



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

September 4, 2019

Regulatory Division
South Branch
Palm Beach Gardens Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2014-00938(SP-KDS)

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33406

WATERWAY AND LOCATION: The project, Stormwater Treatment Area (STA) 1W would affect waters of the United States associated with Hillsboro Canal. The 2,274-acre project site is located in Section 31, 32, 33, and 4, of Township 45 South, Range 39 East, Palm Beach County, Florida.

Directions to the site are as follows: From Interstate 95 travel west on Southern Boulevard for 20 miles to the CR 880 intersection. Travel approximately 4 miles to the G-310 entrance located north of the existing STA 1W project site. Travel approximately 10 miles south within the STA 1W project through G-310 pump station and along the L-7 Canal levee to the project site.

APPROXIMATE CENTRAL COORDINATES: Latitude 26.516434°
Longitude -80.462829°

PROJECT PURPOSE:

Basic: Water quality improvements.

Overall: The purpose of STA 1W Expansion 2 is to improve phosphorus treatment capacity of the existing STA 1W and assist in achieving the water quality based effluent limitation (WQBEL) for existing flows to the Water Conservation Area (WCA) 1.

EXISTING CONDITIONS: The project site consists of an undeveloped property. Portions of the project site were used in the past for sugar cane production. The agricultural operation over the lands ceased in 2017. A large portion of the property, located to the south and east of the old agricultural fields, consists of freshwater marshes. The project site is immediately south of the existing STA 1W facility, west of

Arthur R. Marshall Loxahatchee National Wildlife Refuge, east of the Hillsboro Canal and just north of the S-6 pump station

The upland land uses within the project site consist of berms and levees constructed from spoil dredged from the adjacent ditches. Access dirt roads and trails exist on the top of the berms and levees. The predominant vegetation observed sparingly throughout the upland areas consists of Broom grass (*Andropogon virginicus*), Knotroof Bristlegrass (*Setaria geniculata*), Wiregrass (*Aristida stricta*), Saw palmetto (*Serenoa repens*), Cabbage palms (*Sabal palmetto*), Bull Thistle (*Cirsium vulgare*), Bahia grass (*Paspalum notatum*), Crowfoot grass (*Dactyloctenium aegyptium*), and Slash pine (*Pinus elliotii*).

The wetland areas consist of freshwater marshes and old agricultural fields which have developed hydrophytic vegetation communities, have hydrologic conditions conducive of wetlands and contain hydric soils. Melaleuca (*Melaleuca quiquenervia*), Carolina willow (*Salix caroliniana*) and Brazilian pepper (*Schinus terebinthifolius*), plants that are categorized as nuisance or exotic invasive species, are observed within the wetlands. Also, towards the south, cattails (*Typha latifolia*) were observed.

Table 1: Existing Habitat Types

Land Use/Habitat	Area (acres)
Exotic Wetland	404.83
Fallow Crop Land	708.15
Cattail Marsh	239.29
Levee	77.83
Sawgrass Marsh	780.35
Open Water	63.82
Total	2274.26

PROPOSED WORK: The applicant seeks authorization to expand STA 1W, to include 2,274 acres of treatment cells, canals, levees, pump stations, and water control structures. The project results in the discharge of fill in 118 acres of wetlands and 30 acres of waters.

The proposed actions include the construction of treatment cells dominated by Submerged Aquatic Vegetation (SAV) and Emergent Aquatic Vegetation (EAV). The inflow will consist of a series of structures that will convey water from the existing STA 1 West discharge canal into the proposed project through a connector canal. A divide structure is proposed on the existing STA 1 West discharge canal to allow conveyance into the proposed expansion area. The water will flow from north to south through the treatment cells and treated water will collect in a discharge canal along the southern boundary of the project. The proposed discharge canal will convey treated water towards a proposed pump station for discharge into the WCA 1.

The parcel where the project is proposed consists of vacant agricultural parcels that were formerly used for sugar cane production. Sugar cane production over the project

lands ended in 2017, surface water management ceased, and the land has developed wetland characteristics now. The canals and wetlands to be impacted by the project construction include filling generated from the degradation of berms and roads that exist adjacent to the canals. Fill material excavated from the project canals will be used for levee construction. No import of fill is proposed.

The source of inflows for the expansion area is treated water from the existing STA-1 West. In order to move flow into the Expansion No. 2 area, a 500 CFS pump is proposed at the inflow location within the STA 1 W Expansion No. 1 project area. The inflow pump routes water into an approximately 5.5-mile long connector canal running north-to-south parallel to the west of the L-7 Canal. The connector canal will inflow into the northern distribution canal of the STA-1W Expansion 2 treatment component, which will distribute the inflow between the 3 treatment cells proposed. After treatment, water leaving the STA-1W Expansion 2 project will get collected and pumped through a proposed 625 CFS pump (Outflow Pump Station) into WCA-1.

The vegetation in STA-1W Expansion 2 project will be dominated by SAV with some EAV cultivated throughout the area to provide treatment or functional redundancy, reduce wind fetch of the open water and minimize potential wave action that could damage SAV. The treatment cells outflow spillway structures will convey treated flows to a new discharge canal located along the western and southern edge of the expansion area, outside the treatment areas, that will route treated water to the proposed outflow pump station to enable discharges to the Refuge (WCA 1).

AVOIDANCE AND MINIMIZATION INFORMATION – The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

“The construction of the STA 1W Expansion 2 is unavoidable as it is required by Florida Department of Environmental Protection permits and consent orders issued to the SFWMD. Several project alternatives were evaluated to reach the selected project.”

COMPENSATORY MITIGATION – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

“The unavoidable impacts to waters of the United States are offset by STA 1W Expansion 2's post project conditions consisting of submerged aquatic vegetation and emergent vegetation treatment cells.”

CULTURAL RESOURCES: The Corps is aware of an historic property (Hillsboro Canal) within or in close proximity of the permit area. The Corps will initiate consultation with the State Historic Preservation Office and those federally recognized tribes with concerns in Florida and the Permit Area, and the Advisory Council on Historic Preservation as applicable pursuant to 33 CFR 325, Appendix C and Section 106 of the National Historic Preservation Act, by separate letter.

ENDANGERED SPECIES: The project site is located in the consultation area for Audubon's Crested Caracara and the Everglades Snail Kite. The site is also located within the core foraging area of two wood stork nesting colonies (619315 and Loxahatchee 1). The site is located in Everglades Snail Kite designated critical habitat and contains suitable habitat for the Eastern indigo snake.

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Audubon's crested caracara, wood stork, Everglades snail kite, and the Everglades snail kite designated critical habitat. The Corps will request U.S. Fish and Wildlife concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

The Corps has determined the proposal may affect the Eastern indigo snake. The Corps will request initiation of formal consultation with the Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act by separate letter.

The Corps has determined the proposal would have no effect on any other listed threatened or endangered species or designated critical habitat.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. No EFH is located within or areas affected by the project. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the South Atlantic Region.

33 U.S.C 408 (SECTION 408): The proposed project includes work in the Hillsboro Canal and levee, a federal project. Therefore, a Section 408 approval may be required.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has not been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Palm Beach Gardens Permits Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida 33410 within 30 days from the date of this notice.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to

the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to the project manager, Krista Sabin, in writing at the Palm Beach Gardens Permits Section, 4400 PGA Boulevard, Suite 500, Palm Beach Gardens, Florida 33410; by electronic mail at Krista.D.Sabin@usace.army.mil; or, by telephone at (561)472-3506.

IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the

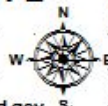
Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

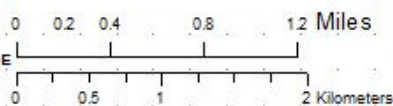


STA 1 West - Expansion No. 2

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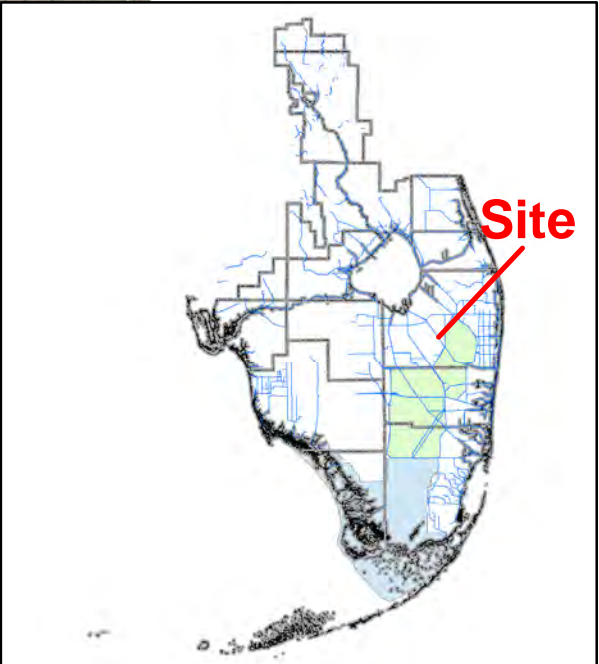
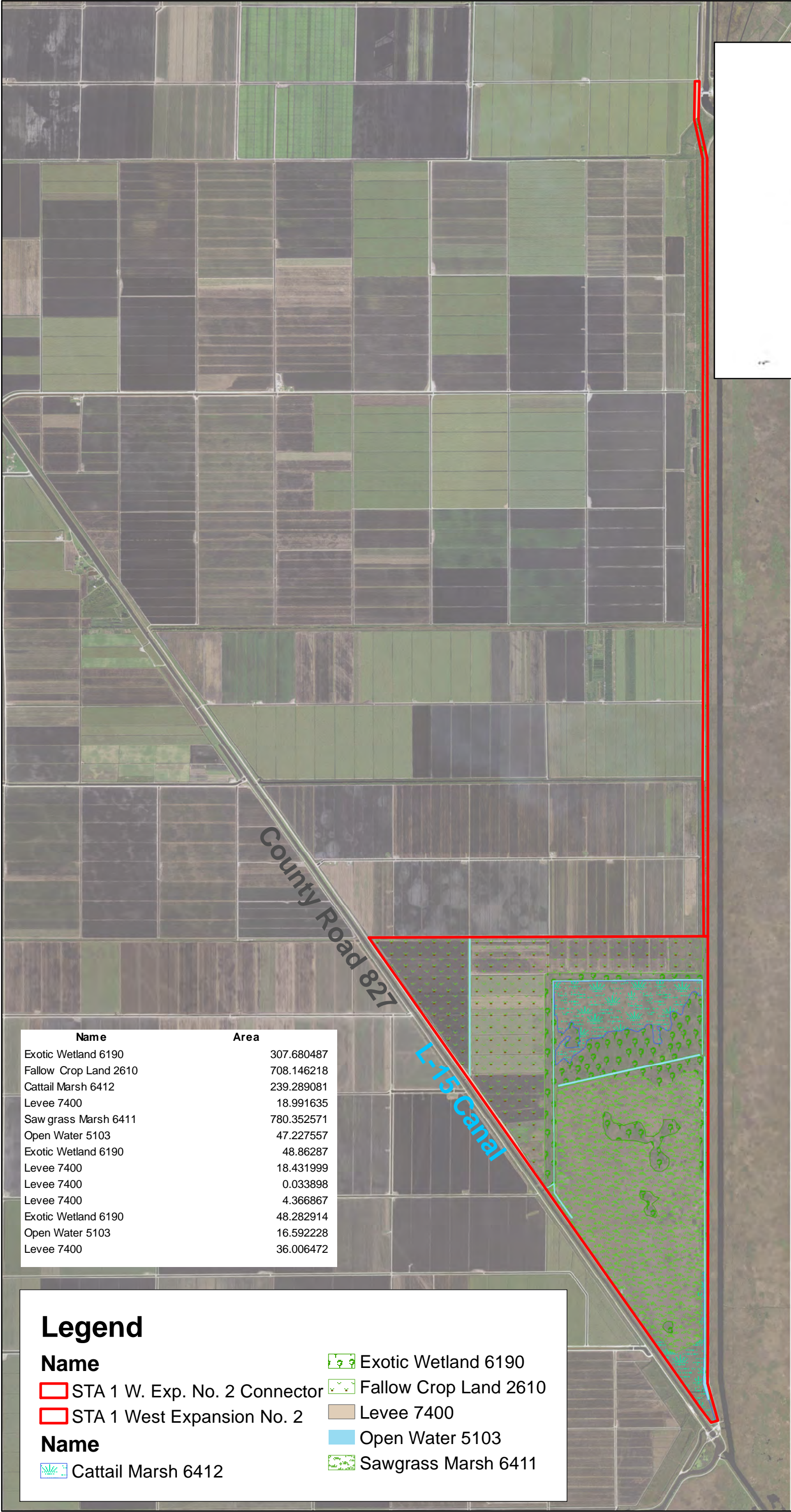


Aerial Map



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Water Conservation Area 1

Name	Area
Exotic Wetland 6190	307.680487
Fallow Crop Land 2610	708.146218
Cattail Marsh 6412	239.289081
Levee 7400	18.991635
Saw grass Marsh 6411	780.352571
Open Water 5103	47.227557
Exotic Wetland 6190	48.86287
Levee 7400	18.431999
Levee 7400	0.033898
Levee 7400	4.366867
Exotic Wetland 6190	48.282914
Open Water 5103	16.592228
Levee 7400	36.006472

Legend

- Name

STA 1 W. Exp. No. 2 Connector

STA 1 West Expansion No. 2
- Exotic Wetland 6190

Fallow Crop Land 2610

Levee 7400

Open Water 5103

Sawgrass Marsh 6411
- Cattail Marsh 6412

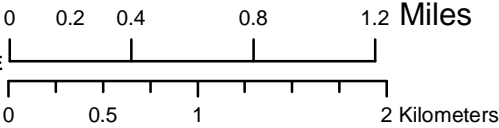


STA 1 West - Expansion No. 2

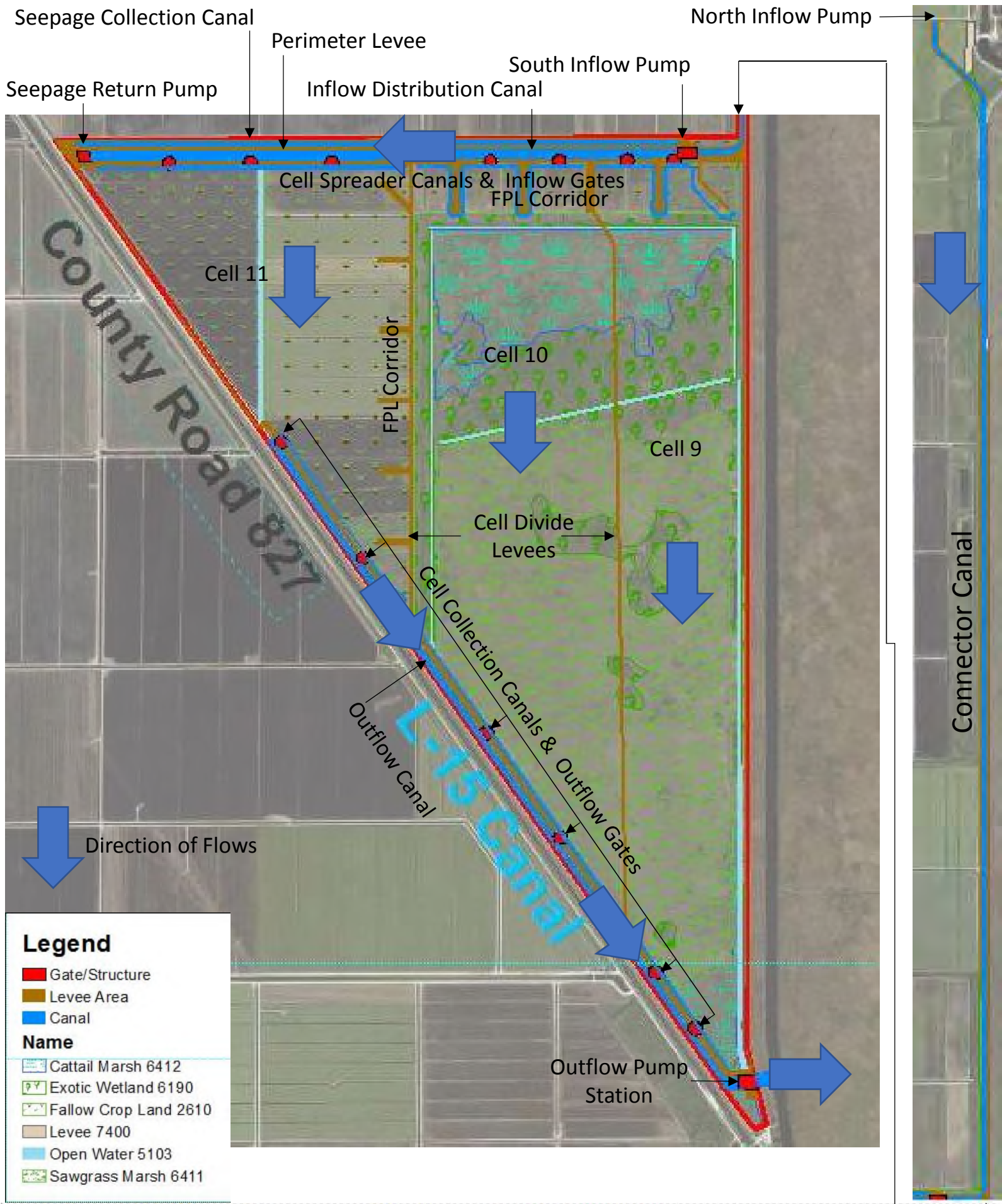
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FLUCCS Map

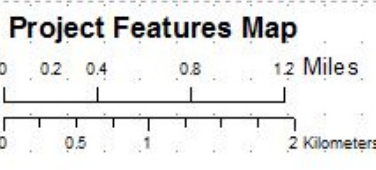


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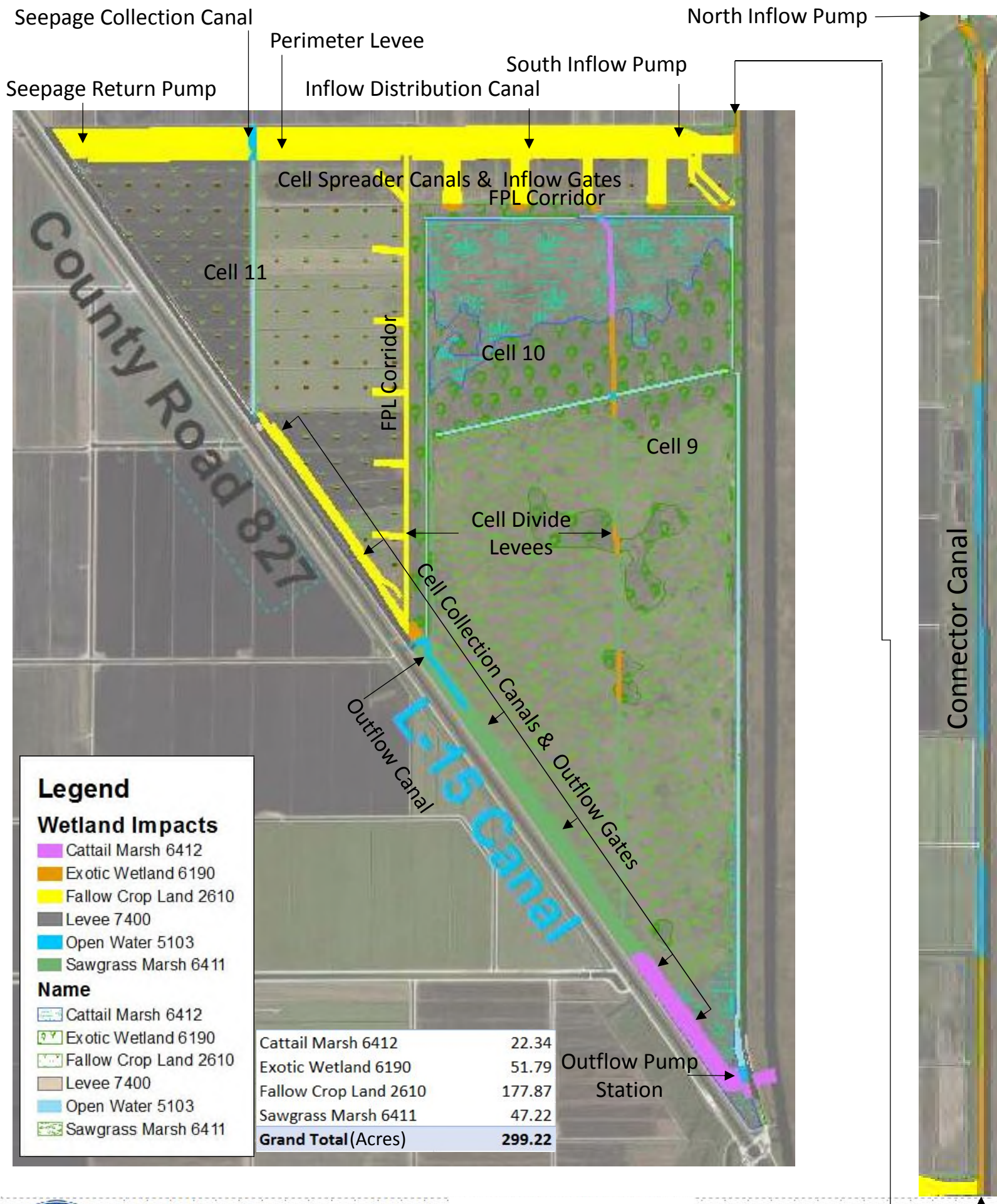


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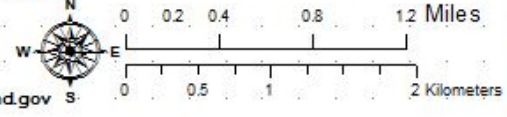
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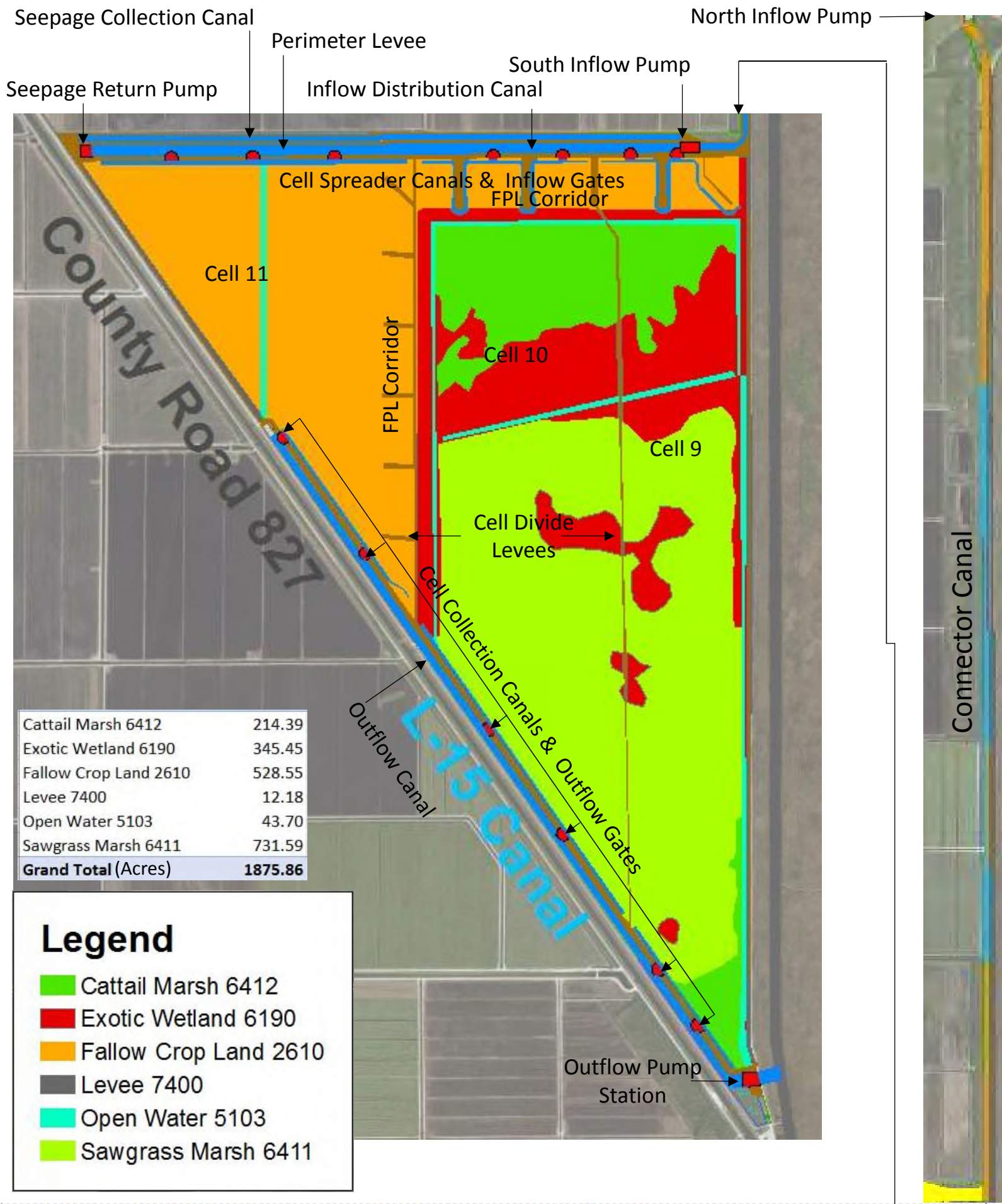
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Wetland Impacts Map



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Cattail Marsh 6412	214.39
Exotic Wetland 6190	345.45
Fallow Crop Land 2610	528.55
Levee 7400	12.18
Open Water 5103	43.70
Sawgrass Marsh 6411	731.59
Grand Total (Acres)	1875.86

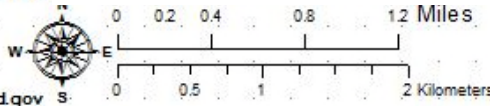
Legend

- Cattail Marsh 6412
- Exotic Wetland 6190
- Fallow Crop Land 2610
- Levee 7400
- Open Water 5103
- Sawgrass Marsh 6411

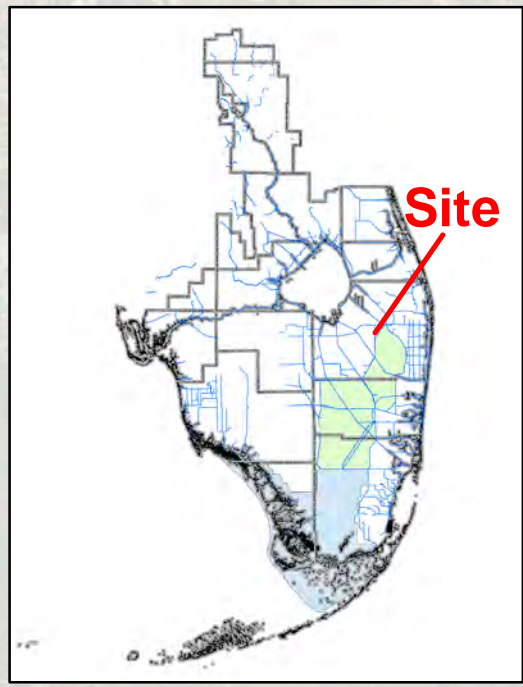
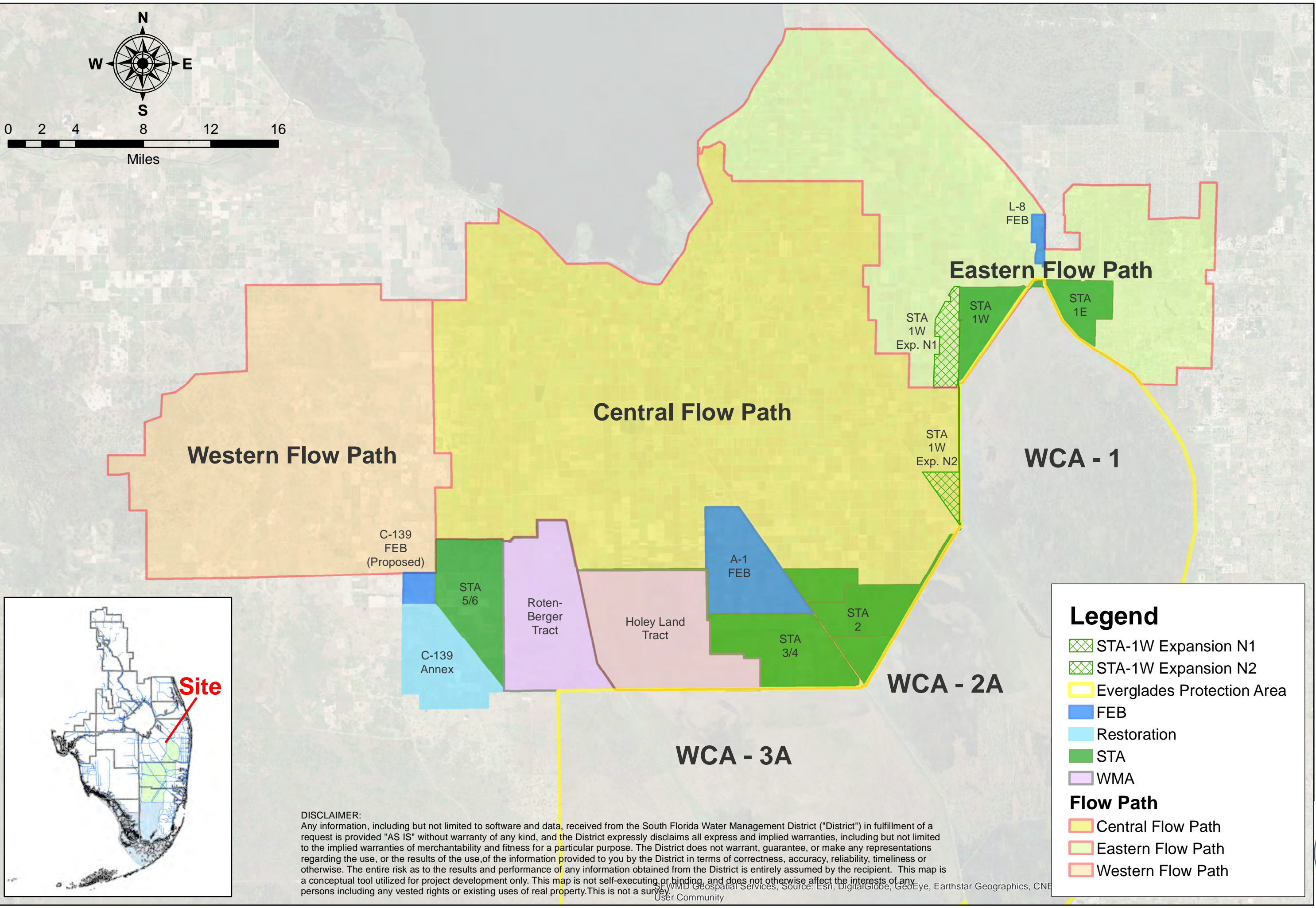


STA 1 West - Expansion No. 2 Wetland Enhancement Map

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SFWMD Geospatial Services, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES

Legend

- STA-1W Expansion N1
- STA-1W Expansion N2
- Everglades Protection Area
- FEB
- Restoration
- STA
- WMA

Flow Path

- Central Flow Path
- Eastern Flow Path
- Western Flow Path

UPDATED
1-May-2019
Sheet 1 of 1

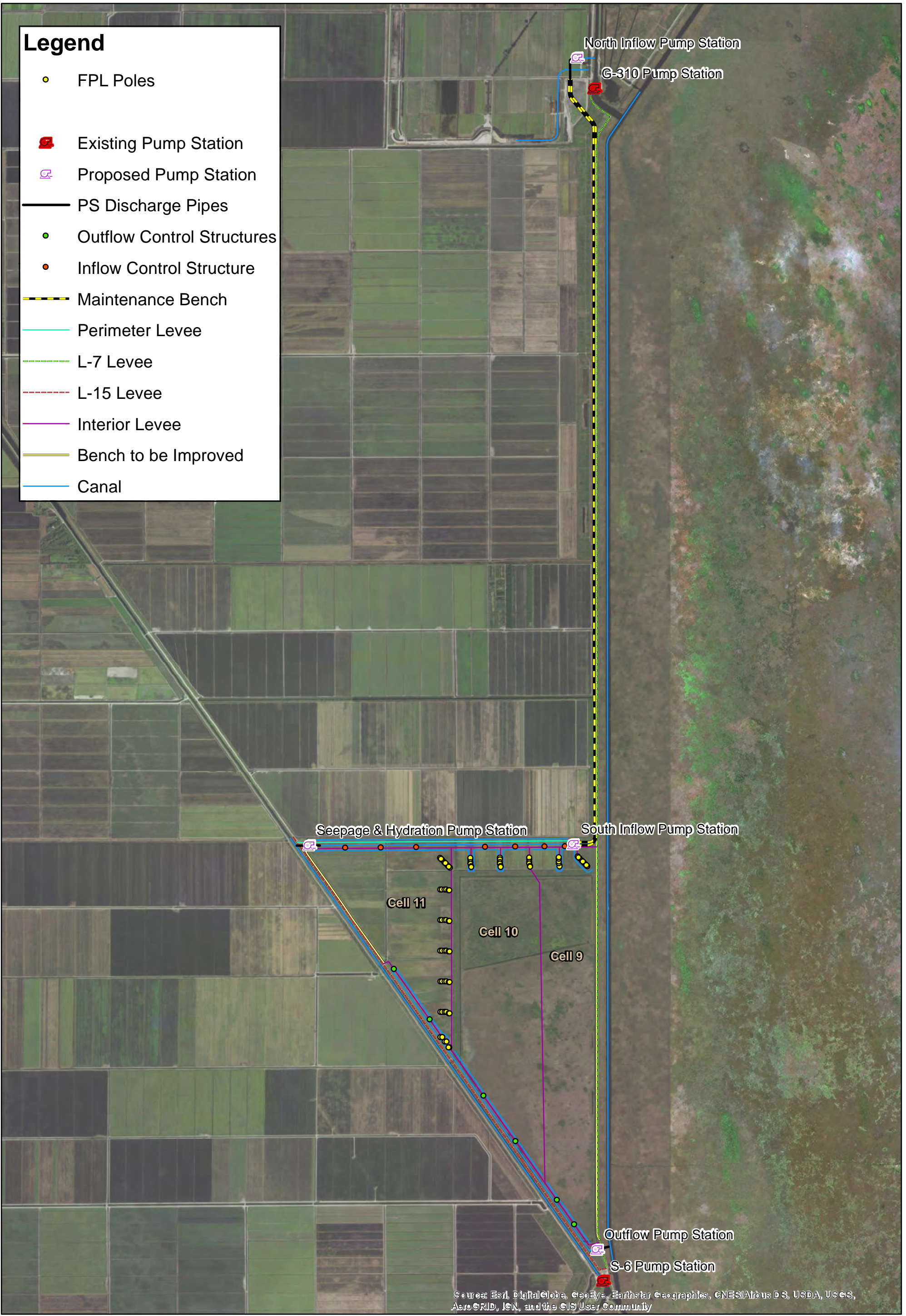
Flow Paths Map
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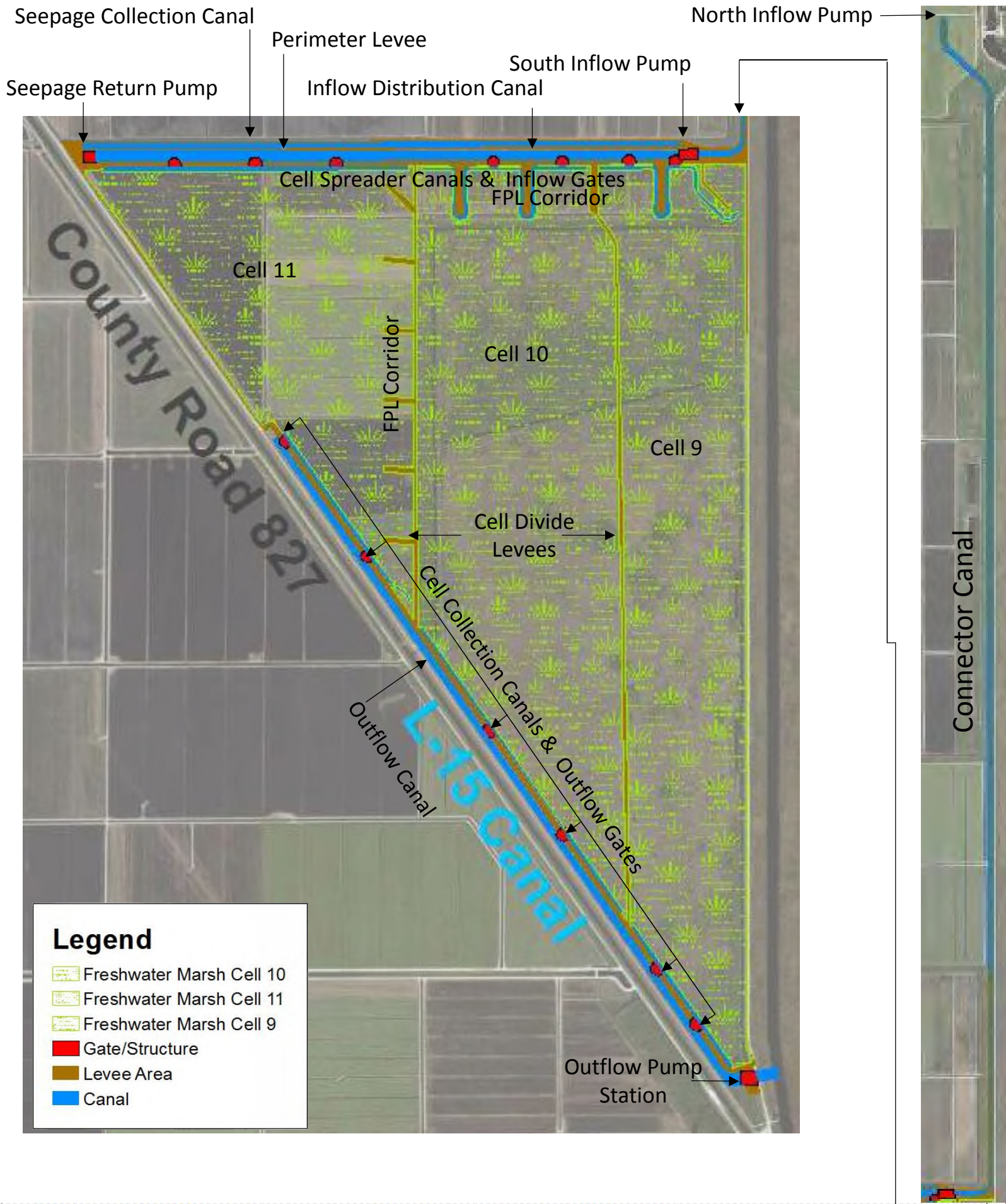
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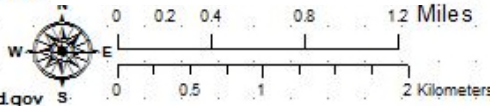
- FPL Poles
- Existing Pump Station
- Proposed Pump Station
- PS Discharge Pipes
- Outflow Control Structures
- Inflow Control Structure
- Maintenance Bench
- Perimeter Levee
- L-7 Levee
- L-15 Levee
- Interior Levee
- Bench to be Improved
- Canal





STA 1 West - Expansion No. 2 Treatment Cells Map

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