



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
MIAMI REGULATORY OFFICE
9900 SOUTHWEST 107th AVENUE, SUITE 203
MIAMI, FLORIDA 33176

February 12, 2020

Regulatory Division
South Permits Branch
Miami Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2019-01041 (SP-AG)

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)) as described below:

APPLICANT: Everglades National Park
c/o William Shelley
40001 SR 9336
Homestead, FL 33034

WATERWAY AND LOCATION: The project would affect waters of the United States associated with Shark Valley Slough in Everglades National Park. The proposed project is located in freshwater wetlands along an access road on the south side of U.S. Highway 41 (Tamiami Trail) approximately 4.1 mile west of the intersection with State Road 997 (Krome Avenue). The project is within Section 8, Township 54 South, Range 38 East (Folio #30-4808-000-0130).

Directions to the site are as follows: From the intersection of US Hwy 41 (Tamiami Trail) and State Road 997 (Krome Avenue), proceed west on US 41 for 4.1 miles. Destination will be on the left. It will be a gravel road behind a chain link gate

APPROXIMATE CENTRAL COORDINATES:

Latitude: 25.760900°
Longitude: -80.547268°

PROJECT PURPOSE:

Basic: The basic project purpose is for maintenance of an access road.

Overall: The overall project purpose is for a maintenance of an access road in Everglades National Park, Miami-Dade County, Florida.

EXISTING CONDITIONS: The length of the current access road is approximately 4,270 linear feet. The access road to the electrical building traverses three wetland plant communities. From north to south - Mixed Wetland Hardwoods, Mixed Wetland Shrubs and Sawgrass. Along the access road approximately 1,736 linear feet south of highway 41/State Road 90 is a small area located on the west side of the road. It is an upland/pepper area. It is bounded on the east by the Salem Radio Tower's access road and on the north, west and south by sawgrass marsh (*Cladium jamaicense*). This area is broken into two adjacent areas, a 0.27 acre area and a 0.09 acre area several feet south. Toward the southern end of the radio tower access road there are also small access trails to the tower anchors.

PROPOSED WORK: The applicant proposes to impact 2.49 acres of freshwater wetlands with 13, 520 cubic yards clean fill (6,080 in wetlands) to raise the existing access road to bring the elevation of the road to 9.2' (NAVD 88). The length of road to be raised is 4,281 feet. The existing road elevation varies but is typically about 7'. In addition, the applicant is also raising the elevation of the paths from the transmitter building to each of the eight tower to elevation 8.0' (NAVD 88). The total lengths of paths are 1,585 linear feet. The paths are 6 feet wide. Adding fill to the road will move the toe of the roadway fill slope out into the wetlands on east side of the road. The project also includes the replacement of 2 existing road culverts to be replaced under the new wider road.

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 applicant is keeping the width of the road to a single 12-foot lane. Wetland impacts have been moved to the east side of the existing road which was determined to be the lower quality resources. Paths to the towers will only be 6 feet wide. Side slopes of all fill is 3: 1 which is the steepest slope we believe will be stable. Prior to the start of construction, silt fences and other erosion control measures will be deployed and will remain in place until all construction activity has subsided.

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

The mitigation proposed to offset the unavoidable impacts is through restoration of an on-site upland/pepper area and the purchase of mitigation credits. The mitigation credits

will be purchased from the Hole in the Donut Mitigation Project in Everglades National Park. The credits purchased will be the amount necessary to compensate for the difference between the total credits necessary and the credits earned by the on-site mitigation.

CULTURAL RESOURCES:

The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer and those federally recognized tribes with concerns in Florida and the Permit Area.

ENDANGERED SPECIES: The Corps has determined the proposed project may affect, but is not likely to adversely affect the Eastern Indigo snake (*Drymarchon corais couperi*), Cape Sable seaside sparrow (*Ammodramus maritimus mirabilis*), Everglades snail kite (*Rostrhamus sociabilis*), and may affect and is likely to adversely affect the wood stork (*Mycteria americana*), Florida panther (*Puma concolor coryi*), and the Florida bonneted bat (*Eumops floridanus*). The Corps will request concurrence with these determinations from 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. The proposal would have no impacts on tidally influenced waters. Our initial determination is that the proposed action would have a no impact on EFH or Federally managed fisheries within Biscayne Bay. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

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 Miami Permits Section, 9900 SW 107th Avenue, Suite # 203, Miami, Florida, 33176 within 21 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, Albert Gonzalez, in writing at the Miami Permits Section, 9900 SW 107th Avenue, Suite # 203, Miami, Florida, 33176, by electronic mail at albert.gonzalez@usace.army.mil, by fax at (305) 526-7184, or by telephone at (305)779-6055.

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. 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. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat

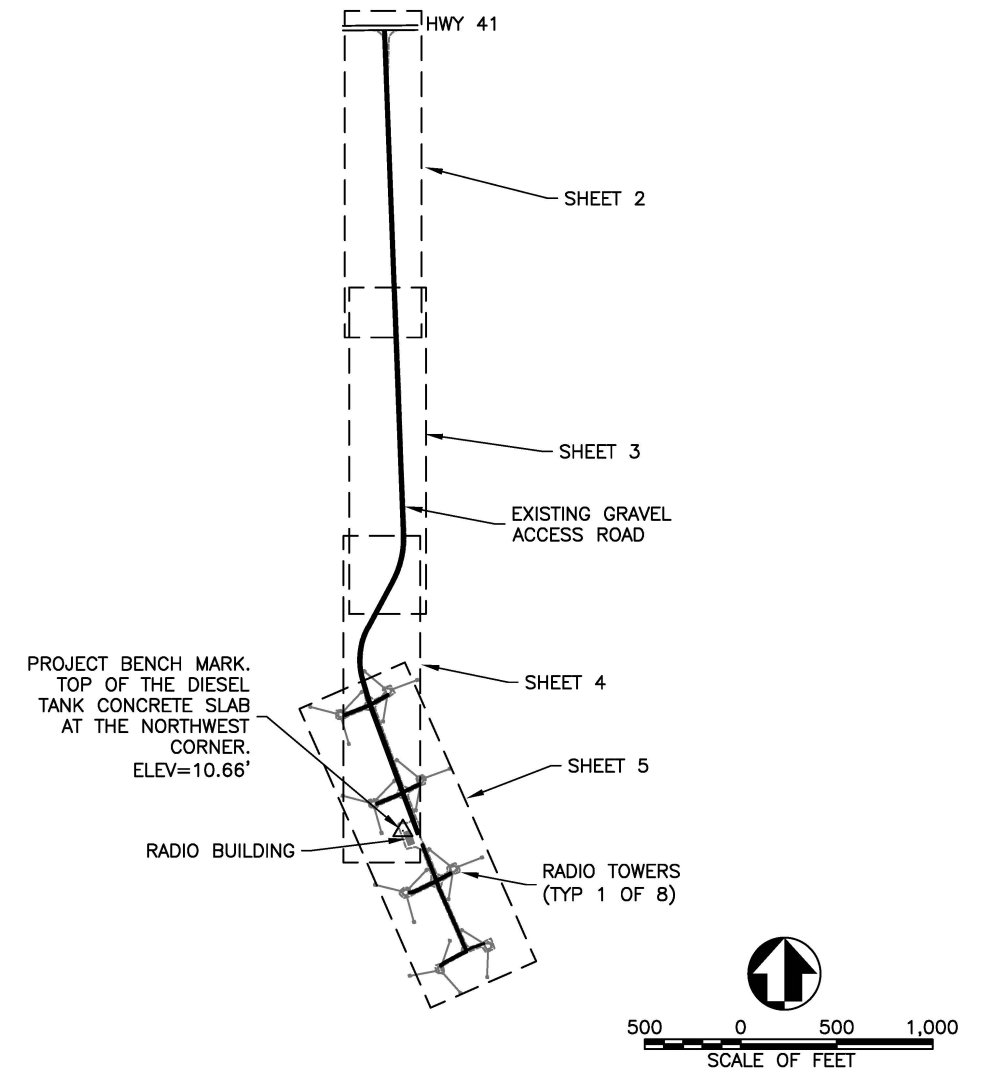
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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 of 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 decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an

Environmental Impact Statement pursuant to the National Environmental Policy Act 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.



SALEM RADIO SITE
SCALE: SCALE A

DRAWING INDEX

SHEET	SUB SHEET	TITLE
1		COVER SHEET
2		ROAD PLAN AND PROFILE--STA 0+00 TO 14+00
3		ROAD PLAN AND PROFILE--STA 14+00 TO 28+00
4		ROAD PLAN AND PROFILE--STA 28+00 TO END
5		SOUTH PATH AND TOWER PATHS PLAN AND PROFILES
6		ROAD CROS SECTIONS
7		ROAD CROS SECTIONS
8		SOUTH PATH AND TOWER PATH CROSS SECTIONS
9		TYPICAL ROAD AND PATH SECTIONS
10		CULVERT DETAIL AND ANTENNA FLOOD PROJECTION



EVERGLADES NATIONAL PARK
WORLD HERITAGE SITE



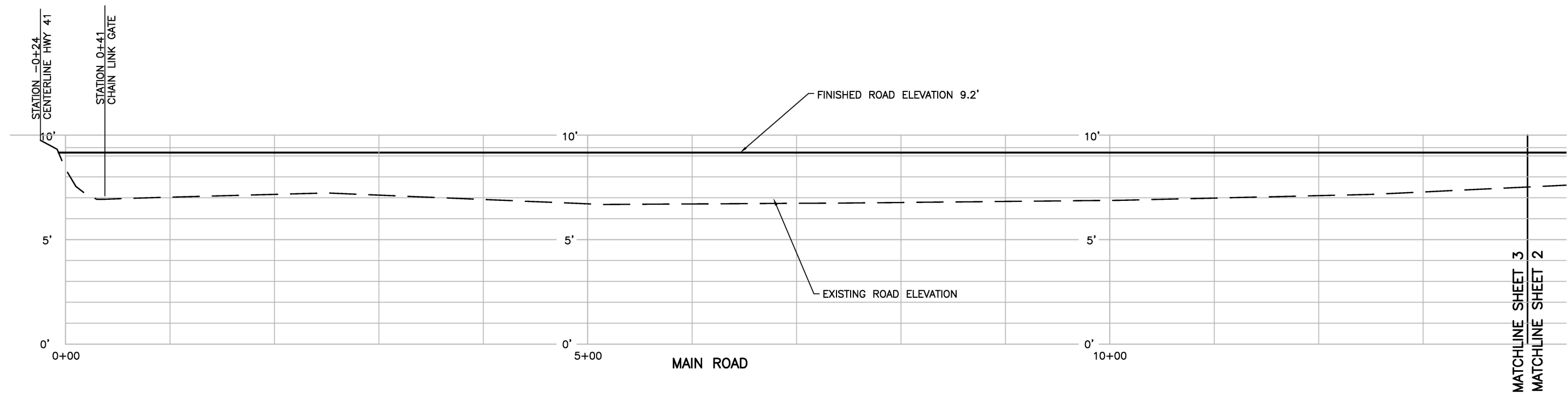
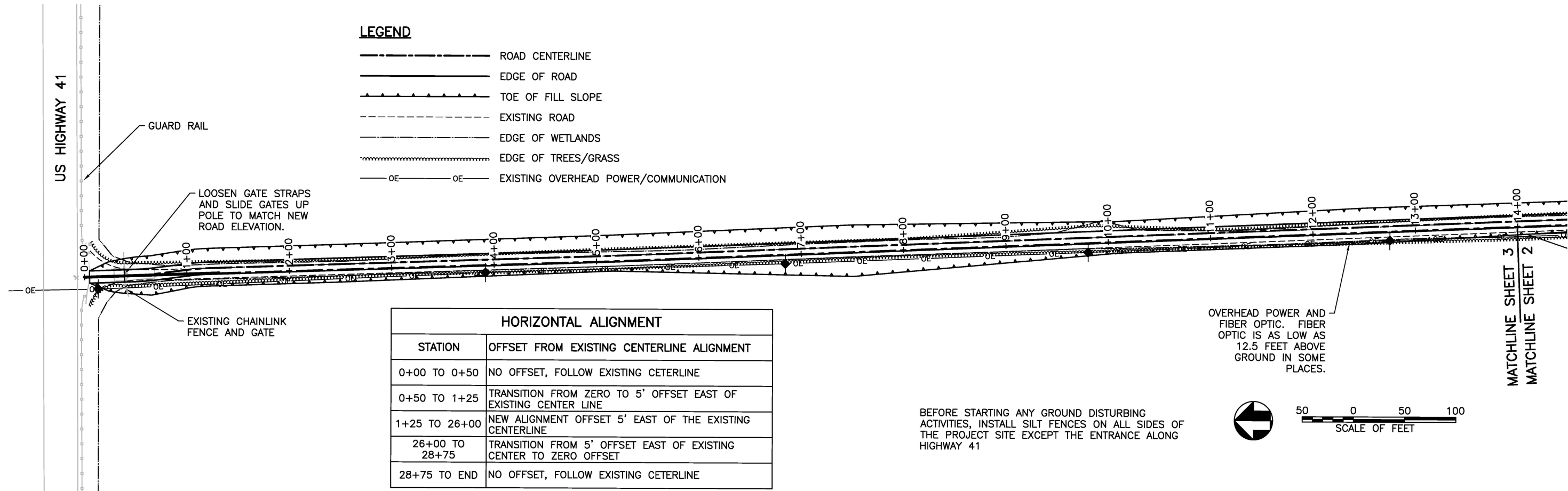
CONSTRUCTION DRAWINGS

UNITED STATES
DEPARTMENT OF THE INTERIOR

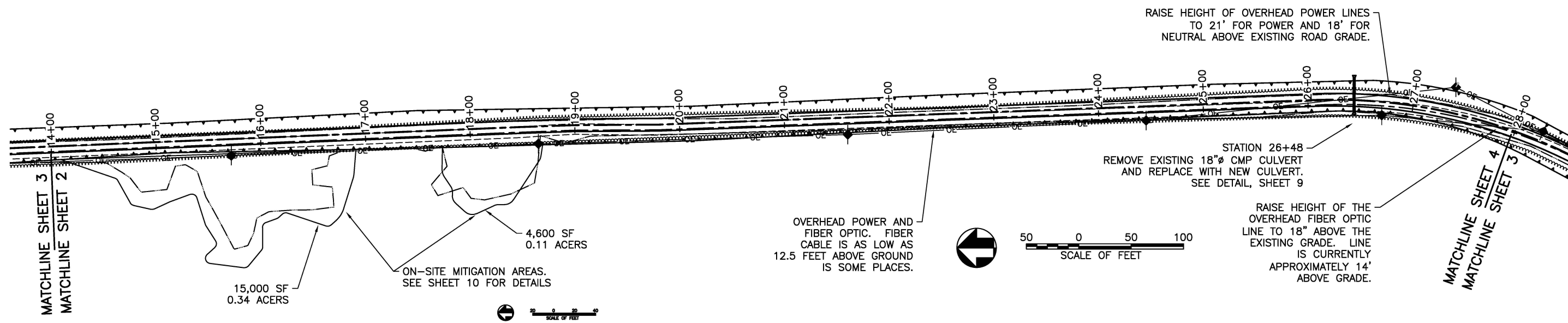
NATIONAL PARK SERVICE
EVERGLADES NATIONAL PARK

TITLE OF SHEET
RAISE EXISTING GRAVEL ROAD
LOCATION WITHIN PARK
SALEM RADIO TOWER SITE
NAME OF PARK
EVERGLADES NATIONAL PARK
REGION COUNTY STATE
SOUTHEAST MIAMI-DADE FLORIDA

DRAWING NO.
160
150,891
PMIS NO.
254186
SHEET
1 OF 10

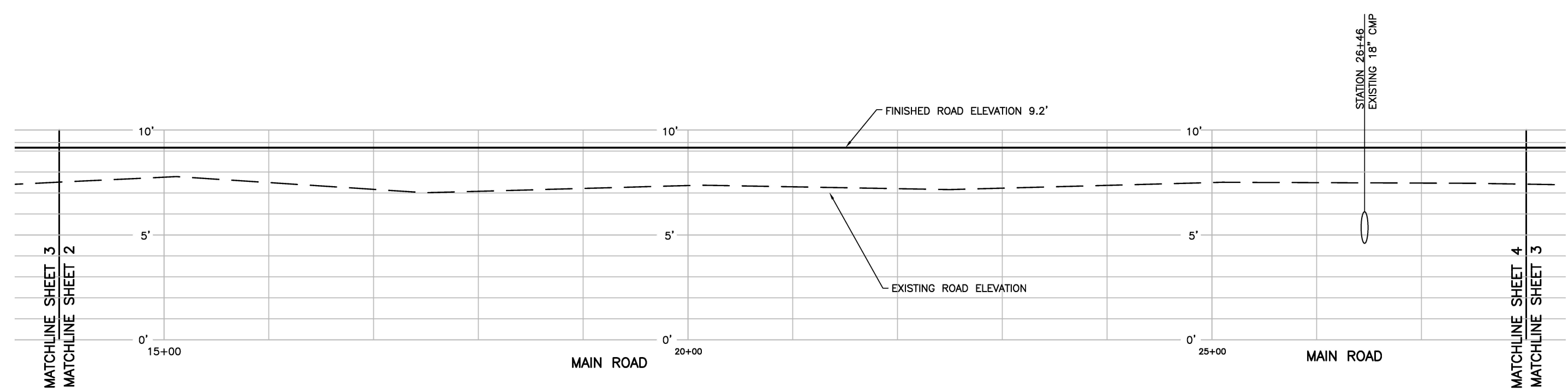


DESIGNED: W H SHELLEY	SUB SHEET NO.	TITLE OF SHEET ROAD PLAN AND PROFILE STA 0+00 TO 14+00 SALEM RADIO TOWER SITE EVERGLADES NATIONAL PARK	DRAWING NO. 160 150.891
DRAWN: WHS			PMIS NO. 254186
TECH. REVIEW: NPS			SHEET
DATE: 08/2019			2 of 10



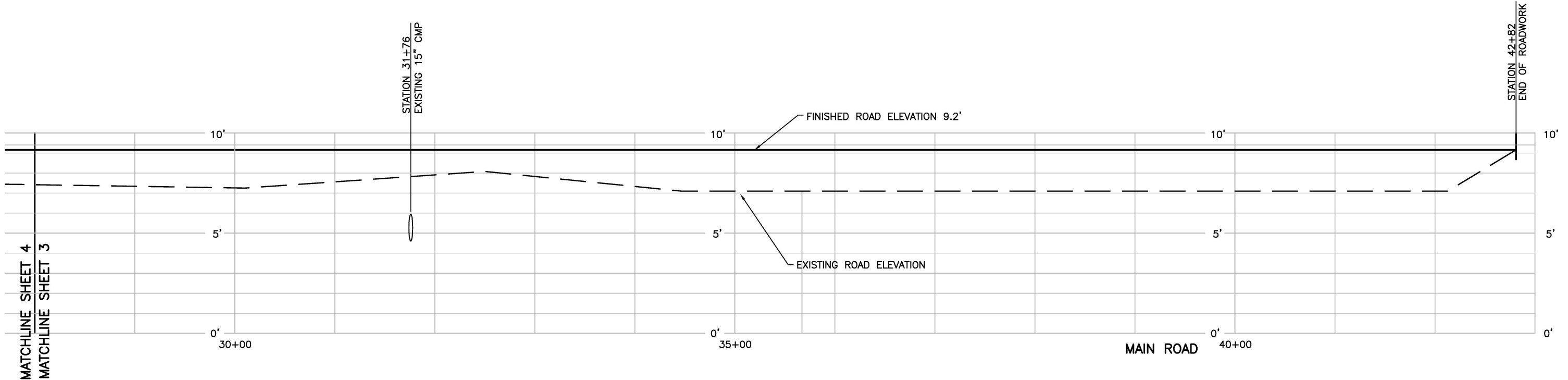
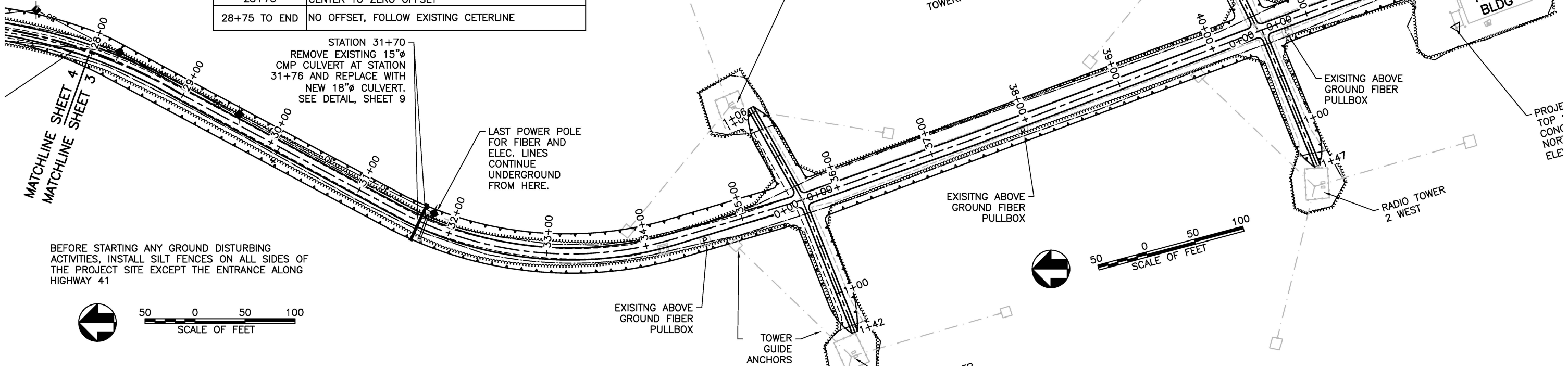
BEFORE STARTING ANY GROUND DISTURBING ACTIVITIES, INSTALL SILT FENCES ON ALL SIDES OF THE PROJECT SITE EXCEPT THE ENTRANCE ALONG HIGHWAY 41

BEFORE STARTING ACTIVITIES, INSTALL THE PROJECT SITE HIGHWAY 41

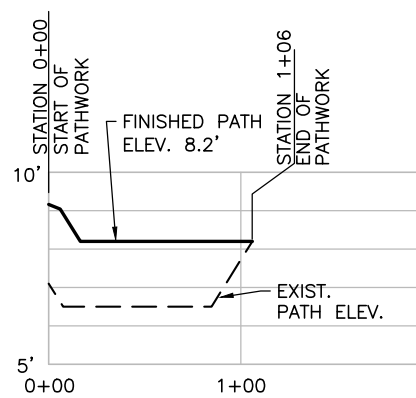
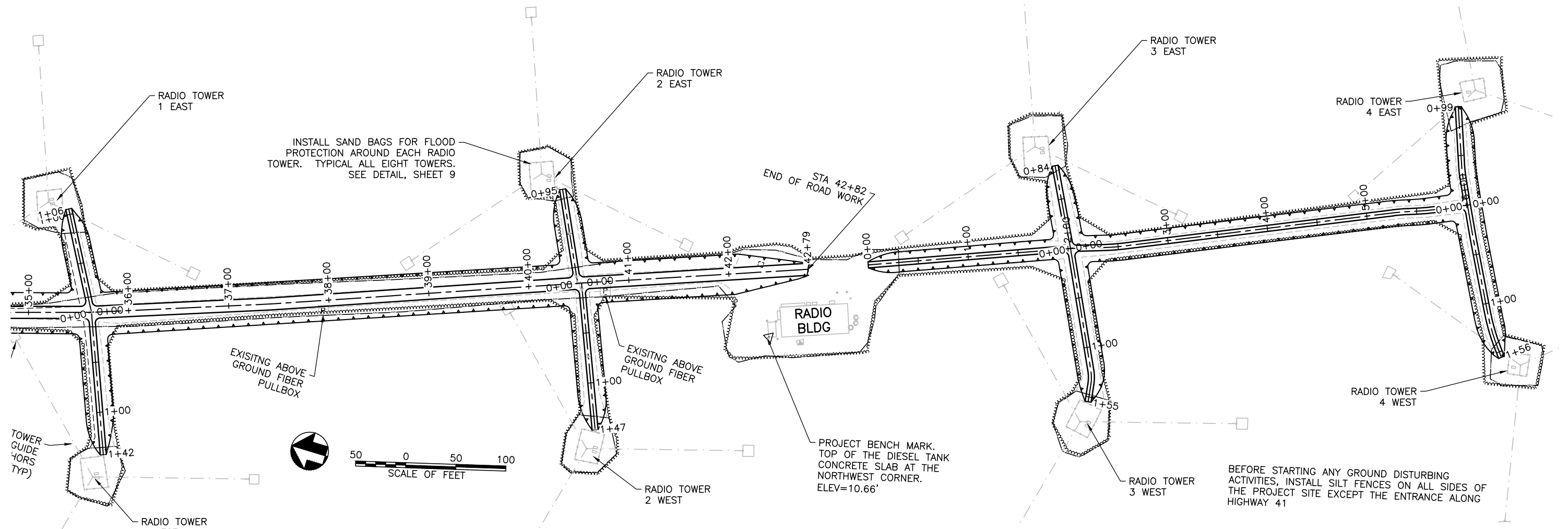


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DRAWN: WHS			PMIS NO. 254186
TECH. REVIEW: NPS			SHEET
DATE: 08/2019			3 of 10

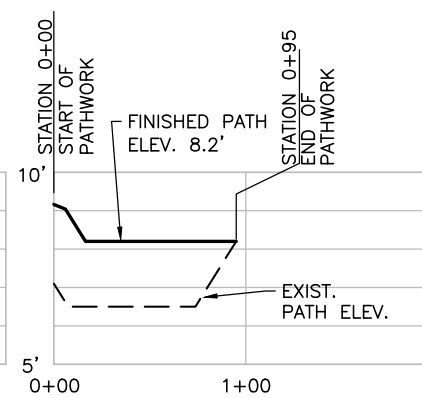
HORIZONTAL ALIGNMENT	
STATION	OFFSET FROM EXISTING CENTERLINE ALIGNMENT
0+00 TO 0+50	NO OFFSET, FOLLOW EXISTING CETERLINE
0+50 TO 1+25	TRANSITION FROM ZERO TO 5' OFFSET EAST OF EXISTING CENTER LINE
1+25 TO 26+00	NEW ALIGNMENT OFFSET 5' EAST OF THE EXISTING CENTERLINE
26+00 TO 28+75	TRANSITION FROM 5' OFFSET EAST OF EXISTING CENTER TO ZERO OFFSET
28+75 TO END	NO OFFSET, FOLLOW EXISTING CETERLINE



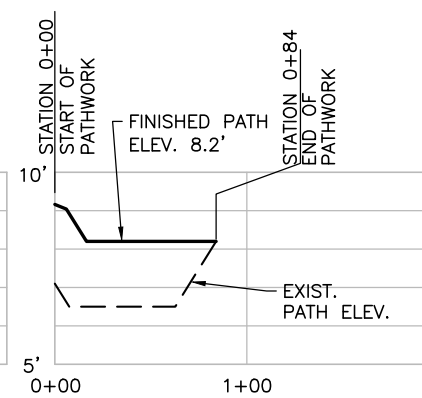
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DRAWN: WHS				PMIS NO. 254186
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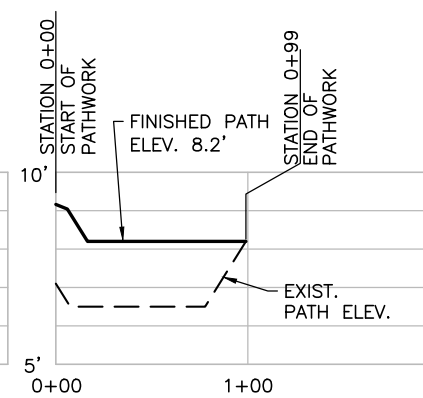
TOWER 1 EAST



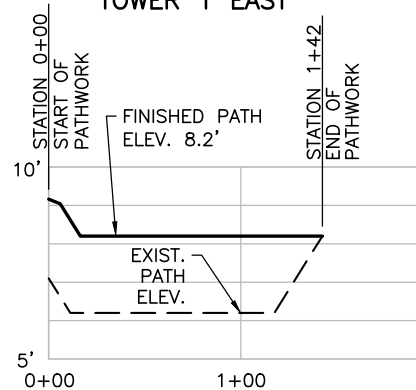
TOWER 2 EAST



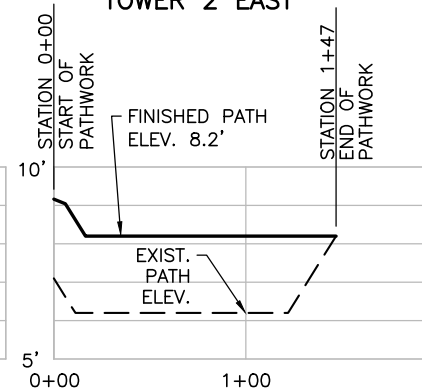
TOWER 3 EAST



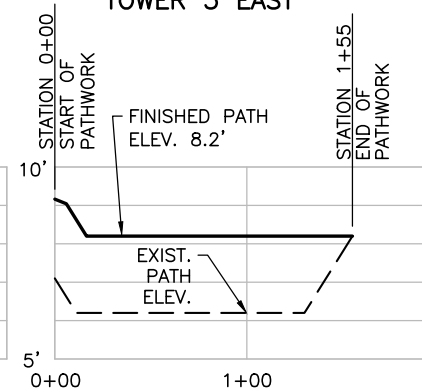
TOWER 4 EAST



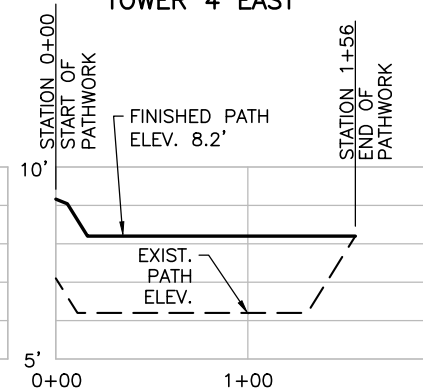
TOWER 1 WEST



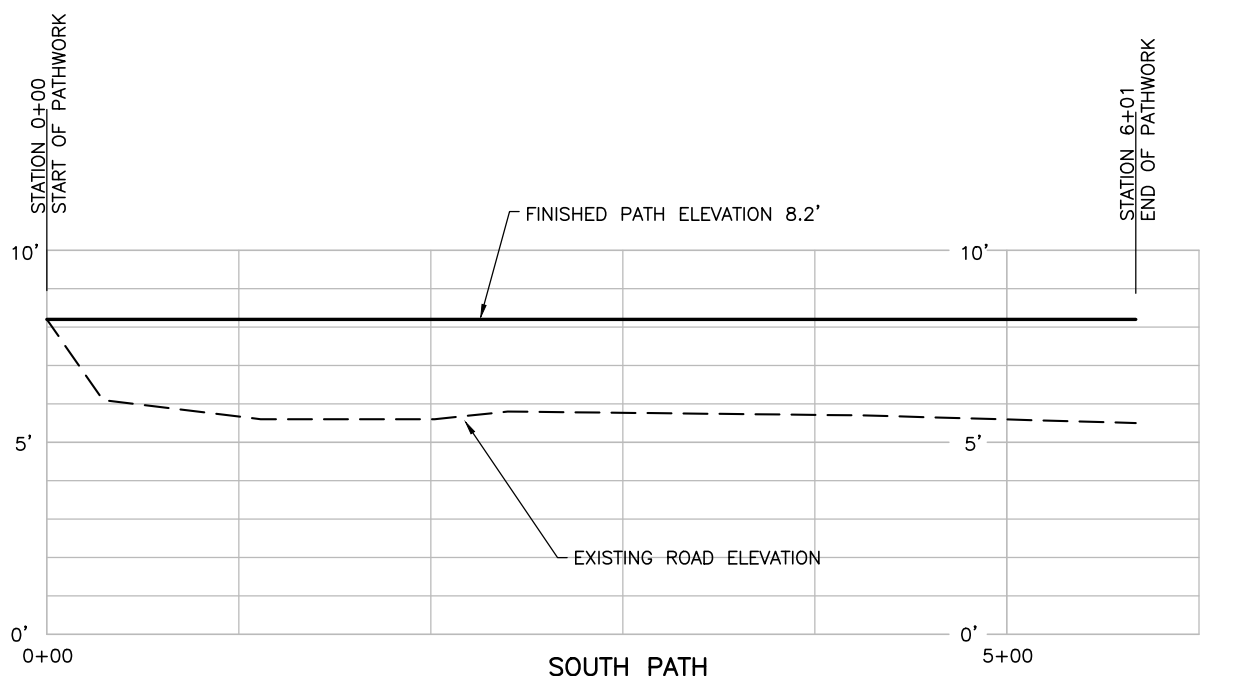
TOWER 2 WEST



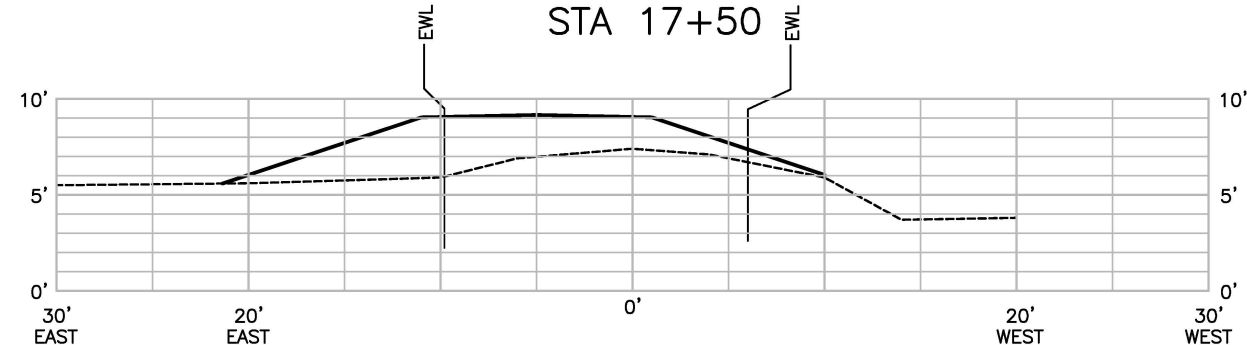
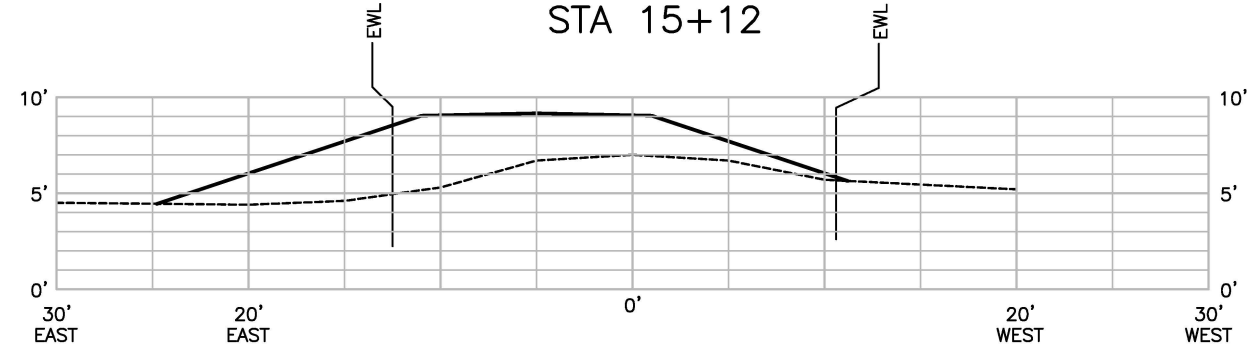
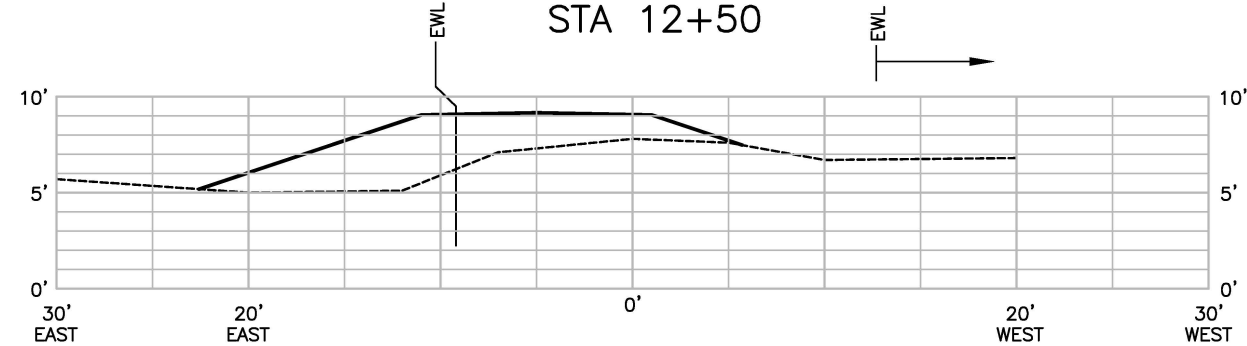
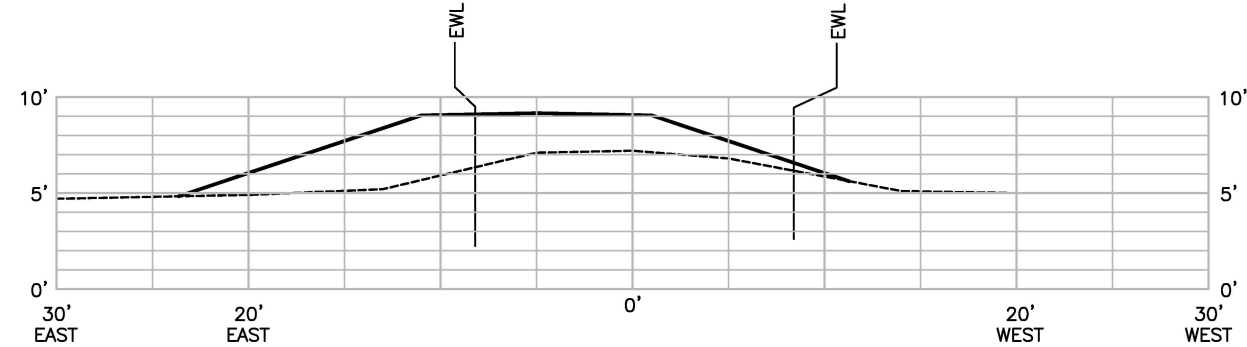
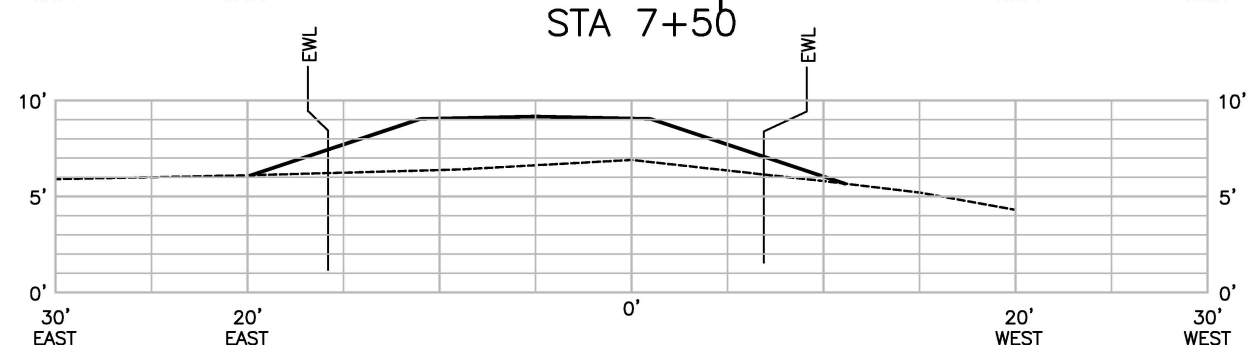
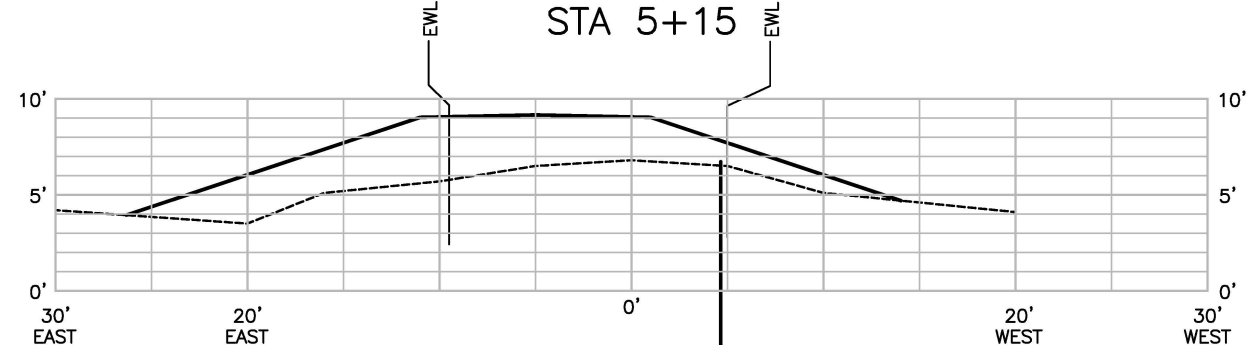
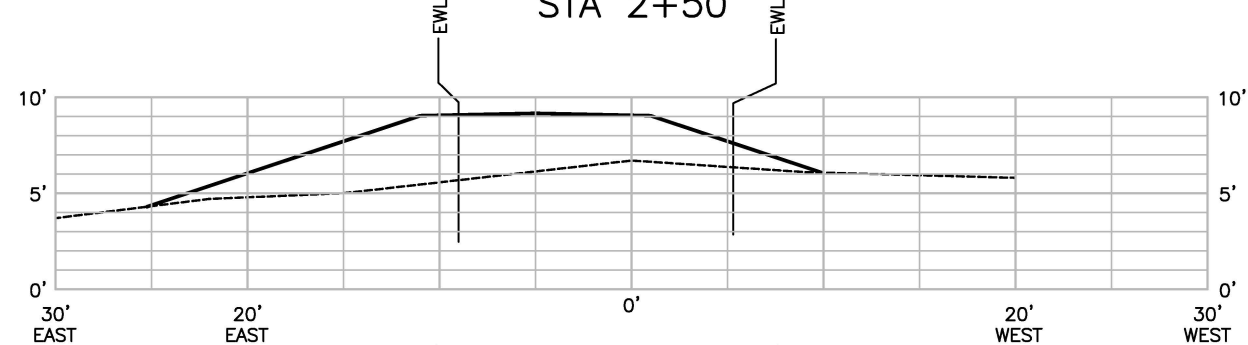
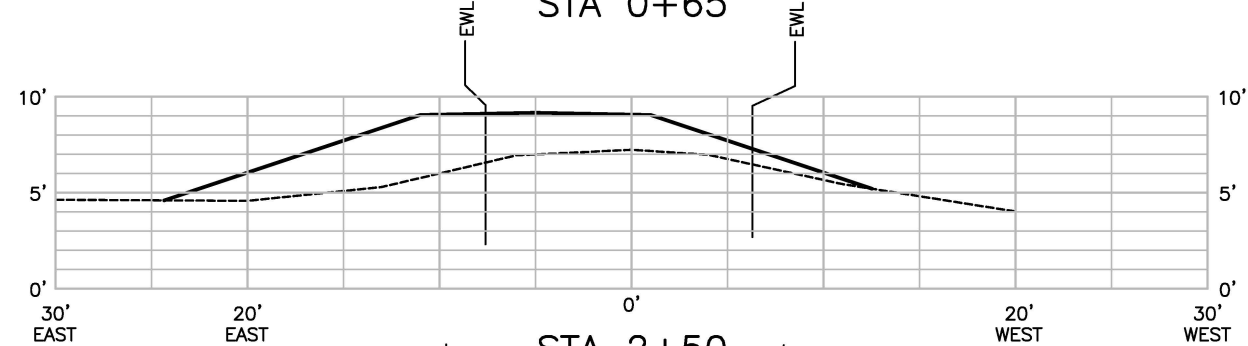
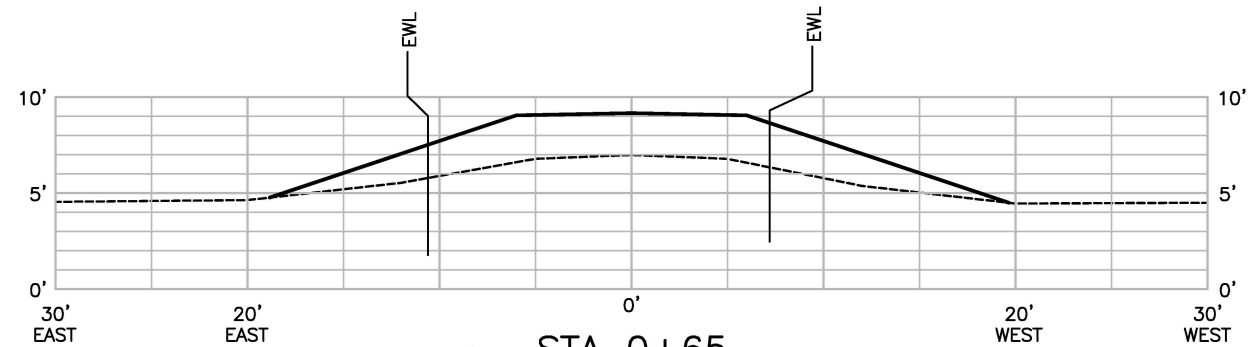
TOWER 3 WEST



TOWER 4 WEST

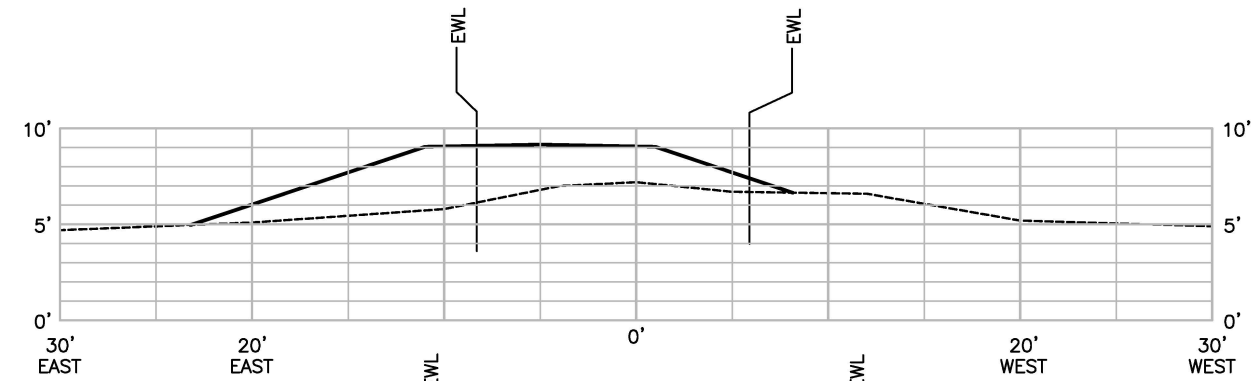


DESIGNED: W H SHELLEY	SUB SHEET NO.	TITLE OF SHEET PLAN AND PROFILE SOUTH PATH AND TOWER PATHS	DRAWING NO. 160
DRAWN: WHS		SALEM RADIO TOWER SITE EVERGLADES NATIONAL PARK	PMIS NO. 254186
TECH. REVIEW: NPS			SHEET 5 OF 10
DATE: 08/2019			

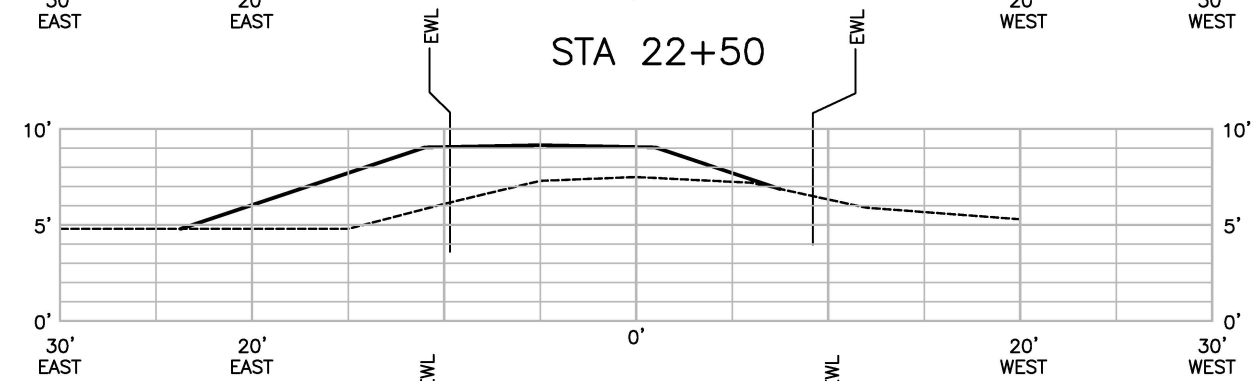


EWL=EDGE OF WETLAND

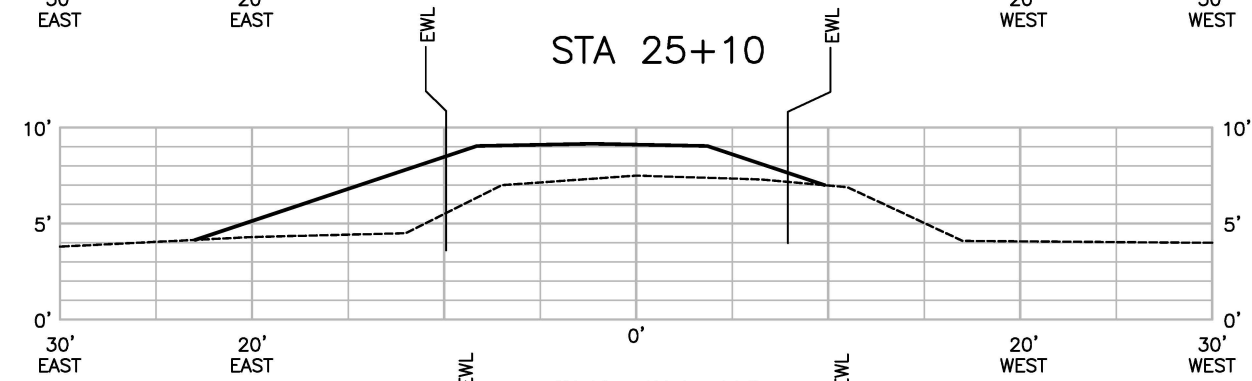
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DRAWN: WHS			PMIS NO. 254186
TECH. REVIEW: NPS			SHEET 6 OF 10
DATE: 08/2019			



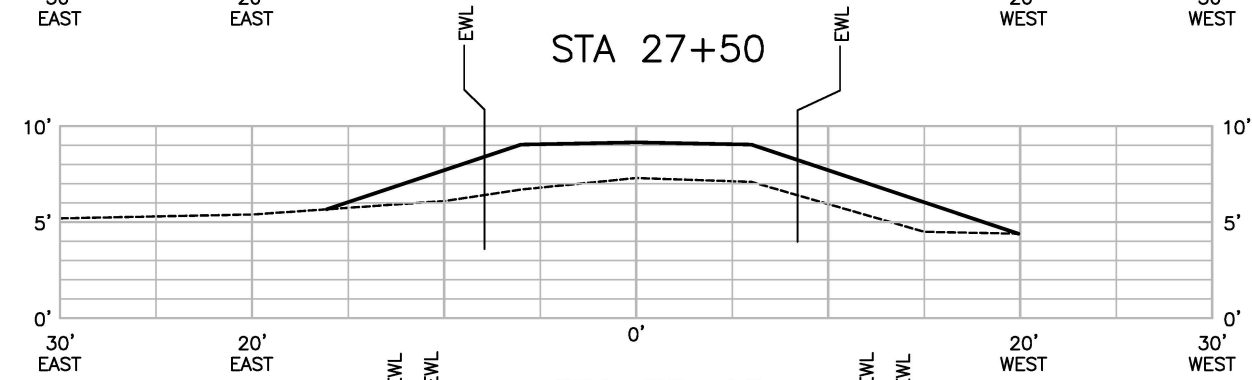
STA 22+50



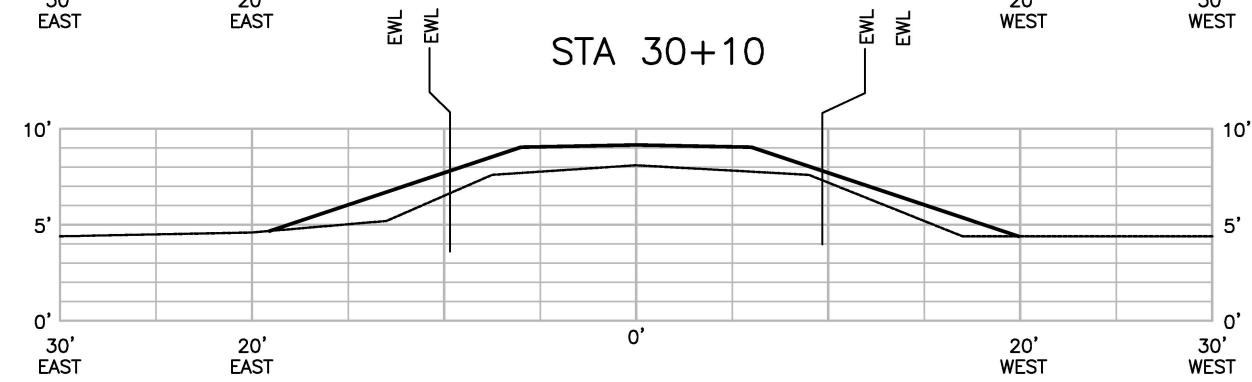
STA 25+10



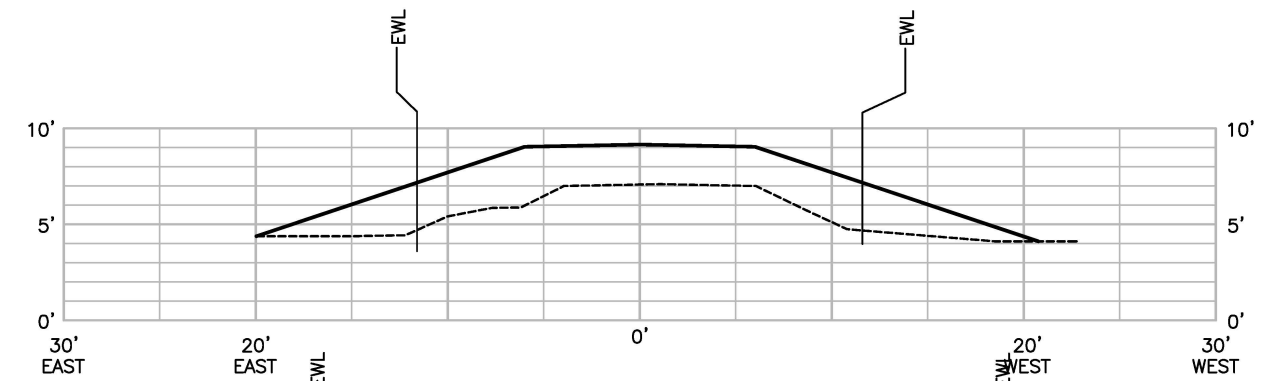
STA 27+50



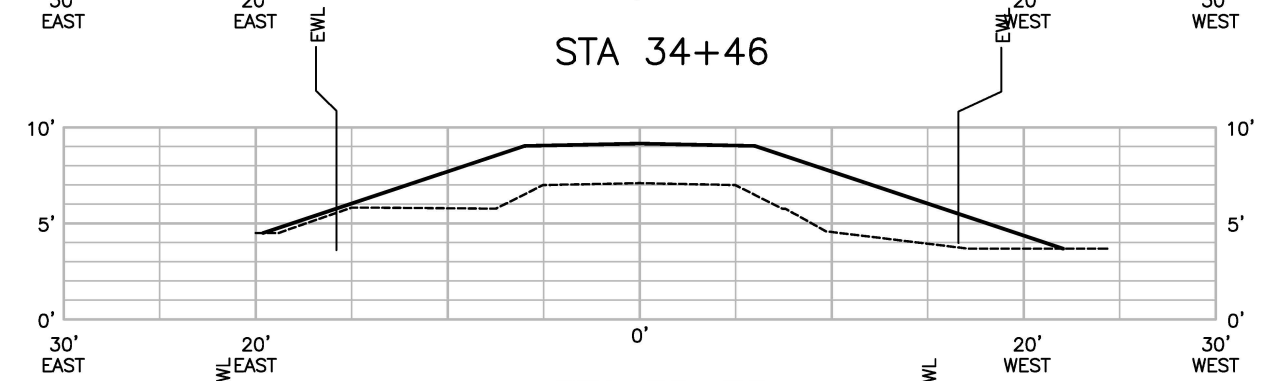
STA 30+10



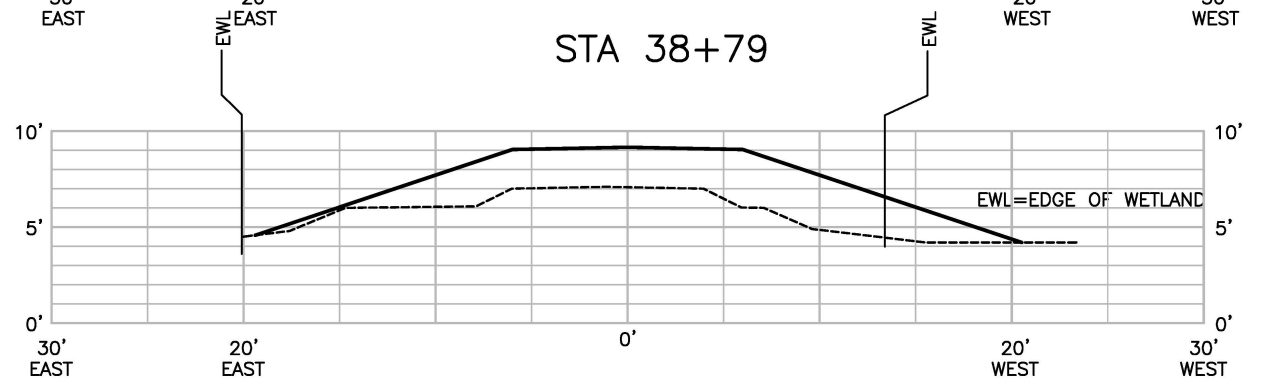
STA 32+50



STA 34+46

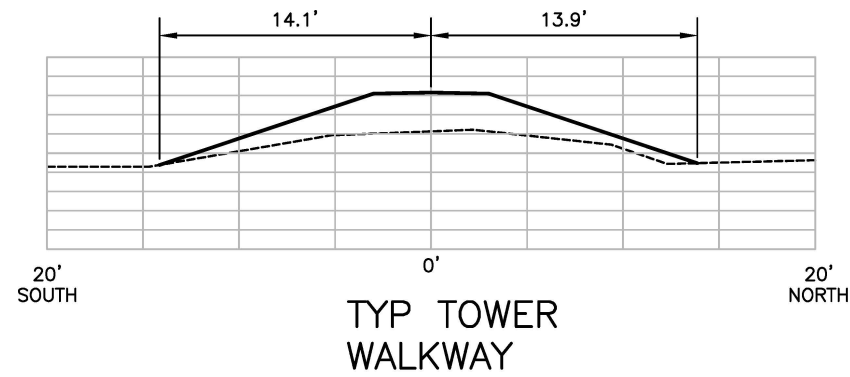
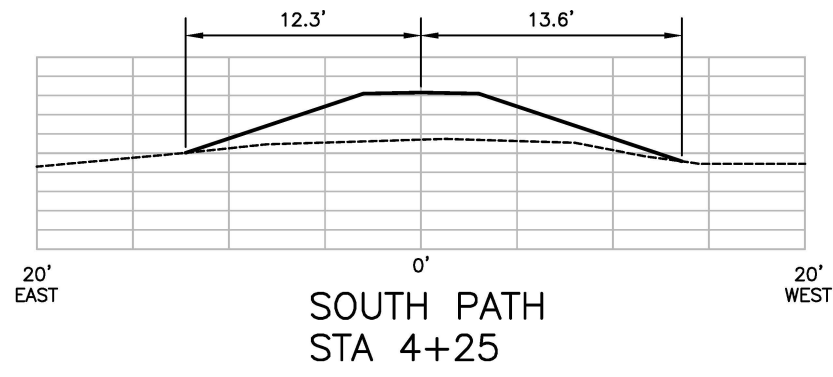
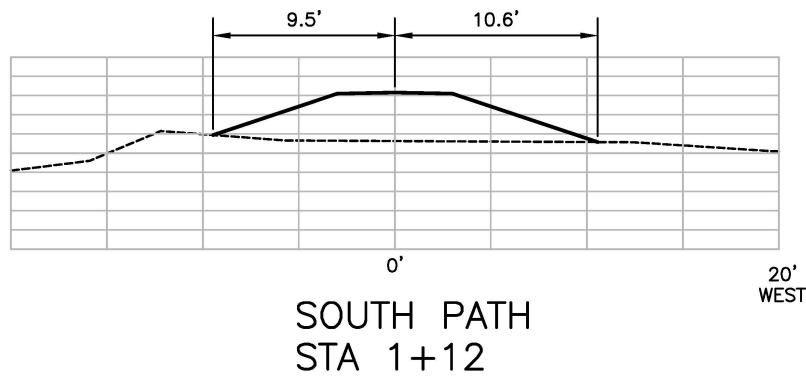


STA 38+79

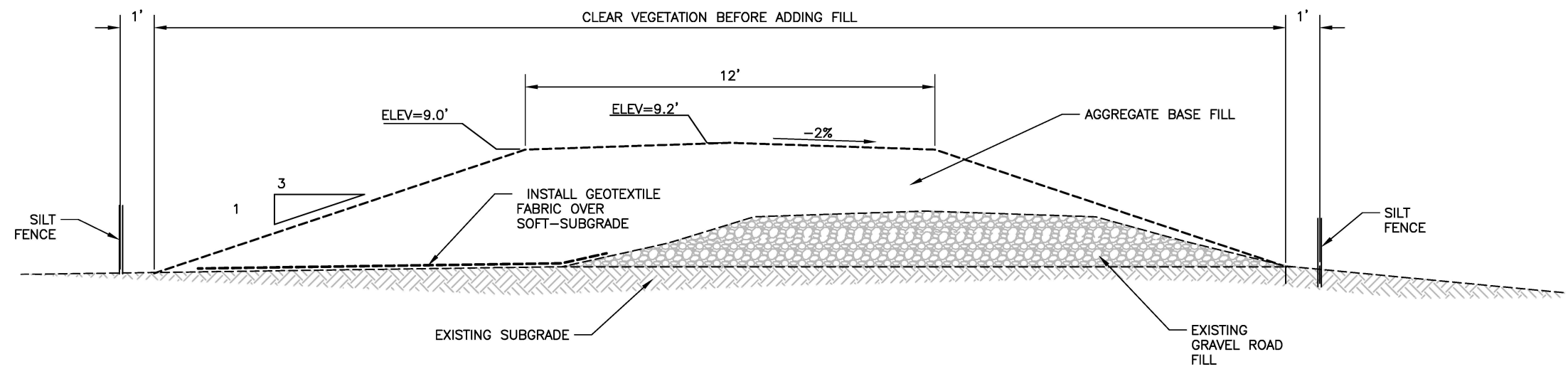


STA 41+14

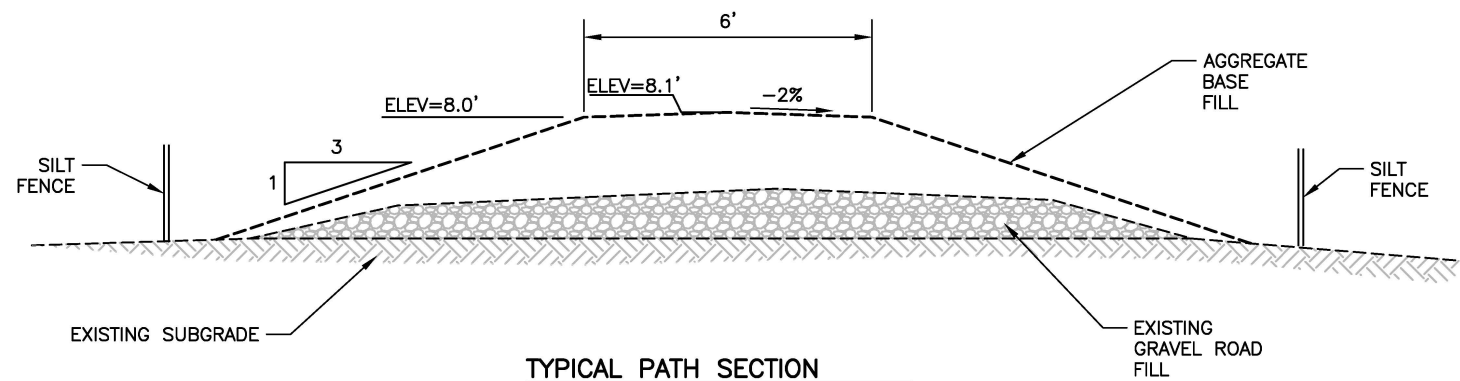
DESIGNED: W H SHELLEY	SUB SHEET NO.	TITLE OF SHEET ROAD CROSS SECTIONS SALEM RADIO TOWER SITE EVERGLADES NATIONAL PARK	DRAWING NO. 160
DRAWN: WHS			PMIS NO. 254186
TECH. REVIEW: NPS			SHEET
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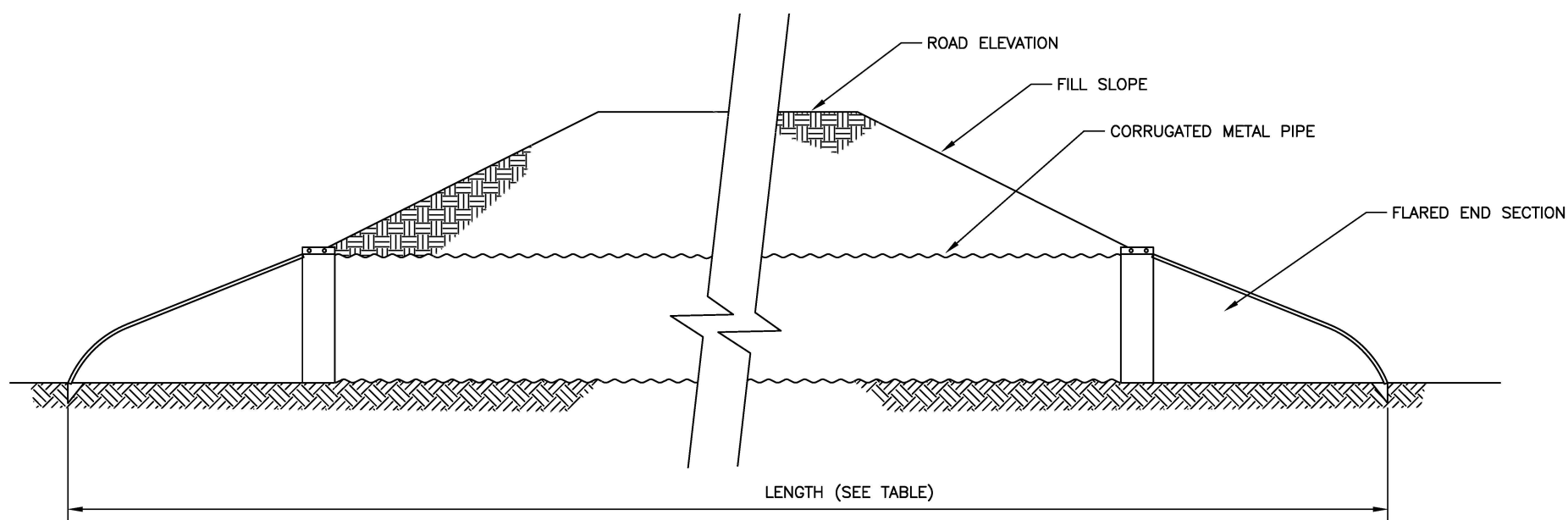
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DRAWN: WHS			PMIS NO. 254186
TECH. REVIEW: NPS			SHEET
DATE: 08/2019			8 of 10



TYPICAL ROAD SECTION
SCALE: SCALE A



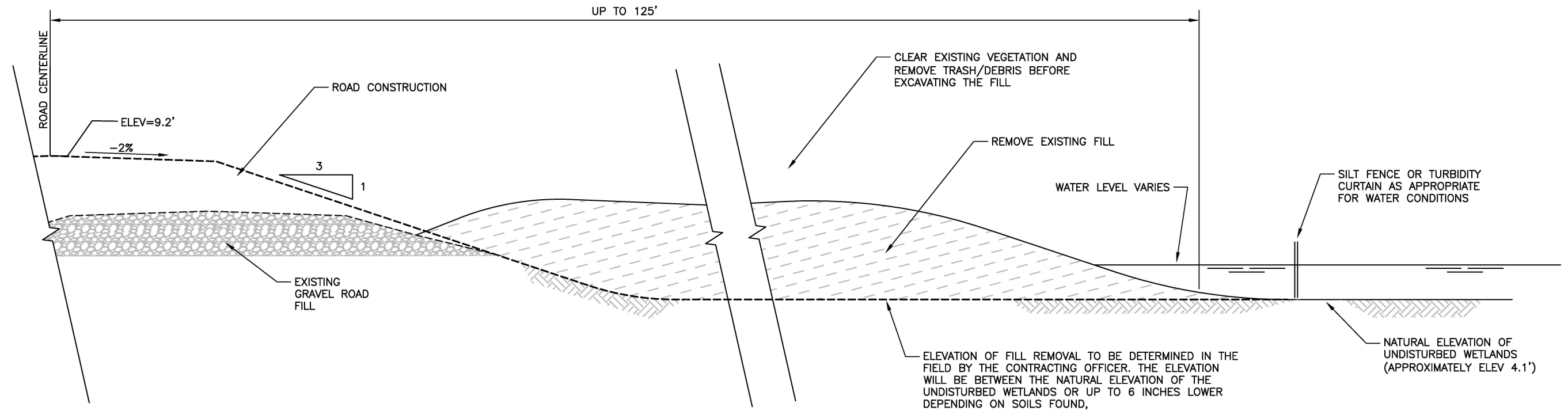
TYPICAL PATH SECTION
SCALE: SCALE A



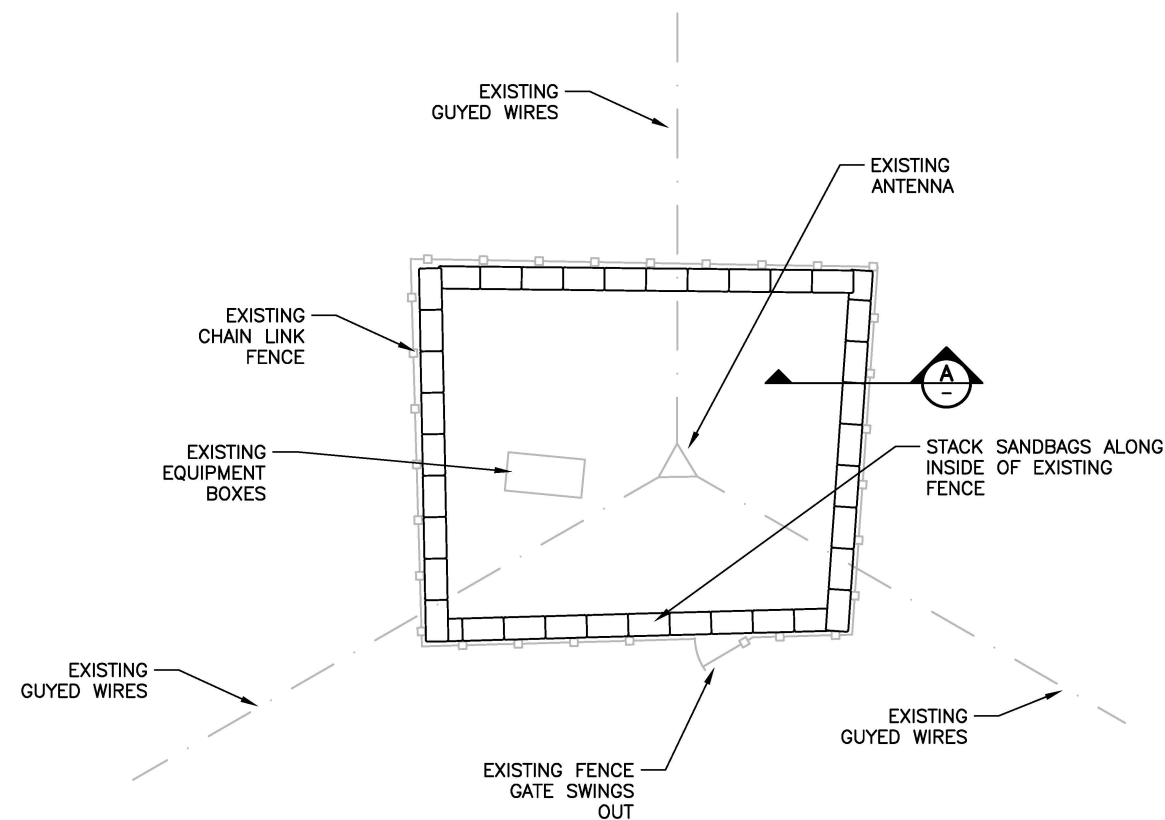
CULVERT DETAIL
SCALE: NO SCALE

CULVERT TABLE						
STA	SIZE	ROAD ELEVATION	INV EAST	INV WEST	LENGTH	SLOPE
26+46	18"	9.2'	4.80'	4.42'	38'	1.0%
31+70	18"	9.2'	5.04'	4.20'	38'	2.2%

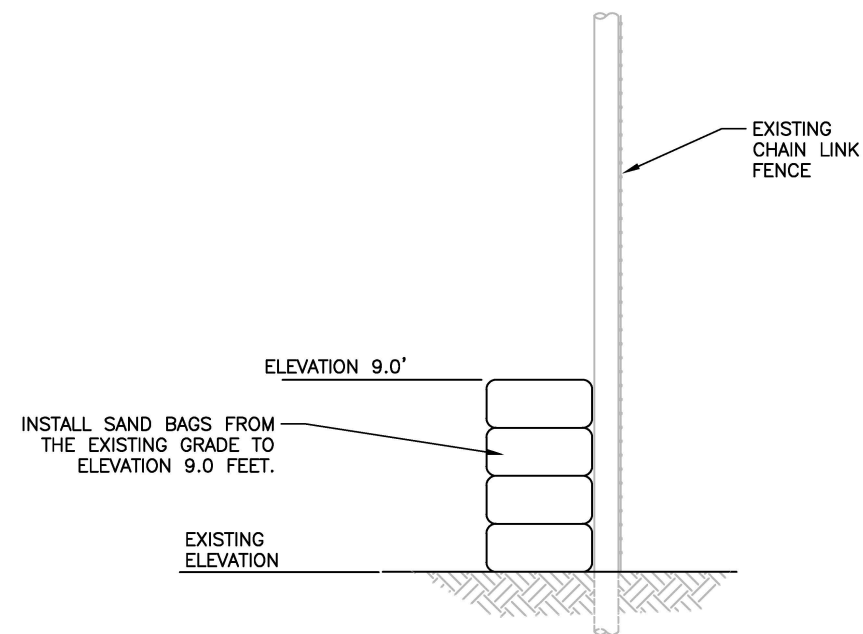
DESIGNED: W H SHELLEY	SUB SHEET NO.	TITLE OF SHEET TYPICAL ROAD AND PATH SECTIONS SALEM RADIO TOWER SITE EVERGLADES NATIONAL PARK	DRAWING NO. 160
DRAWN: WHS			150,891
TECH. REVIEW: NPS			PMIS NO. 254186
DATE: 08/2018			SHEET 9 OF 11



TYPICAL MITIGATION AREA SECTION
SCALE: NO SCALE

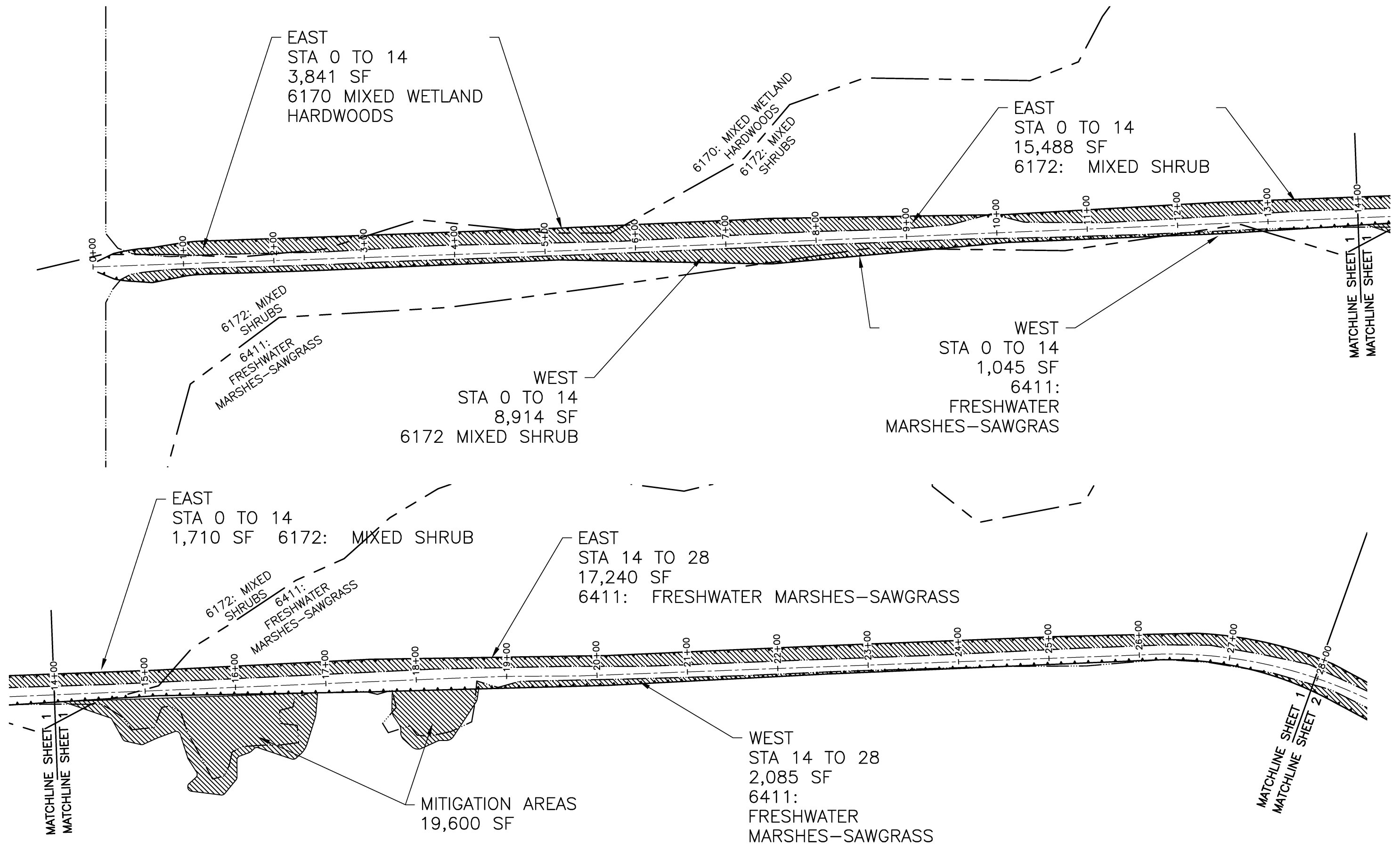


RADIO TOWER FLOOD PROTECTION
SCALE: NO SCALE



SECTION A
SCALE: NO SCALE

DESIGNED: W H SHELLEY	SUB SHEET NO.	TITLE OF SHEET	DRAWING NO.
DRAWN: WHS		MITIGATION AREA AND ANTENNA FLOOD PROTECTION	160
TECH. REVIEW: NPS		SALEM RADIO TOWER SITE EVERGLADES NATIONAL PARK	PMIS NO. 254186
DATE: 08/2019			SHEET 10 of 10



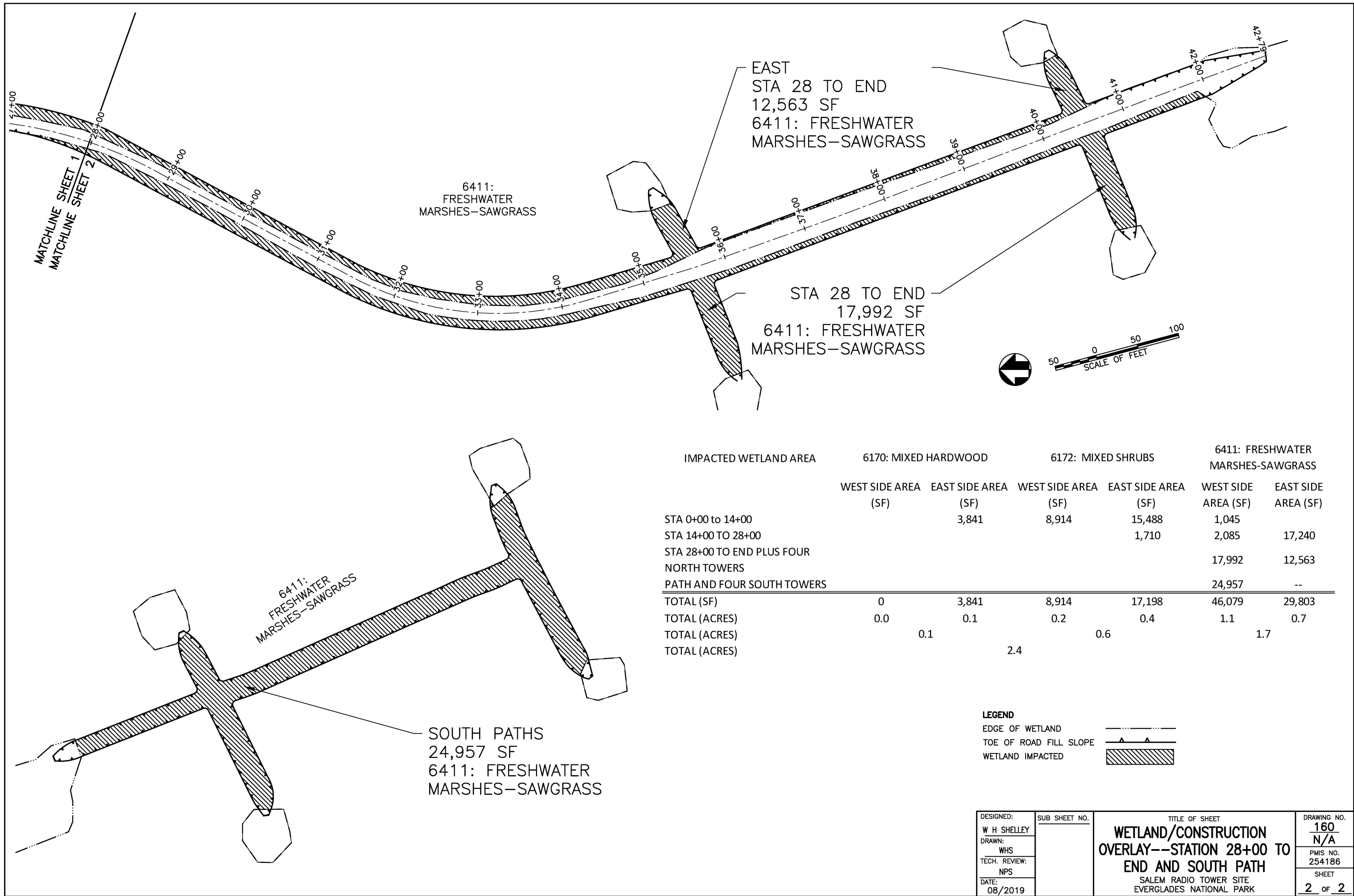
LEGEND

EDGE OF WETLAND

TOE OF ROAD FILL SLOPE

WETLAND IMPACTED

DESIGNED: W H SHELLEY	SUB SHEET NO.	TITLE OF SHEET WETLAND/CONSTRUCTION OVERLAY	DRAWING NO. 160 N/A
DRAWN: WHS		STA 0+00 TO STA 28+00	PMIS NO. 254186
TECH. REVIEW: NPS		SALEM RADIO TOWER SITE EVERGLADES NATIONAL PARK	SHEET 1 OF 2
DATE: 08/2019			



IMPACTED WETLAND AREA	6170: MIXED HARDWOOD		6172: MIXED SHRUBS		6411: FRESHWATER MARSHES-SAWGRASS	
	WEST SIDE AREA (SF)	EAST SIDE AREA (SF)	WEST SIDE AREA (SF)	EAST SIDE AREA (SF)	WEST SIDE AREA (SF)	EAST SIDE AREA (SF)
STA 0+00 to 14+00		3,841	8,914	15,488	1,045	
STA 14+00 TO 28+00				1,710	2,085	17,240
STA 28+00 TO END PLUS FOUR NORTH TOWERS					17,992	12,563
PATH AND FOUR SOUTH TOWERS					24,957	--
TOTAL (SF)	0	3,841	8,914	17,198	46,079	29,803
TOTAL (ACRES)	0.0	0.1	0.2	0.4	1.1	0.7
TOTAL (ACRES)		0.1		0.6		1.7
TOTAL (ACRES)			2.4			

LEGEND

EDGE OF WETLAND

TOE OF ROAD FILL SLOPE

WETLAND IMPACTED

DESIGNED: W H SHELLEY	SUB SHEET NO.	TITLE OF SHEET WETLAND/CONSTRUCTION OVERLAY--STATION 28+00 TO END AND SOUTH PATH SALEM RADIO TOWER SITE EVERGLADES NATIONAL PARK		DRAWING NO. 160 N/A
DRAWN: WHS				PMIS NO. 254186
TECH. REVIEW: NPS				SHEET
DATE: 08/2019				2 OF 2