC 470) and it's implementing regulations (36 CFR 800), and in consideration of the Corps' Trust Responsibilities to the Seminole Nation of Oklahoma, the Corps kindly requests your comments on the determination of no adverse effect. If there are any questions or comments, please contact Ms. Meredith Moreno at (904) 232-1577 or by e-mail at Meredith.A.Moreno@usace.army.mil.

Sincerely,

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

Enclosure

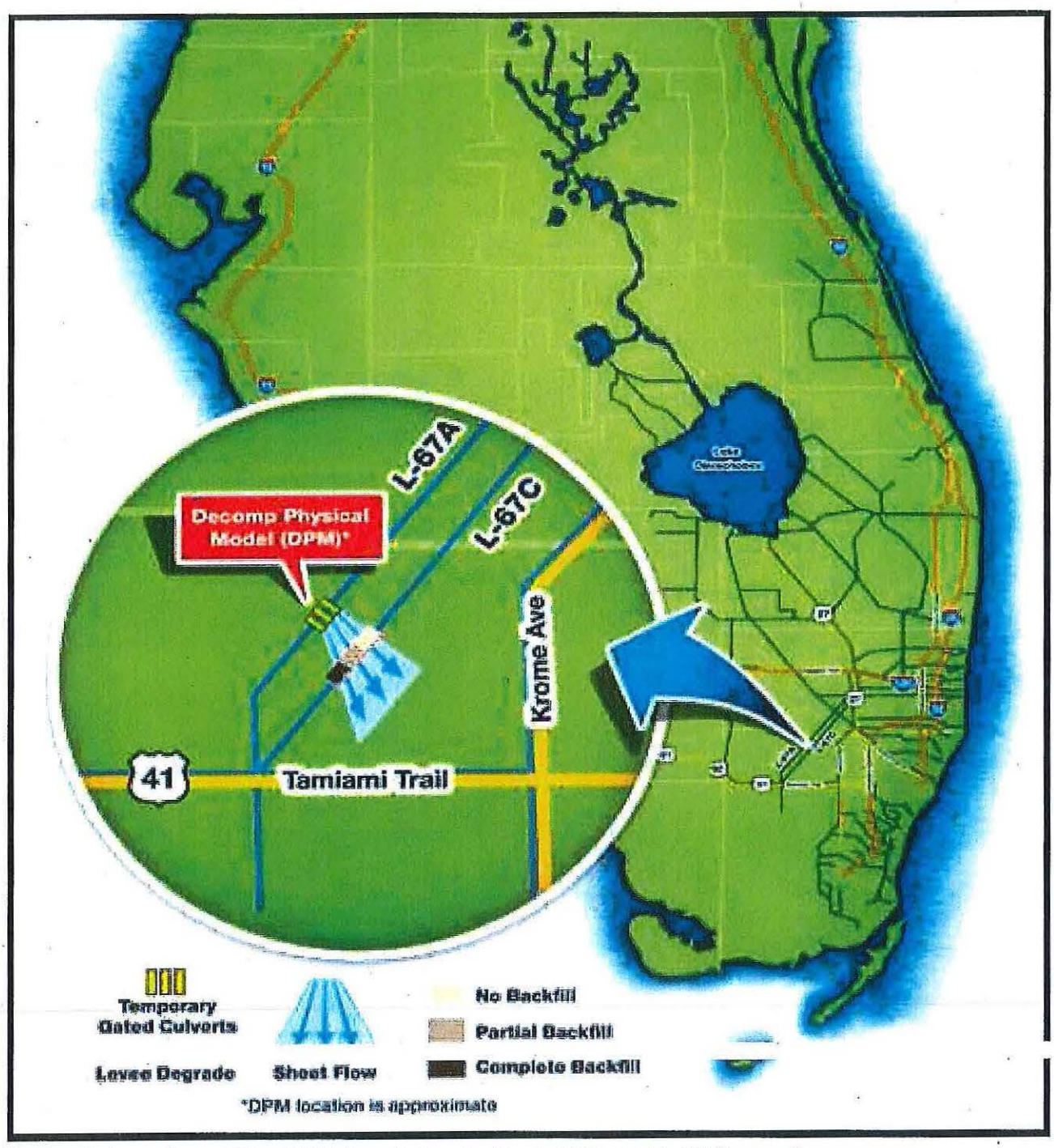

Figure 1. Location of the DPM in relation to the L-67A and L-67C canals.

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

REPLY TO
ATTENTION OF

Planning and Policy Division
Environmental Branch

JUN 0 8 2017

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

Re: Extension of Decompartmentalization and Sheetflow Enhancement (DECOMP) Physical Model (DPM) Operations, Miami-Dade County, Florida (DHR project File No.: 2009-04057)

Dear Dr. Parsons:

The U.S. Army Corps of Engineers, Jacksonville District (Corps) is studying the environmental effects for an extension to the Decompartmentalization and Sheetflow Enhancement (DECOMP) Physical Model (DPM) Operations. The main purpose of the DECOMP Project is to restore natural landscape patterns and native flora and fauna in Water Conservation Area (WCA) 3A and Everglades National Park (ENP) by redistributing water entering the system and removing natural barriers to sheetflow in order to restore natural hydroperiods, flow and water depths, and to reestablish ecological connectivity. The DPM is a limited duration, fully controlled field test which utilizes S-152 to deliver experimental flows into WCA 3B to evaluate environmental responses to flow and evaluate the effects of partial and complete backfilling of canals and levee modifications.

An Environmental Assessment (EA) and Design Test Documentation Report (DTDR) was completed for the DPM with the signing of a Finding of No Significant Impact (FONSI) on April 13, 2010. The project provided for the temporary installation of 10, 60-inch culverts (collectively called S-152) installed along a 3,000 foot stretch of the L-67A levee (Figure 1). Three 1,000 foot backfill treatments (no backfill, partial backfill and complete backfill) are located within the L-67C canal, adjacent to and directly east of the S-152 structure. The L-67C levee is gapped for 3,000 feet, directly east of the backfill treatments, to allow the flow from WCA 3A to pass through the culverts, through the "pocket" between WCA 3A and WCA 3B, and across the backfill treatments into WCA 3B.

The 2010 EA and DTDR anticipated operational testing of S-152 to begin in early 2011 and continue until late 2014; however, construction of the DPM was delayed by one year. A Supplemental FONSI (dated July 8, 2015) was prepared to document National Environmental Policy Act compliance for purposes of proposing a third and fourth year of testing in 2015 and 2016. Operations of the DPM are currently limited to the months of October, November, December, and January based on criteria developed during planning stages of the project.

The Corps is proposing a fifth year of DPM testing in 2017, with the potential for additional years of testing through the year 2021 for purposes of gaining information to further address scientific, hydrologic, and water management uncertainties that require clarification prior to the design of decompartmentalization features within WCA 3. The proposed extension of the DPM operations would also include year-round testing consistent with current environmental and operational constraints to manage potential concerns related to increased water levels within WCA 3B. Specific constraints related to elevated water levels include the following; when WCA 3B stages (as measured at gages SRS-1 and/or Site 71) equal or exceed 8.5 feet NGVD29, S-152 releases will be reduced or discontinued; when water control structures S-355A and B are closed due to high water in the L-29 Borrow Canal, S-152 releases will be reduced or discontinued before the 7.5 feet NGVD (Increment 1.1) or 7.8 feet NGVD (Increment 1.2) stage limit is reached; and when the L-67A Borrow Canal stage is below 7.5 feet NGVD, and water is not available from another source, S-152 releases will be discontinued as no water is available from WCA 3A.

Based on ecological monitoring of the DPM testing conducted over the last three years by the South Florida Water Management District, the area of potential effect (APE) of the DPM is limited to WCA 3B and the effects themselves are small in magnitude. Prior flow events demonstrate that immediate responses to flow from the DPM rapidly diminished beyond approximately 500 meters of the S-152 structure. The maximum rise in water depths within the adjacent slough during the 2013-2015 flow events was 20 centimeters directly adjacent to S-152 structure, 12 centimeters approximately 500 meters south of S-152, 6 centimeters approximately 1,500 meters south of S-152, and 3.5 centimeters approximately 2,500 meters south of S-152.

In order to assess potential direct and indirect effects to cultural resources within the APE, the Corps developed a detailed analysis of the maximum water elevation the 31 previously identified tree islands and 36 archaeological sites is WCA 3B may be subject to based on the DPM constraint of 8.5 feet NGVD29 (as measured at gages SRS-1 and Site 71) (Figure 2). Using the Everglades Depth Estimation Network, water elevations were collected and reviewed for the tree islands in WCA 3B when Site 71 was at or above 8.5 feet NGVD29. Water elevations from September 1994 to March 2016 were averaged by month to estimate the maximum water elevation the tree islands and corresponding cultural resources may be exposed to prior to discontinuation of the DPM test. These results were then compared to water elevations at the same tree islands during the 2002-2012 period of Interim Operational Plan regulation in accordance with the Everglades Restoration Transition Plan (ERTP) Programmatic Agreement (PA

As a result of this analysis, WCA 3B may experience slight water level increases due to the operational testing of S-152; however, increased water depths will not exceed the maximum water elevations tree islands and corresponding cultural resources have experienced historically. Additionally, tree islands that have not been subject to seasonal inundation during the IOP period will not be inundated as a result of DPM operations. It is important to note that the direct effect of DPM operations are limited to a distance of approximately 3,000 meters south of S-152, and situations that would require the discontinuation of testing based on the constraints noted above would likely be the result of flooding or drought conditions.

Based upon this analysis, the temporary nature of the field test, and as no inundation of tree islands is expected other than those typically experienced during seasonal operations, implementation of DPM is not anticipated to adversely affect cultural resources. In addition, as part of the ERTP PA, the Corps is currently monitoring water levels at the 31 known tree islands (25 of which contain known cultural resources) within WCA 3B. This monitoring will continue throughout the operational field test to provide further information to inform future water management plans and ensure oversight of this determination.

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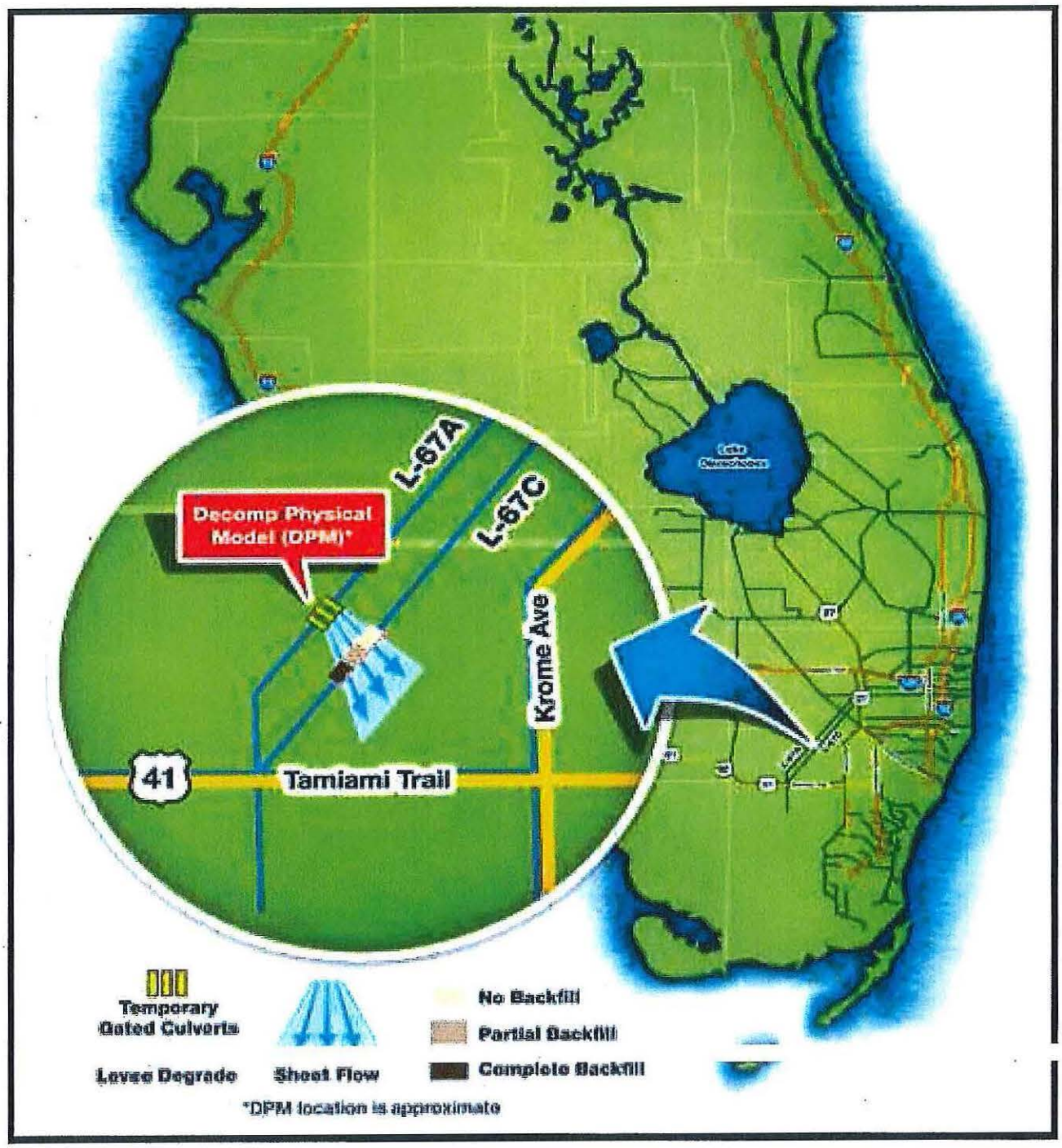
Gina Paduano Ralph, Ph.D.
Environmental Branch Chief, Planning Division

Enclosure



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

REPLY TO
ATTENTION OF

Planning and Policy Division
Environmental Branch

JUN 06 2017

Dr. Paul Backhouse, THPO
Seminole Tribe of Florida
Tribe Historic Preservation Office
30290 Josie Billie Highway
PMP 1004
Clewiston, FL 33440

Re: Extension of Decompartmentalization and Sheetflow Enhancement (DECOMP) Physical Model (DPM) Operations, Miami-Dade County, Florida

Dear Dr. Backhouse:

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Sincerely,

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

Enclosure

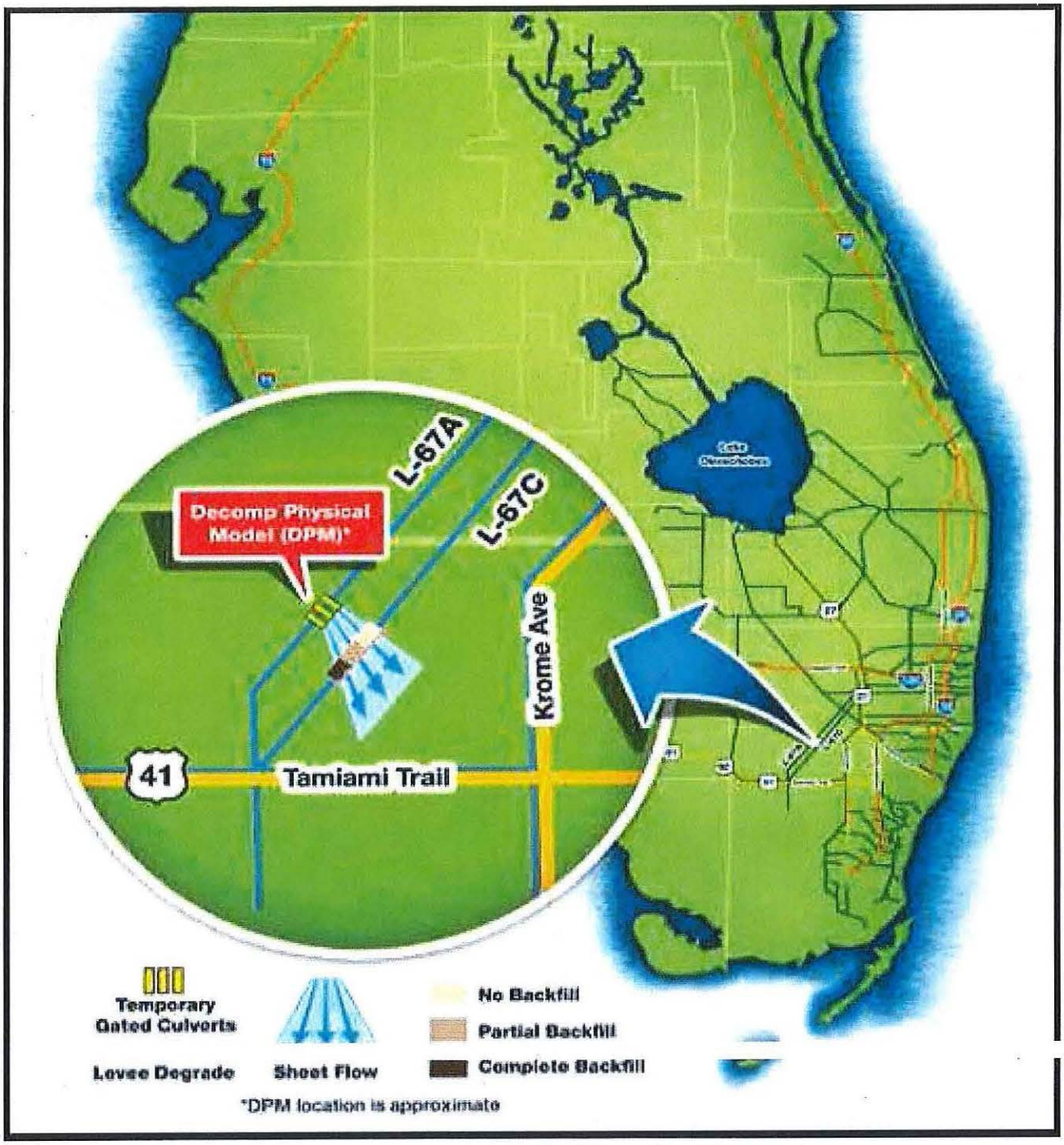

Figure 1. Location of the DPM in relation to the L-67A and L-67C canals.

From:	Bradley Mueller
To:	Ralph, Gina P CIV USARMY CESAJ (US)
Cc:	Moreno, Meredith A CIV USARMY CESAJ (US)
Subject:	[Non-DoD Source] Revised Comment Letter - Exension of DECOMP Physical Model Operations
Date:	Tuesday, June 20, 2017 4:15:44 PM
Attachments:	image001.png image002.png

SEMINOLE TRIBE OF FLORIDA
TRIBAL HISTORIC PRESERVATION OFFICE
AH-TAH-THI-KI MUSEUM

TRIBAL HISTORIC
PRESERVATION OFFICE

SEMINOLE TRIBE OF FLORIDA
AH-TAH-THI-KI MUSEUM

30290 JOSIE BILLIE HIGHWAY
PMB 1004
CLEWISTON, FL 33440

THPO PHONE: (863) 983-6549
MUSEUM PHONE: (863) 902-1113
FAX: (863) 902-1117

THPO WEBSITE: WWW.STOFTHPO.COM
MUSEUM WEBSITE: WWW.AHTAHTHIKI.COM

June 20, 2017

Ms. Gina Paduano Ralph, Ph.D.
Environmental Branch Chief, Planning Division
Department of the Army
Jacksonville District Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232-0019

Subject: Revised Comments - Extension of DECOMP Physical Model Operations, Miami-Dade County, FL
THPO Compliance Tracking #: 0029779

Dear Ms. Ralph,

Thank you for contacting the Seminole Tribe of Florida – Tribal Historic Preservation Office (STOF-THPO) regarding the Extension of DECOMP Physical Model Operations project, Miami-Dade County, FL. The proposed undertaking does fall within the STOF Area of Interest. We have reviewed the documents you provided and completed our project assessment pursuant to Section 106 of the National Historic Preservation Act and its implementing authority, 36 CFR 800 in order to determine if the undertaking would affect any areas important to the Tribe. We have no objections at this time to the proposal to extend the operation of the DPM through FY 2021 provided the USACE continue to monitor the operations and to consult with the STOF in the event of any unforeseen circumstances that have the potential to impact any cultural resources that may be present within the APE. Thank you and feel free to contact us with any questions or concerns.

Respectfully,

Bradley M. Mueller

Bradley M. Mueller, MA, Compliance Supervisor
STOF-THPO, Compliance Review Section
30290 Josie Billie Hwy, PMB 1004
Clewiston, FL 33440
Office: 863-983-6549 ext 12245
Email: bradleymueller@semtribe.com

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

REPLY TO
ATTENTION OF

Planning and Policy Division
Environmental Branch

JUN 2 8 2017

To Whom It May Concern:

Pursuant to the National Environmental Policy Act (NEPA) and the U.S. Army Corps of Engineers (Corps) Regulation (33 CFR 230.11), this letter constitutes the Notice of Availability of the Supplemental Environmental Assessment (EA) and Proposed Finding of No Significant Impact (FONSI) for the Water Conservation Area 3 (WCA 3) Decompartmentalization and Sheetflow Enhancement Physical Model (DPM). The DPM is a temporary field test conducted along a 3,000 foot stretch of the L-67A and L-67C levees and canals in WCA 3 to determine how best to design and formulate plans for future decompartmentalization of WCA 3, as visualized in the Comprehensive Everglades Restoration Plan (CERP) (Figure 1). The DPM is located within the Everglades of southeastern Florida in Miami-Dade County.

An EA and Design Test Documentation Report (DTDR) was completed for the DPM with the signing of a FONSI on April 13, 2010. The DPM was installed in 2011 and includes the temporary installation of 10, 60-inch culverts (collectively called S-152) with a combined discharge capacity of 750 cubic feet per second installed along a stretch of the L-67A levee (Figure 1). Three 1,000 foot backfill treatments (no backfill, partial backfill and complete backfill) are located within the L-67C canal, adjacent to and directly east of the S-152 structure. The L-67C levee is gapped for 3,000 feet, directly east of the backfill treatments, to allow the flow from WCA 3A to pass through the culverts, through the pocket between the L-67A and L-67C levees, across the backfill treatments and into WCA 3B. The DPM is designed to provide information regarding the effects of levee removal and canal backfill on the ridge and slough landscape.

The 2010 EA and DTDR anticipated operational testing of the DPM to begin in early 2011 and continue until late 2014. A Supplemental FONSI was prepared and signed on July 8, 2015, to document NEPA compliance for purposes of proposing testing in 2015 and 2016. Operations of the DPM are currently limited to the months of October, November, December and January. The Corps is proposing operations in 2017 year round, with the potential for additional years of testing through 2021 to further address uncertainties that require clarification prior to the design of decompartmentalization features within WCA 3.

The EA and Proposed FONSI are available for your review on the Corps Environmental planning website and the project website:

http://www.saj.usace.army.mil/About/DivisionsOffices/Planning/EnvironmentalBranch/Environ EnvironmentalDo.aspx

http://www.saj.usace.army.mil/Missions/Environmental/Ecosystem-Restoration/Decomp-Physical-Model-DPM/

A copy of the report is also available at the following library:

Miami-Dade Public Library
Main Branch
101 West Flagler Street
Miami, FL 33130

Any comments you may have must be submitted in writing to the letterhead address within 60 days of the date of this letter. Questions concerning the DPM can be submitted to Mrs. Melissa Nasuti at the letterhead address or to Melissa.A.Nasuti@usace.army.mil. Mrs. Nasuti may also be reached by telephone at 904-232-1368.

Sincerely,

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

Enclosure

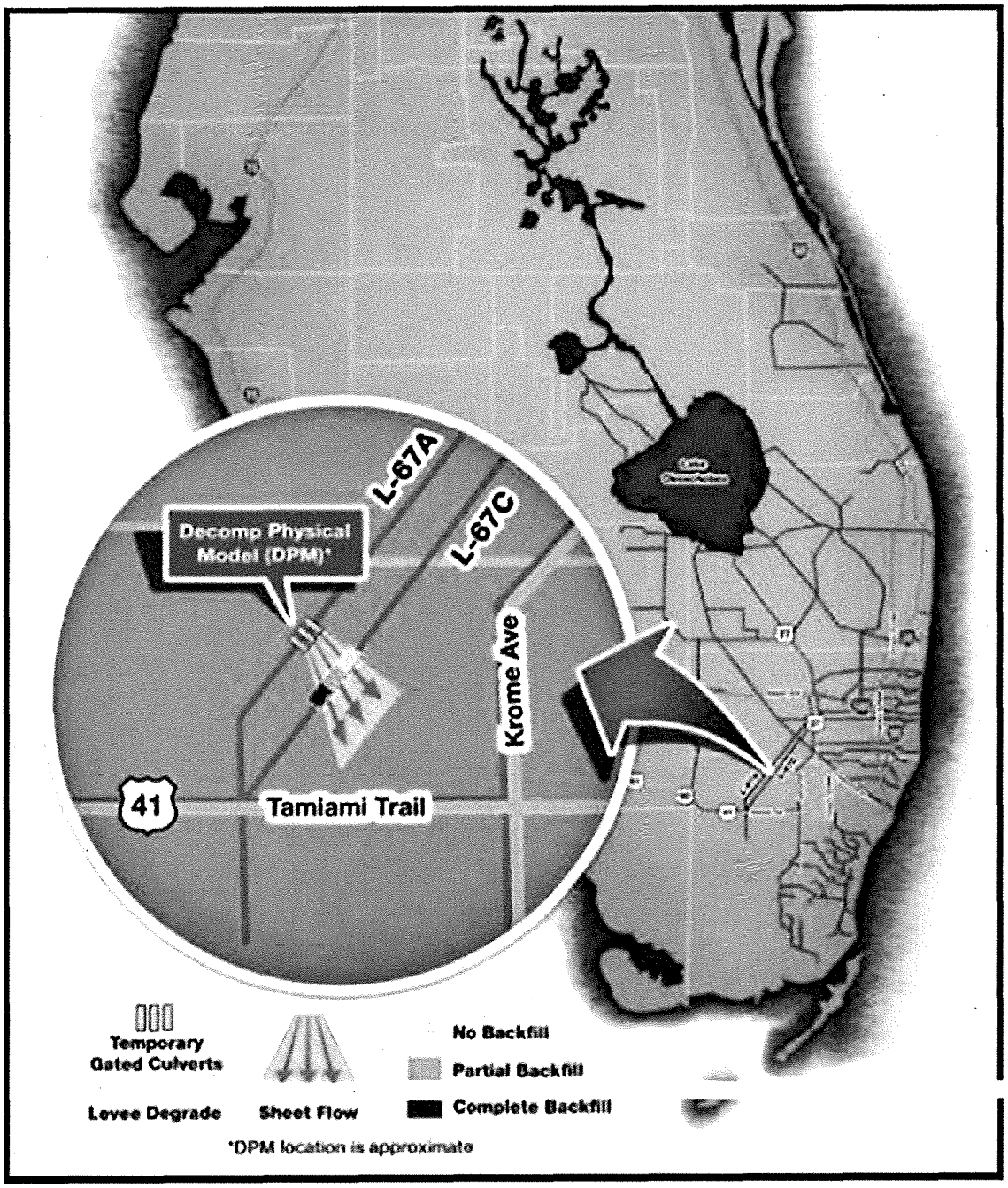

Figure 1. Project Area

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

REPLY TO
ATTENTION OF

Planning and Policy Division
Environmental Branch

JUN 2 8 2017

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

Dear Chairman Cypress:

Pursuant to the National Environmental Policy Act (NEPA) and the U.S. Army Corps of Engineers (Corps) Regulations (33 CFR 230.11), this letter constitutes the Notice of Availability of the Supplemental Environmental Assessment (EA) and Proposed Finding of No Significant Impact (FONSI) for the Water Conservation Area 3 (WCA 3) Decompartmentalization and Sheetflow Enhancement Physical Model (DPM). The DPM is a temporary field test conducted along a 3,000 foot stretch of the L-67A and L-67C levees and canals in WCA 3 to determine how best to design and formulate plans for future decompartmentalization of WCA 3, as visualized in the Comprehensive Everglades Restoration Plan (CERP) (Figure 1). The DPM is located within the Everglades of southeastern Florida in Miami-Dade County.

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http://www.saj.usace.army.mil/Missions/Environmental/Ecosystem-Restoration/Decomp-Physical-Model-DPM/

A copy of the report is also available at the following library:

Miami-Dade Public Library
Main Branch
101 West Flagler Street
Miami, FL 33130

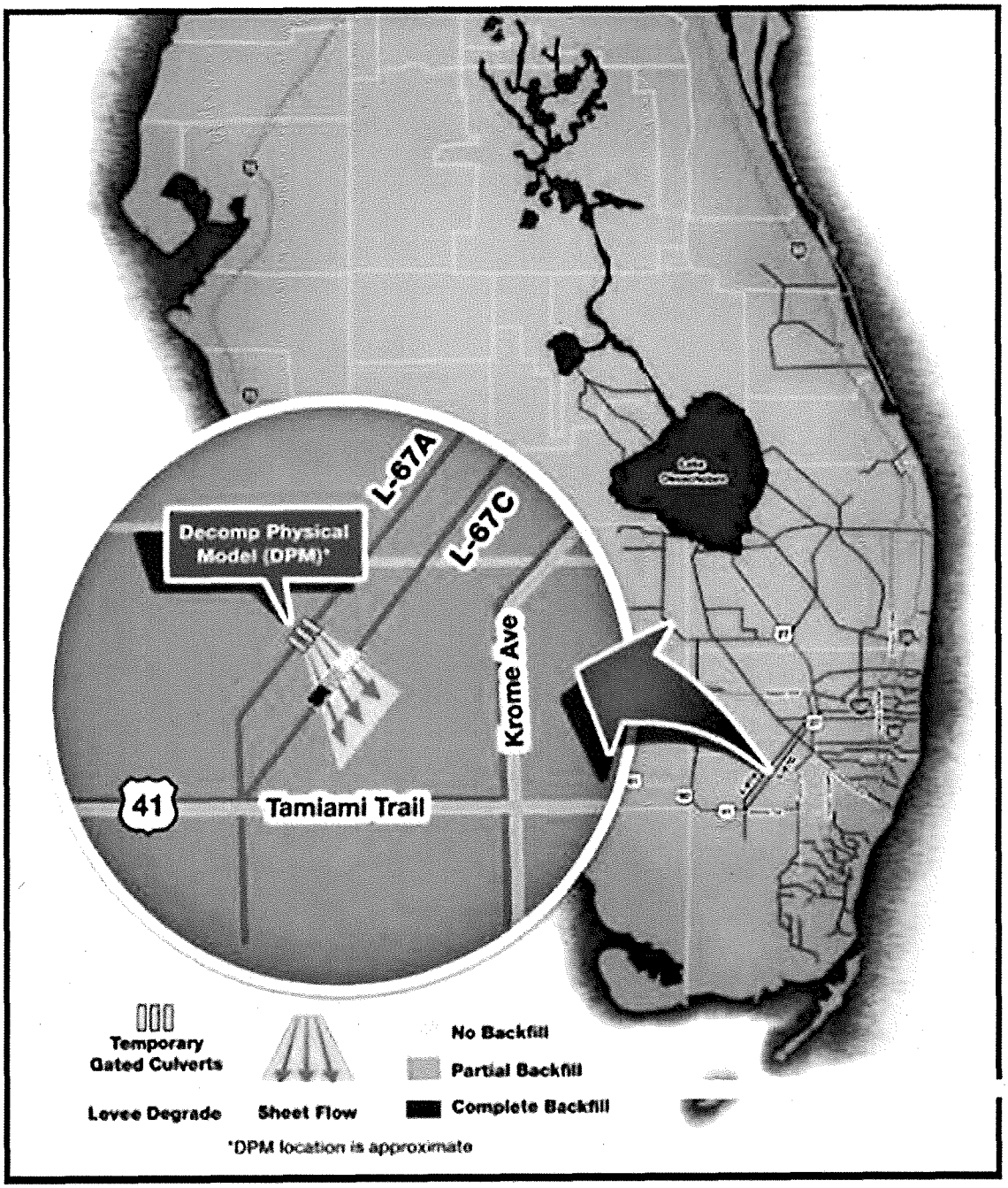
We intend to pursue an open and public process and recognize the obligations that the Corps has to its tribal partners. The Corps is currently coordinating this action with the appropriate staff members and will continue to consult with your staff through implementation of this project. Any comments you may have must be submitted in writing to the letterhead address within 60 days of the date of this letter. If you have any questions regarding the information in this letter, please feel free to contact me or you may contact Melissa Nasuti at 904-232-1368 or by email at melissa.a.nasuti@usace.army.mil.

Sincerely,

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

Enclosure

cc:
Fred Dayhoff, NAGPRA Representative, Consultant to Miccosukee Tribe,
HC 61 SR 68 Old Loop Road, Ochopee, FL 34141
Kevin Donaldson, Real Estate Services, Miccosukee Tribe of Indians of Florida,
P.O. Box 440021, Tamiami Station, Miami, FL 33144
Gene Duncan, Director Water Resources Department, Miccosukee Tribe of Indians of Florida, P.O. Box 440021, Tamiami Station, Miami, FL 33144



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

REPLY TO
ATTENTION OF

Planning and Policy Division
Environmental Branch

JUN 2 8 2017

The Honorable Marcellus Osceola Jr.
Chairman, Seminole Tribe of Florida
6300 Stirling Road
Hollywood, FL 33024

Dear Chairman Osceola:

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Miami, FL 33130

We intend to pursue an open and public process and recognize the obligations that the Corps has to its tribal partners. The Corps is currently coordinating this action with the appropriate staff members and will continue to consult with your staff through implementation of this project. Any comments you may have must be submitted in writing to the letterhead address within 60 days of the date of this letter. If you have any questions regarding the information in this letter, please feel free to contact me or you may contact Melissa Nasuti at 904-232-1368 or by email at melissa.a.nasuti@usace.army.mil.

Sincerely,

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

Enclosure

cc:
Dr. Paul N. Backhouse, Ph.D., Seminole Tribe of Florida, Tribal Historic Preservation Officer, Ah Tha Thi Ki Museum, 30290 Josie Billie Hwy, PMB 1004, Clewiston, Florida 33440
Cherise Maples, Director, Environmental Resource Management, Seminole Tribe of Florida, 6300 Stirling Road, Hollywood, FL 33024
Michelle Diffenderfer, Lewis, Longman and Walker, 515N Flagler Drive, Suite 1500, West Palm Beach, FL 33401.
Patricia Powers, Bose Public Affairs Group, 2000 M Street, N.W., Suite 520, Washington, D.C. 20036

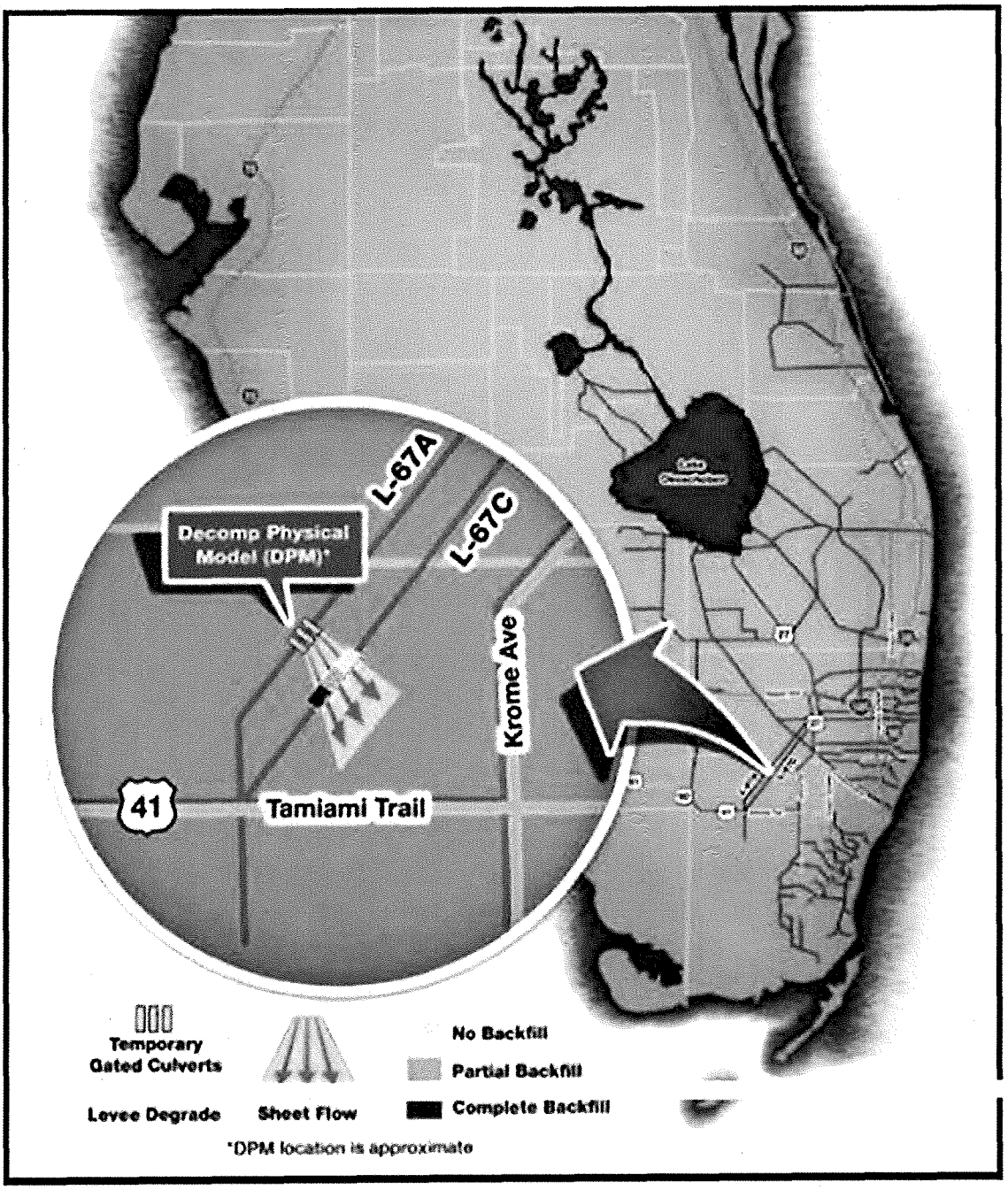

Figure 1. Project Area

From: Theodore Isham
To: Moreno, Meredith A CIV USARMY CESAJ (US)
Subject: [Non-DoD Source] RE: Determination of effect DECOMP Physical Model Extension EA
Date: Monday, July 10, 2017 10:00:47 AM

This Opinion is being provided by Seminole Nation of Oklahoma's Cultural Advisor, pursuant to authority vested by the Seminole Nation of Oklahoma General Council. The Seminole Nation of Oklahoma is an independently Federally-Recognized Indian Nation headquartered in Wewoka, OK.

In keeping with the National Environmental Policy Act (NEPA)d, and Section 106 of the National Historic Preservation Act (NHPA), 36 CFR Part 800, this letter is to acknowledge that the Seminole Nation of Oklahoma has received notice of the proposed project at the above mentioned location.

Based on the information provided and because the potential for buried cultural resources, the proposed project has a potential of affecting archaeological resources, some of which may be eligible for listing in the National Register of Historic Places (NRHP).

We do request that if cultural or archeological resource materials are encountered at all activity cease and the Seminole Nation of Oklahoma and other appropriate agencies be contacted immediately.
The Seminole Nation of Oklahoma has no concerns with the project as proposed and concurs with USACE's determination of no historic properties affected.

Furthermore, due to the historic presence of our people in the project area, inadvertent discoveries of human remains and related NAGPRA items may occur, even in areas of existing or prior development. Should this occur we request all work cease and the Seminole Nation of Oklahoma and other appropriate agencies be immediately notified.

Theodore Isham
Seminole Nation of Oklahoma
Historic Preservation Officer
PO Box 1498
Wewoka, Ok 74884
Phone: 405-234-5218
e-mail: isham.t@sno-nsn.gov

-----Original Message-----
From: Moreno, Meredith A CIV USARMY CESAJ (US) [mailto:Meredith.A.Moreno@usace.army.mil]
Sent: Thursday, June 8, 2017 2:14 PM
To: Theodore Isham <isham.t@sno-nsn.gov>
Subject: Determination of effect DECOMP Physical Model Extension EA

Theodore,

Attached is the USACE determination of no effect for the upcoming DECOMP Physical Model extension EA. This activity includes the extension of an existing field test through the year 2021. The proposed change also includes year round operation of the water control structure. I put a hard copy of this letter in the mail this morning. Please give me a call if you have any questions or concerns.

Thank you,

Meredith A. Moreno, M.A., RPA
Archaeologist
Planning Division, Environmental Branch
Jacksonville District, US Army Corps of Engineers

FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

Ms. Meredith Moreno
USACE – Jacksonville District
701 San Marco Boulevard
Jacksonville. Florida 32207-8175

July 10, 2017

RE: DHR Project File No.: 2016-4797-D, Received by DHR: June 12, 2017
Project: *Extension of Decompartmentalization and Sheetflow Enhancement (DECOMP) Physical Model (DPM) Operations, Miami-Dade County, Florida*
County: Dade

Ms. Moreno:

The Florida State Historic Preservation Officer reviewed the referenced project for possible effects on historic properties listed, or eligible for listing, on the *National Register of Historic Places.* The review was conducted in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties.*

Based on the information provided, this office concurs with the Corps' determination of no adverse effect on historic properties listed, or eligible for listing, on the *National Register of Historic Places.*

If you have any questions, please contact Mercedes Harrold, Historic Sites Specialist, by email at *Mercedes.Harrold@dos.myflorida.com*, or by telephone at 850.245.6333 or 800.847.7278.

Sincerely,

Jason Aldridge
For

Timothy A Parsons, Ph.D., RPA
Director, Division of Historical Resources
& State Historic Preservation Officer

FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

Mrs. Melissa Nasuti
USACE – Jacksonville District
701 San Marco Boulevard
Jacksonville. Florida 32207-8175

July 10, 2017

RE: DHR Project File No.: 2016-4797-F, Received by DHR: July 5, 2017
Project: *Supplemental Environmental Assessment and Proposed Finding of No Significant Impact (FONSI) For the Water Conservation Area (WCA) 3 Decompartmentalization and Sheetflow Enhancement Physical Model (DPM)*
County: Dade

Mrs. Nasuti:

The Florida State Historic Preservation Officer reviewed the referenced project for possible effects on historic properties listed, or eligible for listing, on the *National Register of Historic Places.* The review was conducted in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties.*

Based on the information provided, it is the opinion of this office that the proposed project will have no adverse effect on historic properties listed, or eligible for listing, on the *National Register of Historic Places.*

If you have any questions, please contact Mercedes Harrold, Historic Sites Specialist, by email at *Mercedes.Harrold@dos.myflorida.com*, or by telephone at 850.245.6333 or 800.847.7278.

Sincerely,

Jason Aldridge
For
Timothy A Parsons, Ph.D., RPA
Director, Division of Historical Resources
& State Historic Preservation Officer

United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960

July 27, 2017

Gina Ralph, Ph.D., Chief
Environmental Branch
U.S. Army Corps of Engineers
Post Office Box 4970
Jacksonville, Florida 32232-0019

Service Federal Activity Code: 41420-2009-FA-0248
Service Consultation Code: 04EF2000-2017-I-0660
Date Received: June 7, 2017
County: Miami-Dade

Dear Dr. Ralph:

The U.S. Fish and Wildlife Service (Service) has reviewed your letter dated June 7, 2017, and updated Environmental Assessment (EA) and supporting appendices posted on June 28, 2017, requesting concurrence for an extension and operational modification to the Decompartmentalization (Decomp) Physical Model (DPM) of the Water Conservation Area (WCA) 3 Decomp and Sheet Flow Enhancement Project and its effect on threatened and endangered species in the project area. This concurrence letter is submitted in accordance with section 7 of the Endangered Species Act of 1973, as amended (97 Stat. 884; 16 U.S.C. 1531 *et seq.*).

The Corps and Service have previously consulted on this project which resulted in the issuance of a Fish and Wildlife Coordination Act Report in 2009, a concurrence letter in 2010 and an amended concurrence letter for a 2-year extension of the project in 2015. The Service concluded, in agreement with the Corps, that the project may affect, but is not likely to adversely affect the Eastern indigo snake (*Drymarchon corais couperi*), Florida bonneted bat (*Eumops floridanus*), wood stork (*Mycteria americana*), Everglade snail kite (*Rostrhamus sociabilis*), and Everglades snail kite critical habitat. Additionally, the project would have no effect on the Cape Sable seaside sparrow (*Ammodramus maritimus mirabilis*) and Florida panther (*Felis concolor coryi*).

The current proposal includes a project extension to 2020 and an operational modification that would allow the project to flow water year-round. The Corps has determined that the additional operational testing outside the October to January timeframe is not expected to appreciably impact water depth and duration in WCA-3A or WCA-3B. It was also determined that operation outside of this window would not increase the risk of exceeding the current limits of phosphorus and other nutrient loading. The Corps reiterated that the project is temporary in nature, and all effects to natural resources, if any, will be reversed when the project is decommissioned and

removed at the end of the testing period. After carefully reviewing the updated EA and operational plan for the proposed modifications to the DPM, the Service does not see the need to modify the species affects determinations analyzed during the previous project review. Therefore, the Service concurs with the Corps' determinations for species listed in this letter.

As it has in the past, the Service still requests that the Corps review the validity of maintaining the culvert structure in operational condition once the test is complete. A critical part of Everglade's restoration requires culverts through, if not the complete removal of; the L-67A and C levees to allow water to flow through its historic path. There could be considerable time and resource savings if it were found that the DPM culvert could facilitate the implementation of this part of the Comprehensive Everglades Restoration Plan. Additionally, the Service believes that an interagency review of interim reports and a summary of findings to date would be beneficial to the assessment of the success of the DPM project thus far.

Thank you for your cooperation and effort in protecting Florida's natural resources. If you have any questions, please contact Kevin Palmer via email at kevin_palmer@fws.gov, or by phone at 772-469-4280.

Sincerely yours,

for Donald (Bob) Progulske
Everglades Program Supervisor
South Florida Ecological Services Office

cc: electronic only
Corps, Jacksonville, Florida (Melissa Nasuti)

THE
MUSCOGEE (CREEK) NATION

HIstoric and Cultural Preservation
P.O. Box 580
Okmulgee, OK 74447
T: 918.732.7733 F: 918-.758-0649

JAMES R. FLOYD
PRINCIPAL CHIEF
LOUIS A. HICKS
SECOND CHIEF

August 16, 2017

Melissa A. Nasuti
Department of the Army
Jacksonville District Corps of Engineers
701 San Marco Boulevard
Jacksonville, Florida 32207-8175

RE: Notice of Availability of the Supplemental Environmental Assessment

Ms. Nasuti,

Thank you for the correspondence regarding the Notice of Availability of the Supplemental Environmental Assessment and Proposed Finding of no Significant Impact for the Water Conservation Area 3. Miami-Dade County is outside of the Muscogee (Creek) Nation historic area of interest. We respectfully defer to the other Tribes that have been contacted. If you have any further questions or concerns, please give us a call.

Thank you.

Ms Corain Lowe-Zepeda
Tribal Historic Preservation Officer
Historic and Cultural Preservation Department
Muscogee (Creek) Nation
P.O. Box 580 l Okmulgee, OK 74447
T: 918-732-7835
Email: clowe@mcn-nsn.gov

Nasuti, Melissa A CIV USARMY CESAJ (US)

From: Stahl, Chris <Chris.Stahl@dep.state.fl.us>
Sent: Wednesday, August 23, 2017 3:52 PM
To: Nasuti, Melissa A CIV USARMY CESAJ (US)
Subject: [Non-DoD Source] State_Clearance_Letter_For_FL201707038041C_WCA 3 DECOMPARTMENTALIZATION AND SHEETFLOW ENHANCEMENT PROJECT (DECOMP) - MIAMI-DADE COUNTY
Attachments: 2017-08-07_USACE WCA 3 DECOMP and DPOM_Clearinghouse Memo.docx; WCA 3 Decomp Model EA and FONSI.DOCX; Decomp Physical Model Supp EA and FONSI_33480_080317.pdf

August 23, 2017

Melissa A. Nasuti

U.S. Army Corps of Engineers

Jacksonville District, Planning Division

P. O. Box 4970

Jacksonville, Florida 32232-0019

RE: Department of the Army, Jacksonville District Corps of Engineers - Supplemental Environmental Assessment and Proposed Finding of No Significant Impact (FONSI) for the Water Conservation Area (WCA) 3 Decompartmentalization and Sheetflow Enhancement Project (Decomp) - Miami-Dade County, Florida.

SAI # FL201707038041C

Dear Melissa:

Florida State Clearinghouse staff has reviewed the proposal under the following authorities: Presidential Executive Order 12372; § 403.061(42), 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. §§ 4321-4347, as amended.

The Florida Department of Environmental Protection, South Florida Water Management District and the Florida Fish and Wildlife Conservation Commission have reviewed the proposed action and independently submitted comments. These have been attached to this letter and are incorporated hereto.

Based on the information submitted and minimal project impacts, the state has no objections to the subject project. Thank you for the opportunity to review the proposed plan. If you have any questions or need further assistance, please don't hesitate to contact me at (850) 717-9076.

Sincerely,

Chris Stahl

Chris Stahl, Coordinator

Florida State Clearinghouse

Florida Department of Environmental Protection

2600 Blair Stone Road, M.S. 47

Tallahassee, FL 32399-2400

ph. (850) 717-9076

State.Clearinghouse@dep.state.fl.us <mailto:State.Clearinghouse@dep.state.fl.us>

<Blockedhttp://survey.dep.state.fl.us/?refemail=Chris.Stahl@dep.state.fl.us>

Memorandum

TO: Chris Stahl, Florida State Clearinghouse

THROUGH: Ed Smith, Director
Office of Ecosystem Projects

FROM: Inger Hansen, Rhapsodie Osborne, Tom Behlmer, and Alyssa Freitag
Office of Ecosystem Projects

DATE: August 2, 2017

SAI#: FL201707038041C

SUBJECT: Department of the Army, Jacksonville District Corps of Engineers – Supplemental Environmental Assessment and Proposed Finding of No Significant Impact (FONSI) for the Water Conservation Area (WCA) 3 Decompartmentalization and Sheetflow Enhancement Project (DECOMP) - Miami-Dade County, Florida.

Background:

This Environmental Assessment (EA) and Proposed Finding of No Significant Impact (FONSI) evaluates the effects of the installation, testing, and monitoring of a physical model for the Water Conservation Area (WCA) 3 Decompartmentalization and Sheetflow Enhancement Project (DECOMP). The Decomp Physical Model (DPM) is a temporary field test conducted along a 3,000 foot stretch of the L-67A and L-67C levees and canals in WCA 3 to determine how best to design and formulate plans for future decompartmentalization of WCA 3, as visualized in the Comprehensive Everglades Restoration Plan (CERP). The DPM is located in Miami-Dade County within the Everglades Protection Area (EPA).

An EA and Design Test Documentation Report (DTDR) was completed for the DPM with the signing of a FONSI on April 13, 2010. The DPM was installed in 2011 and includes the temporary installation often 60-inch culverts (known as the S-152 structure) with a combined discharge capacity of 750 cubic feet per second installed along a stretch of the L-67A levee. Three 1,000 foot backfill treatments (no backfill, partial backfill and complete backfill) are located within the L-67C canal, adjacent to and directly east of the S-152 structure. The L-67C levee is gapped for 3,000 feet, directly east of the backfill treatments, to allow the flow from WCA 3A to pass through the culverts, through the pocket between the L-67A and L-67C levees, across the backfill treatments and into WCA 3B. The DPM is designed to provide data and observations regarding the effects of levee removal and canal backfill on the Everglades ridge and slough landscape.

The 2010 EA and DTDR anticipated operational testing of the DPM to begin in early 2011 and continue until late 2014. A Supplemental FONSI was prepared and signed on July 8, 2015, to document NEPA compliance for purposes of proposing testing in 2015 and 2016. Operations of the DPM are currently limited to the months of October, November, December and January. The

Corps is proposing operations in 2017 year-round, with the potential for additional years of testing through 2021, to further address uncertainties that require clarification prior to the design of decompartmentalization features within WCA 3.

Comments:

DPM has been operating for the past four years under the authority of a Florida Department of Environmental Protection (Department) issued Comprehensive Everglades Restoration Plan Regulation Act (CERPRA) permit No. 0304879 issued to the United States Army Corps of Engineers (Corps). To date the operational testing periods have been conducted within the months of October through January timeframe when water levels and water quality conditions are optimal. The Corps is proposing to extend the operational testing window to allow for year around testing starting in 2017 through 2021. This would allow for gaining additional information to further address scientific, hydrologic and water management uncertainties that requires further clarification prior to design and implementation of decompartmentalization features within WCA 3A. The Department finds that the statistical analysis and the proposed methodology and decision-making process that has been developed to provide operational triggers provides assurances that are protective of water quality and that the State of Florida phosphorous water quality standard for the EPA would be met under the proposed operational guidance. Therefore, the Department supports extending the test to year around operations provided that the operations are guided by water quality triggers as proposed within the operational protocols.

Specific Comments:

- Please note that a modification of the Department issued CERPRA permit will be required, prior to expansion of the operational window to allow for year around operations. This permit should include any updates to the associated supporting documents.
- Section 1.2 Project Location references Figure 1-2 twice instead of referencing Figure 1-1 and Figure 1-2.
- The dates when S-152 was utilized as depicted in Section 1.3 are slightly different than the dates within Table 4-1 Summary of S-152 Operations.
- Please include a table of monitoring gauges with their geographical coordinates and frequency of monitoring details. The current permit only has the locations for S-151, S-152 and EDEN 8.
- Page 1-17 references “0304879-003 was obtained for the DPM on January 9, 2010,” however this should read “0304879-002 was obtained for the DPM on January 9, 2012.”
- Appendix C, Part 4.III.2 should directly reference Figure 4-1 as opposed to “are shown in the map below” as this map is two pages below.

The Department appreciates the opportunity to comment. Should you have any questions regarding our comments, please contact Natalie Barfield at 850-245-3197.

ec: Ed Smith, Frank Powell, Chad Kennedy, Deinna Nicholson, Jordan Pugh, Kelli Edson, Inger Hansen, Rhapsodie Osborne, Alyssa Freitag, and Tom Behlmer

Florida Fish and Wildlife Conservation Commission

Commissioners
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Vice Chairman
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MyFWC.com

August 3, 2017

Chris Stahl, Coordinator
Florida State Clearinghouse
Florida Department of Environmental Protection
2600 Blair Stone Road, M.S. 47
Tallahassee, FL 32399-2400
Chris.Stahl@dep.state.fl.us
State_Clearinghouse@dep.state.fl.us

RE: SAI #FL201707038041C – Department of the Army, Jacksonville District Corps of Engineers Supplemental Environmental Assessment (EA) and Proposed Finding of No Significant Impact (FONSI) for Installation, Testing, and Monitoring of a Physical Model for the Water Conservation Area 3 (WCA 3) Decompartmentalization and Sheetflow Enhancement Project (DECOMP): Phase 2 – Miami-Dade County, FL

Dear Mr. Stahl:

The Florida Fish and Wildlife Conservation Commission (FWC) has reviewed the above-referenced assessment, and provides the following comments in accordance with FWC's authorities under Chapter 379, Florida Statutes; Chapter 68, Florida Administrative Code; and Article 4, Section 9, Florida Constitution.

Project Description

The Decompartmentalization (Decomp) and Sheetflow Enhancement Project is a limited duration, fully controlled field test conducted along a 3,000-foot stretch of the L-67A and L-67C levees and canals in WCA-3A and WCA-3B. The project provides for the temporary installation of 10, 60-inch culverts (collectively called the S-152 structure) with a combined designed discharge capacity of 750 cubic feet per second (cfs) installed along a stretch of the L-67A levee. Three 1,000-foot backfill treatments (no backfill, partial backfill and complete backfill) are located within the L-67C canal, adjacent to and directly east of the S-152 structure. The L-67C levee is gapped for 3,000 feet, directly east of the backfill treatments, to allow the flow from WCA-3A to pass through the culverts, through an area known as the "pocket", across the backfill treatments and into WCA-3B.

Potentially Affected Resources

The FWC staff has reviewed "*Section 3.9.2 State Listed Species*" and "*Table 3-2 State Listed Species within the Project Area.*" The FWC staff has provided an updated table of state-listed species (enclosed) for the convenience of U.S. Army Corps of Engineers (USACE) authors that may serve as reference to update "*Table 3-2: State Listed Species Within the Project Area*" published in the EA.

Comments and Recommendations

Recreation

The FWC manages WCA-3A and WCA-3B as part of the Everglades and Francis S. Taylor Wildlife Management Area (EWMA). The EWMA contains highly significant natural resources, and is managed for natural vegetative communities, wildlife and aquatic species, and recreational uses. The EWMA is popular for hunting, angling, wildlife viewing, airboating and recreational boating. Recreational access to WCA-3B and the L-67C canal during the implementation, testing and monitoring of the DECOMP physical model remains a concern for FWC staff, and staff is available to work directly with the project sponsor to develop viable solutions to improve access during Phase 2 operations. Wildlife-based public outdoor recreation opportunities provide economic benefit and contribute to the regional economy. The FWC recommends that future planning efforts focus more on the hydrologic connectivity of the system and not the backfilling of canals that support significant recreational activities.

Hydrology

The FWC continues to support the development of a regulation schedule for WCA-3B. We appreciate the USACE's commitment to developing a regulation schedule for WCA-3B as a part of the Combined Operational Plan (COP) and support the operational flexibility that S-152 offers. Additionally, the FWC staff appreciates that USACE incorporated a Site_71 stage constraint for WCA-3B of +8.5 feet National Geodetic Vertical Datum (NGVD) for the duration of Phase 2 operations. The Site_71 constraint is an important component for the maintenance of ecologically compatible water levels in WCA-3B, which supports some of the least impacted tree islands remaining in the Everglades ridge and slough landscape. Transferring prolonged high water levels from WCA-3A to WCA-3B as part of a water management plan would not be acceptable approach to the FWC. Therefore, to protect the natural resources in WCA-3B, the FWC recommends that when WCA-3B stages at Site_71 equal or exceed +8.5 ft. NGVD, discharge through the S-152 structure should be discontinued.

As is reflected in past comments on prior reviews of this project, the FWC is in support of the ecological benefits of Everglades restoration and the adaptive elements that the Decomp Physical Model brings. The FWC finds this project consistent with FWC's authorities under the Coastal Zone Management Act/Florida's Coastal Management Program and staff will continue to participate during Phase 2 operations to ensure maximum benefits for fish and wildlife resources. If the project sponsor would like to coordinate further on any comments or recommendations contained in this letter, or if you have specific technical questions regarding the content of this letter, please contact me directly at (561) 882-5704 or email at James.Erskine@MyFWC.com. If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at FWCConservationPlanningServices@MyFWC.com.

Sincerely,

James Erskine
Everglades Coordinator

je/bm
ENV 1-3-2
Decomp Physical Model Supp EA and FONSI_33480_080317

Enclosure

TABLE 3-2. STATE LISTED SPECIES WITHIN THE PROJECT AREA

Common Name	Scientific	Name Status
Mammals		
Everglades mink	Mustela vison evergladensis	T
Birds		
Snowy plover	Charadrius nivosus	T
American oystercatcher	Haematopus palliates	T
Black skimmer	Rynchops niger	T
Least tern	Sterna antillarium	T
White-crowned pigeon	Patagioenas leucocephalus	T
Little blue heron	Egretta caerulea	T
Tricolored heron	Egretta tricolor	T
Reddish egret	Egretta rufescens	T
Roseate spoonbill	Platalea ajaja	T
Florida sandhill crane	Antigone canadensis pratensis	T
Southeastern American kestrel	Falco sparverius paulus	T
Reptiles		
Rim rock crowned snake	Tantilla oolitica	T
Plants		
Pine-pink orchid	Bletia purpurea	T
Lattace vein fern	Thelypteris reticulate	E
Eatons spikemoss	Selaginella eatonii	E
Wright's flowering fern	Anemia wrightii	E
Tropical fern	Schizaea pennula	E
Mexican vanilla	Vanilla mexicana	E

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

August 3, 2017

Chris Stahl, Coordinator
Florida State Clearinghouse
Florida Department of Environmental Protection
2600 Blair Stone Road, M.S. 47
Tallahassee, FL 32399-2400

Via email

Subject: Jacksonville District, US Army Corps of Engineers
Supplemental Environmental Assessment and Proposed Finding of No Significant Impact for The WCA3 Decompartmentalization and Sheetflow Enhancement Project
SAI # FL201707038041C

Dear Mr. Stahl:

The South Florida Water Management District (SFWMD) has reviewed the above referenced project and has the following comments:

Document	Page	Comment
EA	1-10	Discussion of the management of WCA-3A as a multiple-use resource has been added and is much better.
EA	General	While not critical, the fact DPM is a state of the science project suggests that µg/L should be used for TP concentrations throughout the report. PPB is a common ratio, but not an up-to-date expression of concentration as mass per unit volume.
EA	2-2	"The project site would be returned to original conditions (prior to DPM Phase 1) at the conclusion of the test." While reasonable for such a project, it would be nice to have some flexibility on how the project land is managed post-DPM. Findings to date are indicating strongly that flow is benefiting marsh ecology, so why not have options to manage the area with improved flow and or incorporate the area expressly into regional projects, like CEPP. This statement is repeated in several places in the EA.

EA	2-2	Bullet 3-5: PM EA/FONSI document states that the volume of water delivered to Shark River Slough (SRS) is to remain about the same. If this is so, this would not impact Appendix A WQ compliance. Yet, in the Operational strategy (Appendix A of the DPM EA/FONSI document) it is clearly recognized that DPM will increase flow to SRS. Which one is it? If it is increasing flow to SRS, this has a potential of affecting Appendix A WQ compliance (Consent Decree). So far, each flow test (4 months test) resulted in approximately 30,000 to 45,000 AF (see Table 4-1) of annual volume of flow delivered to WCA 3B, which can potentially make it to SRS through S355A and S355B.
EA	3-11	The information on the loss of ridge and slough near the bottom of page 3-11 is concise and on the mark. However, back in section 3.4, the hydrological history of the project area and the near complete loss of water movement needs an additional paragraph, including the time-period between 1917 and 1965 when there was a huge loss of water and no infrastructure available to redirect water. This historical aspect is an important backdrop given the objectives of DPM. A shortened version of the first paragraph in section 3.11 would have most of this information.
EA	Figure 3-1	The figure is out of date, going only to 2012; it is important to update as inflow concentrations are much lower currently than reflected in the figure.
FONSI	4	The annual report documents what appears to be improved habitat and ecology; a return to original conditions would presumably devastate such improvements. Is this backsliding?
EA	1-10	Section 1.4: Where are upstream industrial urban uses? Agricultural and high density residential areas are far upstream but shouldn't be categorized as adjacent.
EA	2-1	Section 1.1.1: Why is there no option to cease in 2017 and return to original condition?
EA	3-16	Figure 3-1: What is the point of this graphic? It seems to indicate that despite a drop in FWM at inflows to WCA-3, there is little to no response at SRS.
EA	3-16	Section 3.12: Interesting discussion but how much of this history is relevant to the issue.
EA	3-20	Section 3.15: How do levees and canals limit vehicle access? If anything, the levees act as roads and the canals as waterways for boat traffic
EA	3-20	Section 3.15: ",,,the lands have no history of prior agricultural or industrial use that would cause such contamination." What about aviation incidents?
EA	3-21	Section 3.18: "Private camps are located throughout WCA 3. Private camps are lot located within the footprint." This statement contradicts Section 3.15
EA	4-39	Section 4.8.1: "…the No Action Alternative would maintain current conditions for fish and wildlife resources within WCA 3B, allowing the continuation of adverse effects on vegetative communities upon which fish and wildlife resources rely." This is confusing. Wouldn't No Action be leaving everything in place but not operating actually degrade the improved environment that was developed during the study?

EA	4-51	EA/FONSI document states current flood protection will be maintained as long as SRS1 and/or Site 71 <= 8.5 ft NGVD. It also recognizes flood control will be affected when these thresholds are exceeded. Are these statements based on pre-DPM WCA3B flood control operations or recent data analysis and/or model results?
Appendix A	A-4	end of 1st paragraph: Add text to indicate that the convert from NAVD to NGVD, 1.52 feet need to be added to the NAVD elevation
Appendix A	A-7 4.1	Need to emphasize the importance and close link with Appendix B. Regarding permit, suggest adding the documents including any modification or a summary as an appendix.
Appendix A	A-7	PM EA/FONSI document states that the volume of water delivered to Shark River Slough (SRS) is to remain about the same. If this is so, this would not impact Appendix A WQ compliance. Yet, in the Operational strategy (Appendix A of the DPM EA/FONSI document) it is clearly recognized that DPM will increase flow to SRS. Which one is it? If it is increasing flow to SRS, this has a potential of affecting Appendix A WQ compliance (Consent Decree). So far, each flow test (4 months test) resulted in approximately 30,000 to 45,000 AF (see Table 4-1) of annual volume of flow delivered to WCA3B, which can potentially make it to SRS through S355A and S355B.
Appendix A	A-8	EA/FONSI document states current flood protection will be maintained as long as SRS1 and/or Site 71 <= 8.5 ft NGVD. It also recognizes flood control will be affected when these thresholds are exceeded. Are these statements based on pre-DPM WCA3B flood control operations or recent data analysis and/or model results?
Appendix A	A-9	First paragraph: Water Quality Operational Rule, Need to emphasize the importance and close link with Appendix B. Second sentence doesn't make sense. Last sentence is missing a period.
Appendix A	A-10 4.9 and 5.0	Permit number does not include the -007 as previously written. Last paragraph, the S355A and B are not currently used very frequently. Is it anticipated that the flows through S152 will increase the utilization of the S355s structures? What other factors or operational changes may increase the use of the S355s structures?
Appendix A	A-11	The elected alternative is such that DPM experiment is proposed year-round. Since year round DPM flow tests are likely to increase likelihood of opening S355A and B, will Rainfall plan target flows be proportionally distributed between S333 and S355A and B each week? Or will S355A and B discharges be above and beyond what the Rainfall Plan calls for at S333? The specific operational protocols on how this flow proportioning is to happen need to be clearly described in the operational strategy document.
Appendix A	A-11	5.1: This is the first time target discharge at S152 is mentioned. Is this a target linked to the rainfall plan or for the DPM scientific test itself? Please elaborate/ explain.
Appendix A	A-12	Bullet numbers are incorrect. First sentence is a continuation from previous page 4-5 should be 3-4. Permit number is inconsistent with first mention in document.

Appendix A	A-12 - A-13 A-25 - A-28	The S152 culverts rating, spillway flow equation seems to be used at culvert S152 (Controlled Submerged, Uncontrolled Submerged conditions…etc.). Please provide specific equations for the S152 ratings. What about full-pipe or open-channel flow conditions at the culverts?
Appendix A	A-13 A-29	A single Maximum Allowable Gate Opening Curve (MAGO) is provided in Appendix A. Given the relatively low head differential across Culvert S152, are Maximum Allowable Gate Opening (MAGO) curves really needed at this structure? Also, if MAGO curves are indeed needed, shouldn't they be headwater versus tailwater elevations with a different curve for each MAGO (as opposed to just 1 MAGO curve at Q = 800 cfs)? This is not a MAGO curve. It is a rating curve showing the gate opening needed to pass 800 cfs through S-152 with a given head differential. No mention of the criteria to limit the gate opening, hydraulic jump or erosion. According to the riprap design velocity and geometry given in in Table A-1, the riprap area downstream of the structure will not have erosion problems for depths above 1 feet, stage 1 feet NAVD (2.52 ft NGVD). Much higher stages are expected at this location.
Appendix B	B-i	This document provides very good information on the analysis to derive the monthly regression models to forecast GMTP at S151 (and S152 by subtracting 1 ppb from the forecast). However, it is not possible to understand the decision making process because terms are introduced in Section 8 which are not previously defined. Up to Section 8 the regression models have been characterized as monthly. The 2 and 4-week periods are introduced, as well as the associated GMTP forecast for these periods. How are these forecasts obtained and how they relate to the monthly forecast? Are the regression model applicable to full calendar months, to 4 weeks at the beginning of the month or to 4-week windows at any point in the month? Also, the term "dynamic regression model" is introduced and a reference to Saunders (2015) is given. This "dynamic regression model" structure needs to be well defined here, since Appendix A (Operational Strategy) will rely on this document to decide when to open (or continue releases) through S152. In general, operational guidelines need to be well defined, minimizing ambiguity. Also, it is highly recommended that they are self contained, so that when a decision point is reached, water managers will find all the information in a single place or document. More detailed comments are given through the document. May want to point to the fact that the term "dynamic regression model" does not point to models with the same name found in the literature multiple regression models with the error term represented by another type of autoregressive model (AR, ARMA or ARIMA models). Bringing selected paragraphs from the cited references by Saunders and Saunders and Sklar will radically improve this appendix.

Appendix B	B-2	I suggest changing this sentence to clarify the generalization of “relatively low”: Original: Overall, the corrected model (Table 8-1) performed very well in identifying months when TP was acceptable for starting flow: over the July-October period, there were only 2 instances of incorrectly predicting <=10 ppb and both had relatively low observed TP (11 and 12 ppb). Change to: Overall, the corrected model (Table 8-1) performed very well in identifying months when TP was acceptable for starting flow. During the July-October period, there are only two instances of incorrectly predicting <=10 ppb, and both results (11 and 12 ppb) are within the reported analytical measurement uncertainty for TP (±2 ppb) from the 10 ppb trigger.
Appendix B	B-2	Bullet 5, "S151 vs S152 TP difference - Paired S151 & S152 data (since 2013) show S152 TP is significantly lower than S151, by ~1.1-1.3 ppb (depends on time of year)." How 1.1 to 1.3 ppb was statistically determined to be “significantly lower” should be explained. The analytical quantitation limits and measurement uncertainty associated with the TP results should be presented to provide context in any determination of significant difference.
Appendix B	B-2	Bullet 3, define or explain "the week-to-week dynamic trigger" Bullet 4, additional background and explanation of "January Trigger".
Appendix B	B-6	Was DBHYDRO also the data source for S152 TP, need clarification.
Appendix B	B-21	8.0 This section needs to include information from the publications by Saunders and Saunders and Sklar. Furthermore, re-organize or re-write this section to clearly define which model (monthly regression or dynamic regression) is used and when (Sep, Nov, Jan?) and for what time window (1,2, 4 weeks, month). The process to operate S152 based on WQ (initial open, increased/reduced opening, complete closing) needs to be laid out here very precisely and without ambiguities 8.1, the table gives the structure of the monthly regression models. Add the coefficients for each model here so that the models can be used for computations. Also, list data sources (and DBKEYS if DBHYDRO Part 1, Step 3, is confusing, needs to define clearly what is the "dynamic regression model". Is the "dynamic regression model" used also in Step 2 as defined above (...to open for at least 2 weeks)?
Appendix B	B-22	Paragraph 1 and note: Dynamic regression model needs to be fully described in this document. Part 2, Step 2 and 3, are these steps 4 and 5?
Appendix B	B-23	Will USACE be in charge of applying the decision making process

Appendix B	B-32	Any changes noted above referencing "relatively low" and "significantly lower" on page B-2 should also be reflected in current conclusions on page B-32: By comparing regression-predicted versus historic observed monthly GMTP values, we found regression models resulted in a decision to open the S-152 during observed low TP (≤ 10 ppb) conditions relatively successfully during the months from August to November. In the instances where the triggers incorrectly resulted in a decision to flow during elevated TP conditions, the observed TP was relatively low, 11 ppb in all but 1 case (12 ppb). Based on weekly data collected from 2013-2017, S152 TP is significantly lower than S-151 TP, by ~1 ppb. When repeating the regression models using a corrected dataset (S151 TP – 1 ppb), the regression models showed some improvement over models using the raw S-151 data. The regression models never resulted in a decision to flow during elevated TP conditions for the months of August through November. The models remain conservative, however, because in several years they still predicted > 10 ppb (no flow) during ≤ 10 ppb conditions.

Thank you for the opportunity to comment.

Nasuti, Melissa A CIV USARMY CESAJ (US)

From: Stahl, Chris <Chris.Stahl@dep.state.fl.us>
Sent: Wednesday, August 23, 2017 3:52 PM
To: Nasuti, Melissa A CIV USARMY CESAJ (US)
Subject: [Non-DoD Source] State_Clearance_Letter_For_FL201707038041C_WCA 3 DECOMPARTMENTALIZATION AND SHEETFLOW ENHANCEMENT PROJECT (DECOMP) - MIAMI-DADE COUNTY
Attachments: 2017-08-07_USACE WCA 3 DECOMP and DPOM_Clearinghouse Memo.docx; WCA 3 Decomp Model EA and FONSI.DOCX; Decomp Physical Model Supp EA and FONSI_33480_080317.pdf

August 23, 2017

Melissa A. Nasuti

U.S. Army Corps of Engineers

Jacksonville District, Planning Division

P. O. Box 4970

Jacksonville, Florida 32232-0019

RE: Department of the Army, Jacksonville District Corps of Engineers - Supplemental Environmental Assessment and Proposed Finding of No Significant Impact (FONSI) for the Water Conservation Area (WCA) 3 Decompartmentalization and Sheetflow Enhancement Project (Decomp) - Miami-Dade County, Florida.

SAI # FL201707038041C

Dear Melissa:

Florida State Clearinghouse staff has reviewed the proposal under the following authorities: Presidential Executive Order 12372; § 403.061(42), 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. §§ 4321-4347, as amended.

The Florida Department of Environmental Protection, South Florida Water Management District and the Florida Fish and Wildlife Conservation Commission have reviewed the proposed action and independently submitted comments. These have been attached to this letter and are incorporated hereto.

Based on the information submitted and minimal project impacts, the state has no objections to the subject project. Thank you for the opportunity to review the proposed plan. If you have any questions or need further assistance, please don't hesitate to contact me at (850) 717-9076.

Sincerely,

Chris Stahl

Chris Stahl, Coordinator

Florida State Clearinghouse

Florida Department of Environmental Protection

2600 Blair Stone Road, M.S. 47

Tallahassee, FL 32399-2400

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State.Clearinghouse@dep.state.fl.us <mailto:State.Clearinghouse@dep.state.fl.us>

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TABLE 1. COMMENTS RECEIVED DURING FEDERAL, STATE, AND AGENCY REVIEW OF THE ENVIRONMENTAL ASSESSMENT AND PROPOSED FINDING OF NO SIGNIFICANT IMPACT AND RESPONSES

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
FEDERAL		
U.S. FISH AND WILDLIFE SERVICE (USFWS)		
COMMENTSDATE: July 27, 2017		
USFWS 1	The U.S. Fish and Wildlife Service (Service) has reviewed your letter dated June 7, 2017, and updated Environmental Assessment (EA0 and supporting appendices posted on June 28, 2017, requesting concurrence for an extension and operational modification to the Decompartmentalization (Decomp) Physical Model (DPM) of the Water Conservation Area (WCA) 3 Decomp and Sheet Flow Enhancement Project and its effort on threatened and endangered species in the project area. This concurrence letter is submitted in accordance with section 7 of the Endangered Species Act of 1973, as amended (97 Stat. 884; 16 U.S.C 1531 et seq.). The Corps and Service have previously consulted on this project which resulted in the issuance of a Fish and Wildlife Coordination Act Report in 2009, a concurrence letter in 2010 and an amended concurrence letter for a 2-year extension of the project in 2015. The Service concluded, in agreement with the Corps, that the project may affect, but is not likely to adversely affect the Eastern indigo snake (Drymarchon corais couperi), Florida bonneted bat (*Eumops floridanus*), wood	Thank you for your continued coordination and participation in consultation actions related to the DPM. The Proposed Action is in full compliance with the Endangered Species Act. The U.S. Army corps of Engineers (Corps) agrees to maintain open and cooperative communication with the U.S. Fish and Wildlife Service (USFWS) during operations of the DPM. Lessons learned from the operations of the DPM are summarized on a yearly basis in the South Florida Environmental Report (https://www.sfwmd.gov/science-data/sfer) and in annual reports submitted by the United States Geological Survey (USGS) to the Corps. A copy of the 2016 USGS annual report is provided in Appendix **F**. This document summarizes lessons learned to date. Section 601(b) (1) of the Water Resources Development Act of 2000 (WRDA 2000), Public Law 106-541, authorized the Comprehensive Everglades Restoration Plan (CERP) as a framework for modifications and operational changes to the Central and South Florida (C&SF) Project to restore, preserve, and protect the south Florida ecosystem while providing for other water-related needs of the region including water supply and flood protection. The WCA 3 DECOMP Project is a component of CERP. USACE and

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	stork (*Mycteria Americana*), Everglade snail kite (*Rostrhamus sociabilis*), and Everglades snail kite critical habitat. Additionally, the project would have no effect of the Cape Sable seaside sparrow (Ammodramus maritimus mirabilis) and Florida panther (*Felis concolor coryi*). The current proposal includes a project extension to 2020 and an operational modification that would allow the project to flow water year-round. The Corps has determined `that the additional operational testing outside the October to January timeframe is not expected to appreciably impact water depth and duration in WCA-3A or WCA-3B. It was also determined that operation outside of this window would not increase the risk of exceeding the current limits of phosphorus and other nutrient loading. The Corps reiterated that the project is temporary in nature, and all effects to natural resources, if any, will be reversed when the project is decommissioned and removed at the end of the testing period. After carefully reviewing the updated EA and operational plan for the proposed modifications to the DPM, the Service does not see the need to modify the species affects determinations analyzed during the previous project review. Therefore, the Service concurs with the Corps' determinations for species listed in this letter. As it has in the past, the Service still requests that the Corps review that validity of maintaining the	the South Florida Water Management District (SFWMD) entered into a design agreement dated May 12, 2000 for purposes of conducting activities related to planning, engineering and design of CERP projects including DECOMP. The DPM is being conducted pursuant to that agreement as a design effort to gather information to formulate decompartmentalization of Water Conservation Area (WCA 3) and use for the design of CERP features. Congress will not appropriate funds for DECOMP construction, however, until completion of the Modified Water Deliveries (MWD) to ENP Project, authorized by Section 104 of the ENP Protection and Expansion Act of 1989, commonly called simply "Mod Waters" (WRDA 2000, Section 601 (b)(2)(D)(iv)). The DPM is a set of temporary features constructed as part of testing the potential design of future decompartmentalization efforts. The purpose of the operational testing of these design features is to obtain data regarding the movement and effects of water flowing from WCA 3A into WCA 3B across the L-67A and C canal and levee system. Currently, there is no authority to utilize this design physical model beyond its function to gather data to inform the design of yet to be authorized project.

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	culvert structure in operational condition once the test is complete. A critical part of Everglade's restoration requires culverts through, if not the complete removal of; the L-67A and C levees to allow water flow through its historic path. There could be considerable time and resource savings if it were found that the DPM culvert could facilitate the implementation of this part of the Comprehensive Everglades Restoration Plan. Additionally, the Service believes that an interagency review of interim reports and a summary of findings to date would be beneficial to the assessment of the success of the DPM project thus far.	
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA)		
COMMENTS DATE: August 17, 2017		
EPA 1	**General** On page 1-6, USACE states the Congress will not allocate funds for DECOMP until the Modified Water Deliveries (MWD) is completed. Recommendation: Since MWD is integral to DECOMP, the EPA recommends the USACE provide an approximate date of completion of MWD within the Final EA.	Please see response to USFWS 1 above regarding project authority. Much of the MWD Project has been completed, including the 8.5 SMA Project, construction of S-355A and B, S-333 and S-334 modifications, S-356, Tiger Tail camp raising, removal of four miles of the L-67 Extension Levee, and Tamiami Trail modifications. However, some features originally included in the 1992 MWD GDM and Final EIS, including features to provide hydrologic connectivity between WCA 3A and WCA 3B and complete degradation of the L-67 Extension Levee and adjacent canal, have not been completed for various reasons, including operational (water levels) constraints within WCA 3B, lowered MWD maximum operational stages for the L-29 Canal (9.7 feet National Geodetic Vertical Datum 1929 (NGVD) was

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
		assumed with the 1992 MWD GDM and Final EIS), and potential water quality concerns. In coordination with the Department of the Interior (DOI) and SFWMD, the Corps has determined that the previously constructed MWD features and the MWD features currently under construction (C-358 and S-357N), along with the acquisition of remaining real estate interests and completion of a project Water Control Plan and Operations, Maintenance, Repair, Replacement, and Rehabilitation (OMRR&R) Manual, will achieve the statutory charge to improve water deliveries into the ENP and, to the extent practicable, to restore the natural hydrological conditions within the ENP. The Corps is actively working toward completing that goal.
EPA 2	**Native American** On **page 3-16** (Affected Environment-Native Americans), the USACE provides an in-depth history of the Seminole Tribe of Florida (STOF) and the Miccosukee Tribe of Indians of Florida (Miccosukee) within the project site; however, the USACE does not discuss the tribes' previous thoughts on the DECOMP. Recommendation: The EPA recommends the USACE describe any concerns the tribes (STOF and Miccosukee) had regarding the original DECOMP project and whether they supported the project. The EPA also recommends that the Final EA also describe the STOF and Miccosukee's thoughts, concerns and/or recommendations on the current proposed project.	Comments received during scoping and subsequent public review of the 2010 DPM EA and FONSI as well as the 2015 DPM Supplemental FONSI are described within **Section 1.10**. Page. 4-45 has been updated to indicate that "Consultation with the Miccosukee Tribe of Indians of Florida and the Seminole Tribe of Florida did not indicate concern with the continued testing of the DPM." As part of the development of this project, consultation occurred between the Corps and the appropriate federally recognized tribes within the project area of interest. Letters requesting government-to-government consultation were sent to both the Miccosukee and Seminole Chairmen on April 12, 2016. In addition, the USACE conducted email and in-person correspondence with tribal government staff members to brief them on the project development and to discuss potential issues of concern with each tribe. The

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
		Seminole Tribe of Florida indicated "no objection" to the Preferred Alternative in a letter dated June 20, 2017. The Seminole Nation of Oklahoma "has no concerns" with the Preferred Alternative and "concurs with USACE's determination of no historic properties affected" in an email dated July 10, 2017. The Miccosukee Tribe of Indians of Florida did not provide formal comments regarding the Preferred Alternative; however, the Miccosukee cultural resources representative indicated no objection to the continued testing of the DPM in a phone call with the project archaeologist on June 9, 2017. The Proposed Action is not expected to affect cultural resources.
EPA 3	**Native American** On **page 4-44**, the USACE discusses the proposed project's impacts to Native Americans and states that "Consultation is ongoing and will be finalized prior to project implementation." In Appendix E, there is an email (dated July 27, 2009) from the Miccosukee that discusses concerns that tree islands could be flooded. Recommendation: The EPA recommends the USACE discuss the Miccosukee's concerns related to tree islands either in the Environmental Effects section on page 4- 44 or on page 3-16 (Affected Environment). The EPA also recommends the USACE disclose any avoidance, minimization or mitigation efforts that were implemented to alleviate the Miccosukee's concerns within the Final EA. Additionally, the EPA works closely with both the Miccosukee Tribe of Florida and the Seminole Tribe of Florida on environmental matters and is committed to working with other	Please see response to comment EPA 2 above regarding consultation with the appropriate federally recognized tribes within the project area of interest. The EA has been updated to indicate that consultation is complete. Negative effects on tree islands are not anticipated as discussed in **Sections 4.12.2**. Water levels experienced within WCA 3B under implementation of the Proposed Action would be similar to the range of water levels experienced under current water management operations. The Site_71/SRS-1 stage constraint for WCA 3B of 8.5 ft. NGVD will apply for the duration of the test period. As Alternative B is expected to provide minor beneficial effects on vegetative communities by increasing flows to WCA 3B and have no effect on tree islands which Native American communities utilize for cultural and subsistence practices, no impacts to Native American land use are anticipated. Both the Seminole and Miccosukee Tribes have indicated no objection to the continuation of the DPM test as indication in section 4.13.

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	federal partners to prioritize the Tribes' water quality and water management concerns. EPA encourages consultation and coordination with the Tribes at all levels of decision-making.	
EPA 4	**Water Quality** On **page 3-15** (Section 3.11.1) it states that "the FDEP recently established surface water quality numeric nutrient criteria for all Florida water bodies" this is inaccurate because the Numeric Nutrient Criteria (NNC) was not established for the Nutrient Watershed Region South Florida (canals), only the narrative applies there. Recommendation: The EPA recommends the USACE better describe the NNC and specifically address the narrative component of the NNC in the Final EA.	The referenced text will be revised as follows: "The FDEP recently established surface water quality numeric nutrient criteria (NNC) for a significant portion of Florida but NNC was not established for the wetlands (except for the Everglades Protection Area) and South Florida Canals. For the DPM project area, only the narrative water quality criteria applies.
EPA 5	**Water Quality** The EPA notes that the USACE does not define qualitative references to the NNC. For example, on **page 3-15**, the USACE states, "Under current conditions, total phosphorus concentrations at the structures involved in this project area are within the low to average range for this time of year." The EPA notes that there is a similar statement on **page 3-16** (last sentence, first paragraph) which states, "If current rainfall conditions continue and WY 2017 is a wet year, water quality conditions for WY 2017 in the areas adjacent o WCA 3B are expected to be good; i.e. low phosphorus concentrations". The EPA is concerned that these qualitative references do not	The referenced text has been as follows: "Under the current conditions, total phosphorus concentrations at the structures involved in this project area are within the low to average range (5-10 µg/L total phosphorus) for this time of year." The referenced text has been revised as follows: "If current rainfall conditions continue and WY 2017 is a wet to average rainfall year, water quality conditions for WY 2017 in the areas adjacent to WCA 3B are expected to be good (<10 µg/L TP) after wet season conditions are established/marsh recovery completed, until dry season conditions resume." With the current and proposed DPM water quality constraints, water will be required to be at or below 10 µg/L TP before it can be released into WCA 3B. Water quality constraints for year round operations are similar to previous

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	adequately disclose information and is not providing a complete analysis to the actual NNC. Recommendation: The EPA recommends the USACE better define "good; i.e. low phosphorus concentrations" and provide quantitative data or reference existing data sources. For NEPA disclosure purposes, the EPA also recommends the USACE quantitatively compare the NNC (if applicable) to the proposed project's potential impacts to total phosphorus in the Final EA.	operations (discharges allowed from Oct 1 through Jan 31) and therefore no impacts to WCA3B are expected to result from year round operations.
EPA 6	**Water Quality** On **page 4-43**, the USACE discusses the operations triggers for the preferred alternative (Alternative B) and states, "However, due to the operational constraints that limit nutrient loading, the additional nutrient load is expected to be very low." As discussed in the previous comment, the EPA is concerned that the qualitative statement of "very low" does not adequately describe the impacts of the preferred alternative on nutrient loads or the NNC. Recommendation: The EPA recommends the USACE provide data that quantitatively demonstrates the nutrient loading as well as provide a reference that substantiates the data. Additionally, the EPA recommends the USACE quantitatively compare the NNC (if applicable) to the proposed project's potential impacts to total phosphorus in the Final EA.	Hydrologic modeling was not done for this evaluation therefore the additional nutrient loading cannot be predicted. It should be noted that only water at or below 10 µg/L will be allowed to flow into WCA 3B under year round operations. This is the same constraint under previous DPM operations (Oct 1 through Jan 31). The assumption is that water at concentrations at or below 10 µg/L discharged into WCA 3B during year round operations will have similar impacts to previous DPM operations. Operations under previous DPM constraints did not indicate any negative impacts resulting from water quality but did indicate improved hydrology.
EPA 7	**Water Quality**	The current water quality constraints require 10 µg/L or less at the S-152 before discharges are allowed. This same constraint will apply under year round operations.

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	On **page 4-43**, the USACE states that the preferred alternative's (Alternative B) operational rules will be incorporated into an existing FDEP permit prior to the start of the DECOMP operations. Recommendation: For disclosure purposes, the EPA recommends USACE provide an approximate timeframe of when this modification to the existing FDEP permit will occur, especially if it is implemented after the publication of the Final EA.	Operational guidance related to water quality constraints has been clarified for year round operations as compared to current operations. Currently operations of the DPM are authorized under a FDEP emergency order. That emergency order may be extended beyond November 30 2017. Operations from October 1 through January 31 are already authorized under the current FDEP permit and have the same constraints (S-151 must be at or below 10 µg/L before initial opening of the S152) as the proposed year round operations. Revisions to the current FDEP DPM permit for year round operations are expected by the end of the calendar year.
TRIBAL		
THE MUSCOGEE (CREEK) NATION		
COMMENTS DATE: August 16, 2017		
MCN 1	Thank you for the correspondence regarding the Notice of Availability of the Supplemental Environmental Assessment and Proposed Finding of no Significant Impact for the Water Conservation Area 3. Miami-Dade County is outside of the Muscogee (Creek) Nation historic area of interest. We respectfully defer to the other Tribes that have been contacted. If you have any further questions or concerns, please give us a call.	Thank you for the correspondence. As part of the development of this project, consultation occurred between the Corps and the appropriate federally recognized tribes within the project area of interest. Letters requesting government-to-government consultation were sent to both the Miccosukee and Seminole Chairmen on April 12, 2016. In addition, the USACE conducted email and in-person correspondence with tribal government staff members to brief them on the project development and to discuss potential issues of concern with each tribe. The Seminole Tribe of Florida indicated "no objection" to the Preferred Alternative in a letter dated June 20, 2017. The Seminole Nation of Oklahoma "has no concerns" with the Preferred Alternative and "concurs with USACE's determination of no historic properties affected" in an email dated July 10, 2017.

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
		The Proposed Action is not expected to affect cultural resources. Thank you for your continued coordination.
STATE – FLORIDA STATE CLEARINGHOUSE		
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)		
COMMENTS DATE: August 8, 2017		
FDEP 1	**General** DPM has been operating for the past four years under the authority of a Florida Department of Environmental Protection (Department) issued Comprehensive Everglades Restoration Plan Regulation Act (CERPRA) permit No. 0304879 issued to the United States Army Corps of Engineers (Corps). To date the operational testing periods have been conducted within the months of October through January timeframe when water levels and water quality conditions are optimal. The Corps is proposing to extend the operational testing window to allow for year around testing starting in 2017 through 2021. This would allow for gaining additional information to further address scientific, hydrologic and water management uncertainties that requires further clarification prior to design and implementation of decompartmentalization features within WCA 3A. The Department finds that the statistical analysis and the proposed methodology and decision-making process that has been developed to provide operational triggers provides assurances that are protective of water quality and that the State of Florida phosphorous water quality standard for the EPA would be met under the proposed operational guidance. Therefore, the Department	Thank you for your continued coordination and participation in permitting actions related to the DPM.

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	supports extending the test to year around operations provided that the operations are guided by water quality triggers as proposed within the operational protocols.	
FDEP 2	**Specific** Please note that a modification of the Department issued CERPRA permit will be required, prior to expansion of the operational window to allow for year around operations. This permit should include any updates to the associated supporting documents.	Concur. Text within **Section 1.1** of the EA notes that a Comprehensive Everglades Restoration Plan Regulation Act (CERPA) permit was obtained from the State of Florida to satisfy the requirement for water quality certification under the Clean Water Act. CERPRA Permit Number 0304879-002 was obtained for the DPM on January 9, 2012. This permit authorized construction and operational testing in accordance with the Interim Operations Monitoring Plan and was scheduled to expire on January 9, 2017. The Corps applied for and received a renewal permit (CERPRA Permit Number 0304879-007) on November 30, 2016 for the DPM. This permit renewal for DPM testing expires November 30, 2021. This permit renewal only allows testing to continue in the October through January time frame. In compliance with the conditions of the permit, coordination with the FDEP will occur prior to additional operational testing. Further FDEP authorization will be required to extend the testing window outside of the October through January timeframe.
FDEP 3	**Specific** Section 1.2 Project Location references Figure 1-2 twice instead of referencing Figure 1-1 and Figure 1-2.	Thank you. Correction to the text within the EA has been made.
FDEP 4	**Specific** The dates when S-152 was utilized as depicted in Section 1.3 are slightly different than the dates within Table 4-1 Summary of S-152 Operations.	Operational dates noted within the EA are consistent with the operational strategy. Table 4-1 within the EA does include an additional clarification noting that S-152 was operated from February 20, 2016 to May 2, 2016 consistent with the 2016 Temporary Emergency Deviation.

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
FDEP 5	**Specific** Please include a table of monitoring gauges with their geographical coordinates and frequency of monitoring details. The current permit only has the locations for S-151, S-152 and EDEN 8.	Please reference relevant monitoring gages within Figure 1-2 of the EA. The same figure is included within the operational strategy. Locations are included in addition to those mentioned by the referenced comment.
FDEP 6	**Specific** Page 1-17 references "0304879-003 was obtained for the DPM on January 9, 2010," however this should read "0304879-002 was obtained for the DPM on January 9, 2012."	Thank you. Corrections to the text within the EA have been made.
FDEP 7	**Specific** Appendix C, Part 4.III.2 should directly reference Figure 4-1 as opposed to "are shown in the map below" as this map is two pages below.	Thank you. Corrections to the text within Appendix C have been made.
SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD)		
COMMENTS DATE: August 3, 2017		
SFWMD 1	**EA: General** While not critical, the fact DPM is a state of the science project suggests that µg/L should be used for TP concentrations throughout the report. PPB is a common ratio, but not an up-to-date expression of concentration as mass per unit volume.	Thank you. Corrections to the text have been made.
SFWMD 2	**EA: Page 1-10**	Text within **Section 1.10** has been revised to focus on land use within the WCAs. Reference to agricultural and high-density multi-family and industrial urban uses has been deleted; as these land uses are not directly adjacent to the immediate project area of the DPM.

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	Discussion of the management of WCA-3A as a multiple-use resource has been added and is much better. Section 1.4: Where are upstream industrial urban uses? Agricultural and high density residential areas are far upstream but shouldn't be categorized as adjacent.	
SFWMD 3	**EA: Page 2-1** Section 1.1.1: Why is there no option to cease in 2017 and return to original condition?	Under the No Action Alternative, operational testing for the DPM concluded on January 31, 2017. S-152 would no longer be operated. The physical features of the DPM are temporary would be removed and the project site would be returned to original conditions (prior to DPM Phase 1). The option presented by the commenter is described under **Section 2.1.1** (Alternative A: No Action Alternative).
SFWMD 4	**EA: Page 2-2** "The project site would be returned to original conditions (prior to DPM Phase 1) at the conclusion of the test." While reasonable for such a project, it would be nice to have some flexibility on how the project land is managed post-DPM. Findings to date are indicating strongly that flow is benefiting marsh ecology, so why not have options to manage the area with improved flow and or incorporate the area expressly into regional projects, like CEPP. This statement is repeated in several places in the EA. Bullet 3-5: PM EA/FONSI document states that the volume of water delivered to Shark River Slough (SRS) is to remain about the same. If this is so, this	Please see response to USFWS 1 above regarding project authority. Proposed changes in DPM operations alone will not increase deliveries to NESRS. The language in the Operational Strategy reads "Total surface water deliveries to NESRS during the DPM are anticipated to increase under the current Increment 1.1 and 1.2 operations." Indicating that the operational changes within the scope of the Modified Water Deliveries Project are anticipated to increase the deliveries to the NESRS. Increment 1.1 and 1.2 is a deviation to the current water control plan. The current S-355A/B intake features are not currently efficiently routing WCA 3B water into the L29 Canal. During the previous high water year condition in the WCA's, SFWMD had to deploy temporary pumps at the closed S-355 structure in order to effectively move water out of WCA-3B

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	would not impact Appendix A WQ compliance. Yet, in the Operational strategy (Appendix A of the DPM EA/FONSI document) it is clearly recognized that DPM will increase flow to SRS. Which one is it? If it is increasing flow to SRS, this has a potential of affecting Appendix A WQ compliance (Consent Decree). So far, each flow test (4 months test) resulted in approximately 30,000 to 45,000 AF (see Table 4-1) of annual volume of flow delivered to WCA 3B, which can potentially make it to SRS through S355A and S355B.	in the L29 Canal (NESRS). Currently without pumping at the S-355's or until improvements are made to the intake features of the S-355's, no significant increase in flows from the S-355's is expected from the DPM inflows.
SFWMD 5	**EA: Figure 3-1** The figure is out of date, going only to 2012; it is important to update as inflow concentrations are much lower currently than reflected in the figure.	The referenced figure has been removed.
SFWMD 6	**EA: Page 3-11** The information on the loss of ridge and slough near the bottom of page 3-11 is concise and on the mark. However, back in section 3.4, the hydrological history of the project area and the near complete loss of water movement needs an additional paragraph, including the time-period between 1917 and 1965 when there was a huge loss of water and no infrastructure available to redirect water. This historical aspect is an important backdrop given the objectives of DPM. A shortened version of the first paragraph in section 3.11 would have most of this information.	The following text has been added to **Section 3.4**: Within WCA 3B, the ridge-slough-tree island structure has been severely compromised by the virtual elimination of overland sheetflow since the construction of the L-67 Canal/levee system in the early 1960s. WCA 3B has become primarily a rain-fed compartment, experiencing very little overland flow; it has largely turned into a sawgrass monoculture, where relatively few sloughs or tree islands remain.
SFWMD 7	**EA: Page 3-16**	See response to SFWMD-5.

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	Figure 3-1: What is the point of this graphic? It seems to indicate that despite a drop in FWM at inflows to WCA-3, there is little to no response at SRS. Section 3.12: Interesting discussion but how much of this history is relevant to the issue.	Text in Section 3.12 regarding Native Americans is relevant to understanding existing conditions. This section also provides a historic perspective on Tribes inhabiting the area.
SFWMD 8	**EA: Page 3-20** Section 3.15: How do levees and canals limit vehicle access? If anything, the levees act as roads and the canals as waterways for boat traffic. Section 3.15: ",,, the lands have no history of prior agricultural or industrial use that would cause such contamination." What about aviation incidents?	Corrections to the text have been made. The referenced text has been deleted. A ValuJet crash did occur in 1996 but is not considered significant to the PDM project due to its distance from the location of DPM operations. Implementation of the Proposed Action is not expected to result in the discovery of HTRW since there is no excavation or other construction activities associated with this project. The project has a very low risk for increased mobilization of existing HTRW.
SFWMD 9	**EA: Page 3-21** Section 3.18: "Private camps are located throughout WCA 3. Private camps are not located within the footprint." This statement contradicts Section 3.15.	Corrections to the text have been made.
SFWMD 10	**EA: Page 4-39** Section 4.8.1: "…the No Action Alternative would maintain current conditions for fish and wildlife resources within WCA 3B, allowing the continuation of adverse effects on vegetative communities upon which fish and wildlife resources rely." This is confusing. Wouldn't No Action be leaving everything in place but not operating	Concur. Under the No Action Alternative, operational testing for the DPM concluded on January 31, 2017. S-152 would no longer be operated. The physical features of the DPM are temporary and would be removed and the project site would be returned to original conditions (prior to DPM Phase 1). Text within the EA states has been revised to state the following: The implementation of the No Action Alternative would allow the continuation of adverse effects on vegetative communities within WCA 3B upon which fish and wildlife resources rely.

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	actually degrade the improved environment that was developed during the study?	
SFWMD 11	**EA: Page 4-51** EA/FONSI document states current flood protection will be maintained as long as SRS1 and/or Site 71 <= 8.5 ft. NGVD. It also recognizes flood control will be affected when these thresholds are exceeded. Are these statements based on pre-DPM WCA3B flood control operations or recent data analysis and/or model results?	The EA recognizes that increased water levels within WCA 3B may result in increased seepage to the east as well as potential impacts to the protective levee system. The purpose of the Site_71 constraint of 8.5 ft. NGVD was established during the Experimental Program of Water Deliveries to ENP authorized by Section 1302 of Public Law 98-181. Concerns were previously expressed regarding the operation of the DPM and potential increases in seepage to areas east of WCA 3B during prior NEPA documentation. Even though the operational window is proposed to be extended to the entire year, the Site_71/SRS-1 stage constraint for WCA 3B of 8.5 ft. NGVD will therefore continue to apply for the duration of the test period. In addition to the maintenance of the existing stage criteria, if an adverse impact to the flood protection level is observed during the test period, the operations of the S-152 structure will be modified accordingly.
SFWMD 12	**FONSI: Page 4** The annual report documents what appears to be improved habitat and ecology; a return to original conditions would presumably devastate such improvements. Is this backsliding?	Please see response to USFWS 1 above regarding project authority. The EA recognizes that implementation of the No Action Alternative (cessation of DPM operations and removal of DPM features) would allow the continuation of adverse effects on vegetative communities within WCA 3B upon which fish and wildlife resources rely. However the DPM is a set of temporary features constructed as part of testing the potential design of future decompartmentalization efforts. The purpose of the operational testing of these design features is to obtain data regarding the movement and effects of water flowing from WCA 3A into WCA 3B across the L-67A and C canal and levee system. Currently, there is no authority to utilize this design physical model beyond its

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
		function to gather data to inform the design of yet to be authorized project.
SFWMD 13	**Appendix A: Page A-4** End of 1st paragraph: Add text to indicate that the convert from NAVD to NGVD, 1.52 feet need to be added to the NAVD elevation.	At the end of the second paragraph of Section 1, just after the words "unless otherwise noted.", the following text will be added: "To convert elevations at S-152 from ft., NAVD to ft., NGVD, the conversion is: ft., NAVD + 1.52 ft = ft., NGVD."
SFWMD 14	**Appendix A: Page A-7** DPM EA/FONSI document states that the volume of water delivered to Shark River Slough (SRS) is to remain about the same. If this is so, this would not impact Appendix A WQ compliance. Yet, in the Operational strategy (Appendix A of the DPM EA/FONSI document) it is clearly recognized that DPM will increase flow to SRS. Which one is it? If it is increasing flow to SRS, this has a potential of affecting Appendix A WQ compliance (Consent Decree). So far, each flow test (4 months test) resulted in approximately 30,000 to 45,000 AF (see Table 4-1) of annual volume of flow delivered to WCA3B, which can potentially make it to SRS through S355A and S355B. **Appendix A: Page A-7 (4.1)**	Proposed changes in DPM operations alone will not increase deliveries to NESRS. The language in the Operational Strategy reads "Total surface water deliveries to NESRS during the DPM are anticipated to increase under the current Increment 1.1 and 1.2 operations." This indicates that operational changes within the scope of the Modified Water Deliveries Project are anticipated to increase the deliveries to the NESRS. Please reference Section 4.1 of the operational strategy which indicates that water quality operational rules have been developed to guide initiation of DPM testing. References to Appendix B have been included in the operational strategy. Text is also provided in the operational strategy that makes reference to potential permit modifications.

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	Need to emphasize the importance and close link with Appendix B. Regarding permit, suggest adding the documents including any modification or a summary as an appendix.	
SFWMD 15	**Appendix A: Page A-8** EA/FONSI document states current flood protection will be maintained as long as SRS1 and/or Site 71 <= 8.5 ft. NGVD. It also recognizes flood control will be affected when these thresholds are exceeded. Are these statements based on pre-DPM WCA3B flood control operations or recent data analysis and/or model results?	See response to comment SFWMD-11.
SFWMD 16	**Appendix A: Page A-9** First paragraph: Water Quality Operational Rule, Need to emphasize the importance and close link with Appendix B. Second sentence doesn't make sense. Last sentence is missing a period.	The text "provided in Appendix B of the EA" has been added to the first sentence as a qualifier to "Water Quality Operational Rules". The second sentence has been changed to: "These rules, or updated versions of them, if applicable, will have been incorporated into the FDEP Permit for DPM Phase 2, prior to the start of Phase 2 of the DPM." The last sentence was removed as the information is included earlier in the paragraph.
SFWMD 17	**Appendix A: Page A-10 (4.9 and 5.0)**	Permit is now appropriately referenced.

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	Permit number does not include the -007 as previously written. Last paragraph, the S355A and B are not currently used very frequently. Is it anticipated that the flows through S152 will increase the utilization of the S355s structures? What other factors or operational changes may increase the use of the S355s structures?	No change to the S-355 operational criteria is proposed in this EA. As explained in Section 5.0 "Any discharges through S-355A and/or S-355B will be in accordance with this permit." [referring to FDEP Permit Number 0246512-003]. However, increased stages in the WCA3B are expected to be offset by increased stages in L-29 due to the current emergency deviation action and the Increment 2 Operational Strategy. Therefore, a significant increase in the frequency of use of the S-355 structures is not anticipated.
SFWMD 18	**Appendix A: Page A-11** The elected alternative is such that DPM experiment is proposed year-round. Since year round DPM flow tests are likely to increase likelihood of opening S355A and B, will Rainfall plan target flows be proportionally distributed between S333 and S355A and B each week? Or will S355A and B discharges be above and beyond what the Rainfall Plan calls for at S333? The specific operational protocols on how this flow proportioning is to happen need to be clearly described in the operational strategy document. 5.1: This is the first time target discharge at S152 is mentioned. Is this a target linked to the rainfall plan or for the DPM scientific test itself? Please elaborate/explain.	Increased stages in the WCA3B are expected to be offset by increased stages in L-29 due to the current emergency deviation action and the Increment 2 Operational Strategy. Therefore, a significant increase in the frequency of use of the S-355 structures is not anticipated. The operational strategy does not propose a change in S-355 operational criteria. The MWD Project has provisions that describe the conditions under which the S-355s and S-333 will be operated. S-333 is the primary structure for releasing the Rainfall Plan target discharge. S-355A and S-355B may be used as secondary structures for releasing the Rainfall Plan target discharge. S-333 discharges will have first priority in making maximum practicable discharges for meeting the Rainfall Plan target discharge. S-355(s) or S-12 structure(s) may have second priority for releasing the Rainfall Plan target discharge. Regarding Section 5.1, the target discharge at S-152 is for the DPM scientific test itself.
SFWMD 19	**Appendix A: Page A-12**	

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	Bullet numbers are incorrect. First sentence is a continuation from previous page 4-5 should be 3-4. Permit number is inconsistent with first mention in document.	Bullet numbers have been corrected. Permit is now appropriately referenced in the Operational Strategy.
SFWMD 20	**Appendix A: Page A-13** A single Maximum Allowable Gate Opening Curve (MAGO) is provided in Appendix A. Given the relatively low head differential across Culvert S152, are Maximum Allowable Gate Opening (MAGO) curves really needed at this structure? Also, if MAGO curves are indeed needed, shouldn't they be headwater versus tailwater elevations with a different curve for each MAGO (as opposed to just 1 MAGO curve at Q = 800 cfs)?	Concur. The curve is a maximum gate opening rating required to pass the design discharge of 800 cfs. The word "allowable" will be removed from the sentence in paragraph 8 Standing Instructions to S-152 Operator referencing Figure A-5 so as not to call it a MAGO curve.
SFWMD 21	**Appendix A: Page A-29** This is not a MAGO curve. It is a rating curve showing the gate opening needed to pass 800 cfs through S-152 with a given head differential. No mention of the criteria to limit the gate opening, hydraulic jump or erosion. According to the riprap design velocity and geometry given in in Table A-1, the riprap area downstream of the structure will not have erosion problems for depths above 1 feet, stage 1 feet NAVD (2.52 ft NGVD). Much higher stages are expected at this location.	Concur. The word "allowable" will be removed from the sentence in paragraph 8 Standing Instructions to S-152 Operator referencing Figure A-5 so as not to call it a MAGO curve.
SFWMD 22	**Appendix A: Page A-12, A-13, A-25, and A-28** The S152 culverts rating, spillway flow equation seems to be used at culvert S152 (Controlled	The orifice equation was used to estimate gate controlled discharges. Manning's equation was used to estimate friction losses in the culvert barrel. The structure ratings were based on fully submerged or full pipe flow conditions.

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	Submerged, Uncontrolled Submerged conditions…etc.). Please provide specific equations for the S152 ratings. What about full-pipe or open-channel flow conditions at the culverts?	
SFWMD 23	**Appendix B: Page B-I** This document provides very good information on the analysis to derive the monthly regression models to forecast GMTP at S151 (and S152 by subtracting 1 ppb from the forecast). However, it is not possible to understand the decision making process because terms are introduced in Section 8 which are not previously defined. Up to Section 8 the regression models have been characterized as monthly. The 2 and 4-week periods are introduced, as well as the associated GMTP forecast for these periods. How are these forecasts obtained and how they relate to the monthly forecast? Are the regression model applicable to full calendar months, to 4 weeks at the beginning of the month or to 4-week windows at any point in the month? Also, the term "dynamic regression model" is introduced and a reference to Saunders (2015) is given. This "dynamic regression model" structure needs to be well defined here, since Appendix A (Operational Strategy) will rely on this document to decide when to open (or continue releases) through S152. In general, operational guidelines need to be well defined, minimizing ambiguity. Also, it is highly recommended that they are self contained, so that when a decision point is reached, water managers will find all the information in a single place or document. More	These comments are addressed by modifying the document as follows: Figure 8-1B added to demonstrate and clarify how monthly regression models would be used to decide whether to open S152, up to 2- and 4-weeks into the following month. As stated in the figure legend, the monthly regression prediction is applied as constant across all weeks in the month; therefore, for opening using a monthly regression, the decision will be either to open for the entire month or close for the entire month. Figure 8-1C added to demonstrate and clarify how the dynamic regression models are used to open S152, when weekly decision-making for opening S152 is required. Excerpts from Saunders 2015 are included in this description, and the entire Saunders 2015 document included as an appendix within the Appendix B document for further details on the dynamic regression trigger. Saunders and Sklar 2011 also included as an appendix within this document to describe previous covariate analyses. Added text to clarify the definition “dynamic regression model” as separate from AR, ARMA, and ARIMA models in the literature. Figure 8-1D added to demonstrate and clarify how monthly regressions and observed data would be used to decide

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	detailed comments are given through the document. May want to point to the fact that the term "dynamic regression model" does not point to models with the same name found in the literature multiple regression models with the error term represented by another type of autoregressive model (AR, ARMA or ARIMA models). Bringing selected paragraphs from the cited references by Saunders and Saunders and Sklar will radically improve this appendix.	whether to continue operations of the S152, up to 2- and 4-weeks into the following month
SFWMD 24	**Appendix B: Page B-2** I suggest changing this sentence to clarify the generalization of "relatively low": Original: Overall, the corrected model (Table 8-1) performed very well in identifying months when TP was acceptable for starting flow: over the July-October period, there were only 2 instances of incorrectly predicting <=10 ppb and both had relatively low observed TP (11 and 12 ppb). Change to: Overall, the corrected model (Table 8-1) performed very well in identifying months when TP was acceptable for starting flow. During the July-October period, there are only two instances of incorrectly predicting <=10 ppb, and both results (11 and 12 ppb) are within the reported analytical measurement uncertainty for TP (±2 ppb) from the 10 ppb trigger. Bullet 5, "S151 vs S152 TP difference - Paired S151 & S152 data (since 2013) show S152 TP is significantly lower than S151, by ~1.1-1.3 ppb	Text has been changed. Text has been changed: "Paired S151 & S152 data (since 2013) show S152 TP is significantly lower than S151, the average difference varying from 1.0 to ~1.3 ppb depending on time of year (Figure 9-2)." Text has been changed: "(Note - in special cases when immediate opening of the structure is needed, the a "dynamic regression trigger" can also be used to decide whether the structure can be opened within the following week) (described in Figure 8-1C and Appendix 1)" Added reference to the Figure 8-1D, which graphically describes the decision to continue operation. A brief explanation of how the forecasted running GMTP is generated is provided in the bullet. The mention of the January trigger (from the previous DPM operational/WQ compliance permit) is placed at the end, to de-emphasize its importance. This sentence was intended to provide background about how the forecast GMTP approach was developed (and permitted).

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	(depends on time of year)." How 1.1 to 1.3 ppb was statistically determined to be "significantly lower" should be explained. The analytical quantitation limits and measurement uncertainty associated with the TP results should be presented to provide context in any determination of significant difference. Bullet 3, define or explain "the week-to-week dynamic trigger." Bullet 4, additional background and explanation of "January Trigger."	
SFWMD 25	**Appendix B: Page B-6** Was DBHYDRO also the data source for S152 TP, need clarification.	Changed to "TP data for the S-151 and S-152 structure were obtained from "DBHYDRO" …
SFWMD 26	**Appendix B: Page B-21** 8.0 This section needs to include information from the publications by Saunders and Saunders and Sklar. Furthermore, re-organize or re-write this section to clearly define which model (monthly regression or dynamic regression) is used and when (Sep, Nov, Jan?) and for what time window (1,2, 4 weeks, month). The process to operate S152 based on WQ (initial open, increased/reduced opening,	Section 8 was re-organized to provide the context for the use of both monthly regression models and the "dynamic regression trigger" within the operational decision tree. Additional descriptions. See response to SFWMD 23 regarding the changes made to clarify which model is used and when and for what time window for decisions to open S152 and continue operations. Also for changes made to clarify the "dynamic regression model" (also referred to as "dynamic regression trigger")

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	complete closing) needs to be laid out here very precisely and without ambiguities. 8.1, the table gives the structure of the monthly regression models. Add the coefficients for each model here so that the models can be used for computations. Also, list data sources (and DBKEYS if DBHYDRO). Part 1, Step 3, is confusing, needs to define clearly what is the "dynamic regression model". Is the "dynamic regression model" used also in Step 2 as defined above (...to open for at least 2 weeks)?	Saunders 2015 and Saunders and Sklar 2011 both included as appendices 1 and 2 (respectively) to this document. Data sources for models in table 8.1 already provided
SFWMD 27	**Appendix B: Page B-22** Paragraph 1 and note: Dynamic regression model needs to be fully described in this document. Part 2, Step 2 and 3, are these steps 4 and 5?	See response to SFWMD 23 and 26.
SFWMD 28	**Appendix B: Page B-23** Will USACE be in charge of applying the decision making process?	Final decisions to operations are made by the USACE. Data and analyses required for the decision tree will be provided by SFWMD, in coordination with the DPM science team.
SFWMD 29	**Appendix B: Page B-32** Any changes noted above referencing "relatively low" and "significantly lower" on page B-2 should also be reflected in current conclusions on page B-32: By comparing regression-predicted versus historic observed monthly GMTP values, we found	Wording on B-32 revised to be consistent with changes made to B-2 regarding S-152 and S-151 differences in TP.

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	regression models resulted in a decision to open the S-152 during observed low TP (≤ 10 ppb) conditions relatively successfully during the months from August to November. In the instances where the triggers incorrectly resulted in a decision to flow during elevated TP conditions, the observed TP was relatively low, 11 ppb in all but 1 case (12 ppb). Based on weekly data collected from 2013-2017, S152 TP is significantly lower than S-151 TP, by ~1 ppb. When repeating the regression models using a corrected dataset (S151 TP – 1 ppb), the regression models showed some improvement over models using the raw S-151 data. The regression models never resulted in a decision to flow during elevated TP conditions for the months of August through November. The models remain conservative, however, because in several years they still predicted > 10 ppb (no flow) during ≤ 10 ppb conditions.	
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION (FWC)		
COMMENTS DATE: August 3, 2017		
FWC 1	**Recreation** The FWC manages WCA-3A and WCA-3B as part of the Everglades and Francis S. Taylor Wildlife Management Area (EWMA). The EWMA contains highly significant natural resources, and is managed for natural vegetative communities, wildlife and aquatic species, and recreational uses. The EWMA is popular for hunting, angling, wildlife viewing, air	The differential effects of partial versus more extensive backfilling of canals on the hydrology, sediment transport, vegetation and fish and wildlife resources will be addressed through operation of the DPM. The DPM utilizes S-152 to deliver experimental flows into the pocket to evaluate environmental responses to flow and evaluate the effects of partial and complete backfilling of canals and levee modifications. These results will be directly applicable to decompartmentalization of WCA 3 to further refine expected

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	boating, and recreational boating. Recreational access to WCA-3B and the L-67C canal during the implementation, testing and monitoring of the DECOMP physical model remains a concern for FWC staff, and staff is available to work directly with the project sponsor to develop viable solutions to improve access during Phase 2 operations. Wildlife-based public outdoor recreation opportunities provide economic benefit and contribute to the regional economy. The FWC recommends that future planning efforts focus more on the hydraulic connectivity of the system and not the backfilling of canals that support significant recreational activities.	benefits with regard to the degradation of portions of the L-29, L-28, L-67A and L-67C Canals. Monitoring within the DPM Science Plan focuses on the effects of sheetflow and associated nutrient loading on biological and physical processes in the ridge and slough landscape; interactions of canal-backfilling effects and sheetflow on sediment and phosphorus dynamics in and around the L67C Canal; and landscape-scale responses of enhanced hydrologic connectivity in WCA 3B. Additional years of operation as outlined with the Proposed Action will allow the opportunity to address these remaining priorities.
FWC 2	**<u>Hydrology</u>** The FWC continues to support the development of a regulation schedule for WCA-3B. We appreciate the USACE's commitment to developing a regulation schedule for WCA-3B as a part of the Combines Operational Plan (COP) and support the operational flexibility that S-152 offers. Additionally, the FWC staff appreciates that USACE incorporated a Site_71 stage constraint for WCA-3B of +8.5 feet National Geodetic Vertical Datum (NGVD) for the duration of Phase 2 operations. The Site_71 constraint is an important component for the maintenance of ecologically compatible water levels in WCA-3B, which supports some of the least impacted tree islands remaining in the Everglades ridge and slough landscape. Transferring prolonged high water levels from	USACE is beginning preparation of a National Environmental Policy Act (NEPA) assessment for the Combined Operational Plan (COP) which includes development of the current scope. The purpose of the COP is to define operations for the constructed features of the Modified Water Deliveries (MWD) to Everglades National Park (ENP) and Canal 111 (C-111) South Dade Projects. The Corps will continue coordination with the FWC, in addition to other federal and state agencies, tribal representatives, and members of the general public as development of the scope continues. The Site_71/SRS-1 stage constraint for WCA 3B of 8.5 ft. National Geodetic Vertical Datum (NGVD) will apply for the duration of the test period.

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	WCA-3A to WCA-3B as part of a water management plan would not be acceptable approach to the FWC. Therefore, to protect the natural resources in WCA-3B, the FWC recommends that when WCA-3B stages at Site_71 equal or exceed +8.5 ft. NGVD, discharge through the S-152 structure should be discontinued. As is reflected in past comments on prior reviews of this project, the FWC is in support of the ecological benefits of Everglades restoration and the adaptive elements that the Decomp Physical Model brings. The FWC finds this project consistent with FWC's authorities under the Coastal Zone Management Act/Florida's Coastal Management Program and staff will continue to participate during Phase 2 operations to ensure maximum benefits for fish and wildlife resources.	

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
Bradley M. Muller, MA, Compliance Supervisor – Seminole Tribe of Florida – (bradleymueller@semtribe.com)		
COMMENTS DATE: July 25, 2017		
STOF-THPO 1	Thank you for contacting the Seminole Tribe of Florida – Tribal Historic Preservation Office (STOF-THPO) regarding the Notice of Availability for the WCA 3 DPM Supplemental Environmental Assessment and Finding of No Significant Impact. The proposed undertaking does fall within the STOF Area of Interest. We have reviewed the documents you provided and completed our project assessment pursuant to Section 106 of the National Historic Preservation Act as amended 2014, and its implementing authority, 36 CFR 800 in order to determine if the undertaking would affect any areas important to the Tribe. We have no objections to the	Thank you for your continued coordination and participation in consultation actions related to the DPM. The Corps agrees to maintain open and cooperative communication during operations of the DPM.

COMMENTER	AGENCY/PUBLIC COMMENT	CORPS RESPONSE
	project at this time. Please notify us if any archaeological, historical, or burial resources are inadvertently discovered during project implementation. Thank you and feel free to contact us with any questions or concerns.	

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