

**CENTRAL AND SOUTHERN FLORIDA PROJECT
COMPREHENSIVE EVERGLADES RESTORATION PLAN
SITE 1 IMPOUNDMENT PROJECT**

FINAL SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT



June 2010

**CENTRAL AND SOUTHERN FLORIDA PROJECT
SITE 1 IMPOUNDMENT PROJECT**

FINAL SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

U.S. ARMY CORPS OF ENGINEERS
JACKSONVILLE DISTRICT

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT

June 2010

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FINDING OF NO SIGNIFICANT IMPACT

SITE 1 IMPOUNDMENT PROJECT
PALM BEACH COUNTY, FLORIDA

I have reviewed the Supplemental Environmental Assessment (SEA) for the proposed action. This Finding incorporates by reference all discussions and conclusions contained in the SEA enclosed herein, as well as the supporting planning and engineering documents. Based on information analyzed in the SEA, reflecting pertinent information obtained from agencies having jurisdiction by law and/or special expertise, I conclude the proposed action, phased construction, will not significantly impact the quality of the human environment and does not require an Environmental Impact Statement. Reasons for this conclusion are, in summary:

- a. The Site 1 Impoundment project, as part of the Comprehensive Everglades Restoration Plan, had been evaluated previously in the Central and Southern Florida Comprehensive Review Study (Restudy) Final Environmental Impact Statement, December 1999. The Site 1 Impoundment Final Project Implementation Report (PIR) and EA (August 2006), reconfirmed the information in the Restudy, as well as provided project-level evaluation of impacts associated with construction and operations of an impoundment.
- b. Since the Site 1 Impoundment PIR/EA was finalized (August 2006), the project has been divided into two construction phases. Phase 1 is designed to reduce seepage losses, through the reconstruction of existing features. Seepage losses represent a loss of high quality water that could otherwise be used for restoration activities. By reducing seepage, the project effectively delivers more water to the Loxahatchee National Wildlife Refuge by limiting the amount that is lost to tide. Phase 2 is designed to add long-term storage to the Loxahatchee sub-watershed, which improves the management capabilities for the LNWR and the adjacent Hillsboro Canal, and reduces damaging freshwater releases to the downstream estuaries. The second phase would also add to the seepage benefits achieved in Phase 1.
- c. No new information is known that alters the 2006 Finding of No Significant Impact. Phased implementation of the project would not affect the resources beyond what was analyzed in the 2006 Final PIR/EA.
- d. The construction and operation of Phase 1 will not increase the risk of saltwater intrusion on public water supply wells.
- e. The USACE formally consulted with U.S. Fish and Wildlife Service after discovery of an eastern indigo snake within the project footprint in June 2007. In August 2009, the U.S. Fish and Wildlife Service issued a Biological Opinion on the eastern indigo snake. The terms and conditions outlined in the Biological Opinion will be followed during construction and operation of the project. The USFWS has concurred with the phased construction approach and does not require revisions to the Biological Opinion.

f. The Florida Department of Environmental Protection issued a Comprehensive Everglades Restoration Plan Regulation Act permit for the Site 1 Impoundment project. Issued March 2010, this permit constitutes a finding of consistency with Florida's Coastal Zone Management Program and constitutes certification of compliance with water quality standards under Section 401 of the Clean Water Act. The permit allows for construction of Phase 1 and includes a specific condition for a permit modification for Phase 2. All State water quality requirements identified in the permit will be followed.



Alfred A. Pantano, Jr.
Colonel, U.S. Army
District Commander

10 JUN 2010

Date

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1.0 INTRODUCTION

This document supplements the Site 1 Impoundment Final Project Implementation Report and Environmental Assessment (PIR/EA), dated August 2006, by evaluating the effects of the proposed phased project construction.

2.0 PROJECT DESCRIPTION

The Site I Impoundment project was authorized in the Water Resources Development Act of 2007 as part of the Comprehensive Everglades Restoration Plan. The project is designed to reduce demands on Lake Okeechobee and the Arthur R. Marshall Loxahatchee National Wildlife Refuge (LNWR), provide groundwater recharge, reduce seepage from adjacent natural areas and help prevent saltwater intrusion by releasing impounded water back to the Hillsboro Canal when conditions dictate.

The project is located in Palm Beach County, Florida. The project features, as identified in the 2006 PIR/EA, include:

1. 1,800-acre project footprint with a 1,660-acre, approximately eight-foot deep above ground impoundment (and associated embankments D-525N and D-525)
2. 600 cfs inflow pump station (S-525)
3. Discharge gated culvert (S-526)
4. Auxiliary/emergency overflow spillway (S-530)
5. Seepage control canal (C-525) with an associated 45 cfs seepage pump station (S-528).
6. Gated culvert structure (S-531)
7. Service auxiliary spillway (S-527)
8. Recreation features including viewing platforms, public boat ramp and canoe launch and information kiosk

2.1 Project Phasing

In order to facilitate timely construction of this project, and to capitalize on available American Recovery and Reinvestment Act funds, the project was divided into two project phases (refer to Figures 1 and 2):

1. Phase 1: D-525N (L-40 levee modifications), spillway, and wetland area
2. Phase 2: Impoundment features, including construction of the D-525 embankment, inflow and seepage pump stations, and spillway

The first phase is designed to reduce seepage losses from LNWR through modifications to an existing levee. Seepage losses represent a loss of high quality water that could otherwise be used for restoration activities. By reducing seepage, the project effectively delivers more water to the LNWR by limiting the amount that is lost to tide. The second phase is designed to add long-term storage to the Loxahatchee sub-watershed, which improves the management capabilities for both

the LNWR and the adjacent Hillsboro Canal. The second phase would also add to the seepage benefits achieved in the first phase, and is a construction add-on to the first suite of activities.



FIGURE 1: PHASE 1 FEATURES



FIGURE 2: PHASE 2 FEATURES

2.2 Project Benefits

Phase 1 features will reduce the amount of seepage loss from the adjacent LNWR. Although most of the reduction of seepage loss would occur when both Phase 1 and Phase 2 are constructed and the impoundment filled to normal design stage, Phase 1 will provide seepage loss benefits. Existing surface water within the LNWR is lost via groundwater seepage through the L-40 levee. Levee rehabilitation is the first step in reducing seepage losses in this area. Seepage management is expected to prevent the evapotranspiration losses of approximately 19,500 acre/feet of water over the project life, keeping this water within the LNWR. This will help maintain the stage of this conservation area, also categorized as an Outstanding Florida Water Body (OFW), which contains pristine water. Reduction in seepage from the LNWR will help to increase the amount of water that remains in the natural system, especially during the dry periods. The additional water will allow for ecological habitat improvements in the LNWR. Management of this system is part of a larger seepage management strategy that covers a majority of the eastern border between the Everglades and the south Florida urban area.

Construction of Phase 1 alone will not provide the water storage benefits of the project identified in the 2006 Final PIR/EA. Construction of both Phase 1 and Phase 2 will be necessary to create an impoundment and deliver full project benefits, as described in the 2006 Final PIR/EA.

Construction of Phase 2 will complete the impoundment facility. Benefits will be consistent with benefits identified in the 2006 Final PIR/EA. The impoundment provides a variety of water management options through the storage of water for the dry season and the offset of withdrawals from other uses. The project will supplement water deliveries to the Hillsboro Canal by capturing and storing excess water currently discharged to the Atlantic Intracoastal Waterway. These supplemental deliveries will reduce demands from Lake Okeechobee and the LNWR. The impoundment will reduce the need for releases from LNWR during the dry season to meet local water demands and will facilitate the maintenance of more natural, desirable, and consistent water levels within the LNWR. More natural hydro patterns will enhance habitat function and quality, and will improve native plant and animal species abundance and diversity. Reducing peak freshwater flows from local stormwater runoff and pulsed releases from Lake Okeechobee will benefit the downstream estuaries. The 1,660-acre impoundment will also provide groundwater recharge, reduce seepage from adjacent natural areas, and prevent saltwater intrusion by releasing impounded water back to the Hillsboro Canal when conditions dictate.

2.3 Modification to Project Design to Avoid Adverse Effects on Wildlife

The Addendum to Appendix A (Engineering) of the Site 1 Impoundment Final PIR/EA described the use of stair-step armoring on the interior perimeter of the embankment. After discussions with the U.S. Fish and Wildlife Service (USFWS) and Florida Fish and Wildlife Conservation Commission (FWC), the design of this feature has been changed to a sloped embankment without stair-steps. This design change avoids and minimizes any potential adverse effects on wildlife, especially for freshwater turtle species and juvenile migratory birds that would have difficulty moving up or down a stair-step embankment. The design change has resolved this wildlife issue.

2.4 Elimination or Transfer of Existing Legal Sources of Water

Section 601(h)(5)(A) of WRDA 2000 states that existing legal sources of water shall not be eliminated or transferred until a new source of water supply of comparable quantity and quality is available to replace the water to be lost as a result of the plan. Phase 1 of the project would not eliminate or transfer any water. Phase 2 will result in a transfer of a portion of the existing legal source of water for other water-related needs in the Hillsboro Canal basin from canal deliveries via the C&SF project to water stored in and delivered out of the Site 1 Impoundment. The water delivered from the impoundment will be of comparable (or better) water quality than that delivered via the Hillsboro Canal from Lake Okeechobee for water supply purposes. Therefore, Phase 2 complies with this requirement.

3.0 ENVIRONMENTAL EFFECTS OF PHASED IMPLEMENTATION

The Site 1 Impoundment Final PIR/EA evaluated the effects of the entire project and reached a Finding of No Significant Impact. Although the 2006 Final PIR/EA addressed the entire project and did not anticipate phasing, the impacts that would occur with implementation of only Phase 1 were addressed by the Final PIR/EA and other environmental compliance efforts. Relative to implementation of the entire project, the magnitude of beneficial effects is reduced with the implementation of Phase 1 alone, because construction of both phases would be necessary to achieve the project's anticipated ecosystem benefits, as described in the Final PIR/EA.

Since the completion of the Final PIR/EA, additional hydrological modeling has been conducted to specifically address questions regarding the construction of Phase 1 and the risk of saltwater intrusion in public groundwater wells. The discovery of an eastern indigo snake in the project area led to formal consultation with the USFWS and the issuance of a Biological Opinion.

3.1 Hydrology, Risk of Saltwater Intrusion, and Water Quality

An analysis was conducted to determine if Phase 1 would have any adverse impacts that were not addressed in the 2006 PIR/EA, or would increase saltwater intrusion. Phase 1 will not have an adverse impact on saltwater intrusion into public well fields or water supply allocations. The location of the main line of Broward and Palm Beach counties public water supply wells, where saltwater intrusion is of special concern, are approximately eight to ten miles from the project area (Figure 3). By maintaining canal stages under normal rules of operation, the wellfields will be recharged in the same manner as they have historically.

The wells will not be affected by the groundwater gradient changes associated with this project phase. Phase 1 may have a beneficial impact by allowing water saved within the natural system (through seepage reduction) to be used to supplement deliveries that prevent saltwater intrusion advancing toward the coastal wells.

Groundwater modeling results show that there are no effects on groundwater stages within one mile from the project site. No reductions in groundwater recharge are detectable beyond one mile of the project site. Modeling was performed using the 3-D MODFLOW platform over a

range of stages within the impoundment, from full pool to empty, to demonstrate that the project will not affect the nearest wellhead protected area (Figure 4). The model and modeling results were reviewed by the U.S. Army Corps of Engineers (USACE), South Florida Water Management District, and the Interagency Modeling Center; and through the Agency Technical Review and Independent External Peer Review processes. Phase 1 will not entail the impoundment of water or change in groundwater or surface water head; therefore, there will be no change in recharge to, or withdrawal from, the surficial aquifer. The construction and operation of Phase 1 will have no hydrologic or hydraulic effect, no effect on water quality, and no increase in the risk of saltwater intrusion on public water supply wells.

In March 2010, the Florida Department of Environmental Protection issued a Comprehensive Everglades Restoration Plan Regulation Act (CERPRA) permit for the Site 1 Impoundment project. This permit constitutes a finding of consistency with Florida's Coastal Zone Management Program and constitutes certification of compliance with water quality standards under Section 401 of the Clean Water Act. The permit allows for construction of Phase 1 and includes a specific condition for a permit modification for Phase 2.

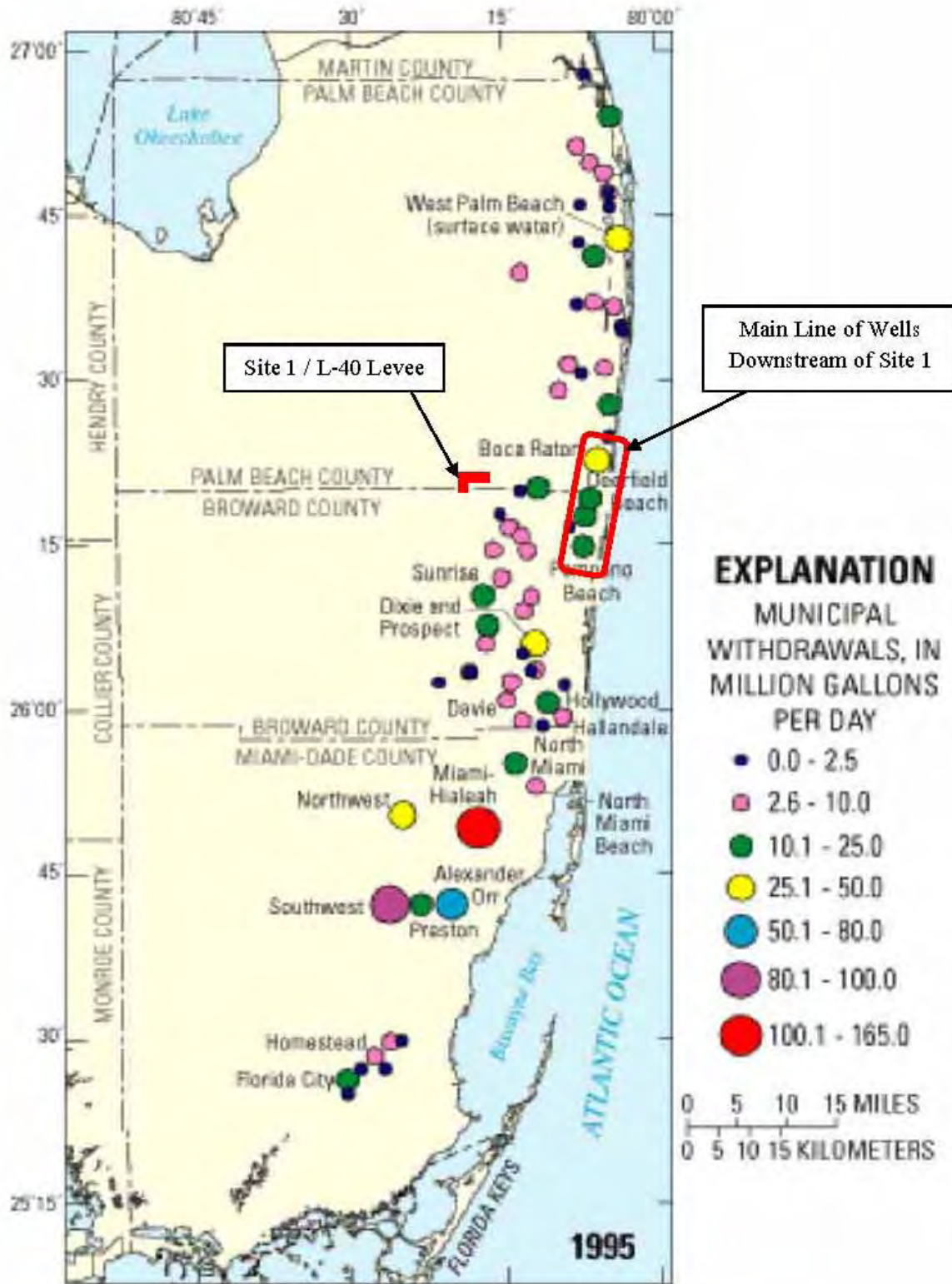


FIGURE 3: PUBLIC WATER SUPPLY WELLS DOWNSTREAM OF SITE 1

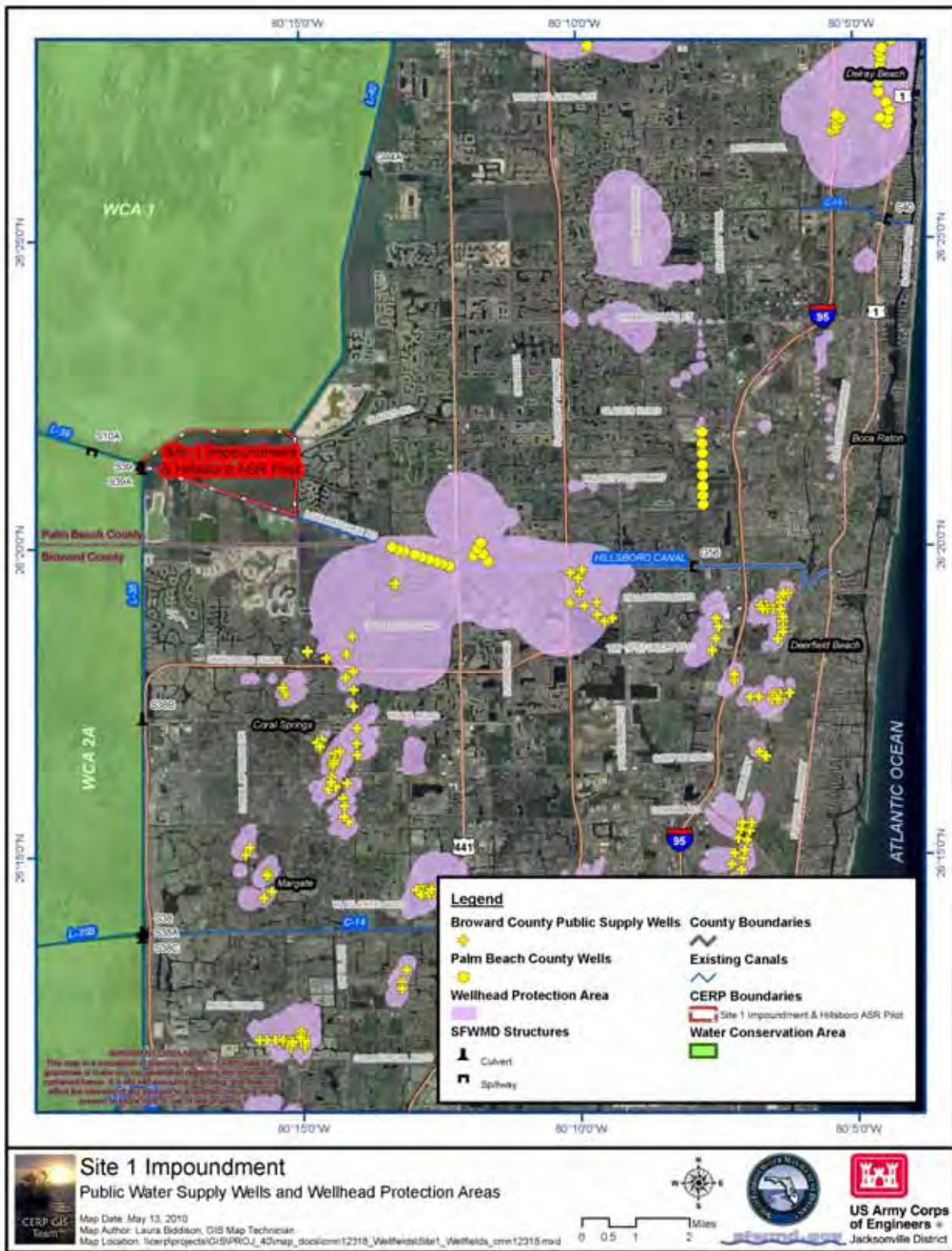


FIGURE 4: PUBLIC WATER SUPPLY WELLS AND WELLHEAD PROTECTION AREAS

3.2 Threatened and Endangered Species

In the 2006 Final PIR/EA, the USACE's initial determinations for the Everglade snail kite, wood stork, American bald eagle, Audubon's crested caracara, Florida panther, West Indian manatee, and eastern indigo snake were "may affect, but not likely to adversely affect."

In June 2007, an eastern indigo snake was observed within the project footprint. The USACE consulted formally with the USFWS. The USACE issued a Biological Assessment with the determination that the proposed action "may affect, and is likely to adversely affect," the eastern indigo snake. The USFWS issued a Biological Opinion (August 2009) and Incidental Take Statement for the eastern indigo snake, with the determination that "level of anticipated take is not likely to jeopardize the continued existence of the eastern indigo snake." The potential adverse effects to the snake would be harm from accidents involving construction equipment and loss of low-quality eastern indigo snake habitat inside the impoundment. This loss of snake habitat will be offset to some degree by the construction of levees, which will provide upland habitat preferred by eastern indigo snakes. Construction of Phase 1 and Phase 2 includes some temporary risk of harm to eastern indigo snakes by construction activities, but will not involve the loss of snake habitat. Risks will be avoided or minimized by the implementation of standard protection measures during construction. The USFWS has concurred with the phasing approach and does not require revisions to the Biological Opinion.

The relevant types of effects have been identified, evaluated, and addressed in the 2006 Final PIR/EA and the Biological Opinion, and by ongoing coordination with the USFWS and other natural resource agencies. Project phasing is not expected to cause any additional adverse impacts to the environment. Implementing the project in phases is consistent with the information presented in the 2006 Final PIR/EA.

4.0 PUBLIC INVOLVEMENT

The Draft Supplemental EA and Draft FONSI were circulated for a 30-day review (May 19 – June 18, 2010) to concerned agencies, organizations, and the interested public. The Draft Supplemental EA and FONSI were posted on the www.evergladesplan.org website. Comments received during this review period are provided below and responses are provided in Table 1. The Final Supplemental EA/FONSI document is posted to www.evergladesplan.org and the USACE Jacksonville District website.

Wilcox, Sue M SAJ

From: Paul Riley [paulsriley4@verizon.net]
Sent: Thursday, May 20, 2010 4:53 AM
To: Wilcox, Sue M SAJ
Subject: seepage leaks in wetlands of McArthur

Dear Army Corps of Engineers: I agree with the proposal to reduce seepage losses of water in the McArthur levee to improve water quality of the wetlands.
Best wishes,
Paul Riley
paulsriley4@verizon.net

Wilcox, Sue M SAJ

From: Forest Michael [michaelplanning@gmail.com]
Sent: Monday, May 24, 2010 6:02 PM
To: Wilcox, Sue M SAJ
Subject: Comments CERP Site 1 Impoundment Project

Dear Ms. Wilcox / stated POC for Comments to Subject Supplemental EA

Thank you for this opportunity to provide public comments. This is a request to modify the outdated double containment design and implement DECOMP strategy, and a large cost savings to the public.

After studying the subject document, I have the following comments:

1) **HABITAT AND WATER STORAGE AND RESTORATION:** this design is another unwanted "Containment" CONTIGUOUS to the LNWR that could otherwise add 1660 acres of habitat restoration, quality water storage, and spatial supplement to WCA-1 Loxahatchee National Wildlife Refuge (LNWR).

a) The entire 1660 acre site could become an extension of the LNWR by the relocation of the D-526N / L-40 Levee and Canal to the East and South of this containment.

b) Then, the entire area could be restored to its original habitat in a "seamless" manner (natural matching grade to the LNWR) in compliance with DECOMP per the Corps of Engineers' Mission and CERP.

c) Preserve, and provided original habitat, for various T&E Species known to inhabit the LNWR. Additional impacts are unacceptable and this restored habitat would also serve as a buffer to development.

d) NO "TAKE" - Risks to the Indigo Snake are manageable during construction with proper barriers. The newly restored 1660 acres of Indigo habitat will fully offset any habitat loss during construction requiring no take.

2) **COST SAVINGS:** provide only one (1) discharge pump station, and only one (1) discharge spillway, or NONE based on this becoming re-integrated with the LNWR, FOR A MAJOR COST SAVINGS. Natural habitat restoration would also be a cost savings over another containment and that maintenance.

3) **L-40 SAFETY AND LIFE CYCLE MANAGEMENT:** in the Levee and Canal relocation, provide a stronger levee per USACE LEVEE STANDARDS, and a wider canal structure for recreation and FLOOD CONTROL to prevent back ups as well as increasing water storage. This simplifies management and Life Cycle Costs considerably.

--
Forest Michael, Principal
michaelplanning@gmail.com
Communities and the Landscape

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Forest Michael, Principal
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Communities and the Landscape



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June 3, 2010

Ms. Sue Wilcox
U.S. Army Corps of Engineers
Jacksonville District, Planning Division
Environmental Branch
701 San Marco Blvd.
Jacksonville, FL 32207

**Re: Comments Sought on Site 1 Project
LWDD Project No. 07-8464L.01**

Dear Ms. Wilcox:

The Lake Worth Drainage District (LWDD) has been associated with the Site 1 Project since its inception. LWDD has reviewed the design, cleared up some right-of-way issues and found the project to be compatible with LWDD mission of providing flood control and water supply to our taxpayers. We look forward to its completion.

LWDD strongly encourages projects that capture stormwater that otherwise would be lost to tide.

LWDD wishes to thank both the USACE and the SFWMD for their cooperation on this important piece of the CERP program as it relates to Palm Beach County.

Sincerely,

LAKE WORTH DRAINAGE DISTRICT


Ronald L. Crone
Manager

C: Ruth Clements, South Florida Water Management District

maw/martin\07-8464L.01 Letter to USACE regarding approval of project.doc

Delray Beach & Boca Raton (561) 496-5363 • Boynton Beach & West Palm Beach (561) 737-3835 • Fax (561) 495-9694
Website: www.LWDD.net

TABLE 1: DRAFT SUPPLEMENTAL EA – COMMENTS AND RESPONSES

#	Commenter	Comment	Response
1	Paul Riley	I agree with the proposal to reduce seepage loses of water in the McArthur levee to improve water quality of the wetlands.	Thank you for your comment.
2	Forest Michael, Communities and the Landscape	<p>HABITAT AND WATER STORAGE AND RESTORATION: this design is another unwanted "Containment" CONTIGUOUS to the LNWR that could otherwise add 1660 acres of habitat restoration, quality water storage, and spatial supplement to WCA-1 Loxahatchee National Wildlife Refuge (LNWR).</p> <p>a) The entire 1660 acre site could become an extension of the LNWR by the relocation of the D-526N / L-40 Levee and Canal to the East and South of this containment.</p> <p>b) Then, the entire area could be restored to its original habitat in a "seamless" manner (natural matching grade to the LNWR) in compliance with DECOMP per the Corps of Engineers' Mission and CERP.</p> <p>c) Preserve, and provided original habitat, for various T&E Species known to inhabit the LNWR. Additional impacts are unacceptable and this restored habitat would also serve as a buffer to development.</p> <p>d) NO "TAKE" - Risks to the Indigo Snake are manageable during construction with proper barriers. The newly restored 1660 acres of Indigo habitat will fully offset any habitat loss during construction requiring no take.</p>	<p>Additional storage in the project area is needed to reverse declines in ecological function and productivity in the LNWR and WCA-2A and to provide an alternate source of water to meet water supply and water resource protection demands in the Lower East Coast Service Area 1. Regional adverse ecological conditions in the vicinity of the project area include prolonged unnatural and undesirable water levels during both wet and dry periods in LNWR and WCA-2A. Making the project area contiguous with the LNWR would not reverse the adverse ecological conditions.</p> <p>Constructing and operating the impoundment will reduce the need for releases from LNWR during the dry season to meet local water demands and will facilitate the maintenance of more natural, desirable, and consistent water levels within the LNWR. The impoundment will also reduce groundwater seepage from LNWR. The ability to achieve and maintain more natural hydroperiods and hydroperiods within LNWR by retaining more rainfall and inflows from upstream will enhance habitat function and quality and will also improve native plant and animal species abundance and diversity. The downstream estuaries will also benefit from reduced peak freshwater flows from local stormwater runoff and pulsed releases from Lake Okeechobee.</p> <p>Extra measures will be put in place to minimize risks to the eastern indigo snake. The USACE formally consulted with the U.S. Fish and Wildlife Service (USFWS) after an eastern indigo snake was seen within the project site. The USFWS has concluded that construction and operation activities of the project are not likely to jeopardize the continued existence of the eastern indigo snake. The USFWS has provided reasonable and prudent measures, and terms and conditions, which must be followed during construction and operation activities, to ensure adverse impacts to the eastern indigo snake are minimized.</p>

TABLE 1: DRAFT SUPPLEMENTAL EA – COMMENTS AND RESPONSES

#	Commenter	Comment	Response
3	Forest Michael, Communities and the Landscape	COST SAVINGS: provide only one (1) discharge pump station, and only one (1) discharge spillway, or NONE based on this becoming re-integrated with the LNWR, FOR A MAJOR COST SAVINGS. Natural habitat restoration would also be a cost savings over another containment and that maintenance.	An inflow pump station (Hillsboro Canal) and a seepage return pump station (east boundary) are required to be independent in order to ensure no adverse and significant impacts on private lands to the east of the reservoir. That is, the seepage canal has to have a tighter control range of stages than the Hillsboro Canal is capable of; therefore, the seepage return pump is on the separated seepage canal. Two overflow spillways are required, as well. During extreme, events when the overflow spillways may come to into play, the Hillsoboro Canal spillway (lower weir crest elevation) spills first into the Hillsboro Canal to limit the amount of untreated/impounded water as overflow into the LNWR. However, the Hillsboro Canal has limits as to how much it can convey before adverse and significant impacts are realized along the banks; therefore, the higher weir crest elevation for the LNWR spillway is used as a secondary spillway for very rare extreme events, i.e. necessary as the last resort to protect the reservoir integrity.
4	Forest Michael, Communities and the Landscape	L-40 SAFETY AND LIFE CYCLE MANAGEMENT: in the Levee and Canal relocation, provide a stronger levee per USACE LEVEE STANDARDS, and a wider canal structure for recreation and FLOOD CONTROL to prevent back ups as well as increasing water storage. This simplifies management and Life Cycle Costs considerably.	The L-40 levee will be modified to meet current USACE levee standards in regards to the reservoir having a High Hazard Potential Classification per Federal guidelines. The purpose and objective of the reservoir is to achieve environmental benefits as it relates to mutual Federal and State interests for this project. Additional work on the L-40 canal will not assist in this mutual interest, but on the contrary, would expect to have an adverse and significant impact on the LNWR ecosystem.
5	Lake Worth Drainage District (LWDD)	The LWDD has been associated with the Site 1 Project since its inception. LWDD has reviewed the design, cleared up some right-of-way issues and found the project to be compatible with LWDD mission of providing flood control and water supply to our taxpayers. We look forward to its completion.	Thank you for your comment.

5.0 CONCLUSION

The evaluation of environmental effects in the Site 1 Impoundment Final PIR/EA (2006) remains a valid assessment. Construction and operation of Phase 1 will provide seepage benefits. Full projects benefits, as identified in the 2006 Final PIR/EA, will be achieved with construction and operation of Phase 1 and Phase 2. Phase 1 will not eliminate or transfer any existing source of water supply. Phase 2 will result in a transfer of a portion of the existing legal source of water for other water-related needs in the Hillsboro Canal basin from canal deliveries via the C&SF project to water stored in and delivered out of the Site 1 Impoundment. The water delivered from the impoundment will be of comparable (or better) water quality than that delivered via the Hillsboro Canal from Lake Okeechobee for water supply purposes. The construction and operation of Phase 1 will not affect water quality, increase the risk of saltwater intrusion, or have hydrologic or hydraulic effects on public water supply wells. Construction activities during Phase 1 and Phase 2 involve some risk of harm to eastern indigo snakes, but these risks will be avoided or minimized by the implementation of standard protection measures. The USFWS has concurred with the phased construction approach and does not require revisions to the Biological Opinion.



The photograph on the cover is provided courtesy of Steve Sutterfield.



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