

## **Environmental Assessment for the Transfer of Grant Encumbrance on the Berry Groves Property**

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Hendry County, Florida

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# **CHAPTER 1. Purpose and Need**

## **1.1 Background**

The Berry Grove Property is an 8,682-acre property located within Hendry County. The South Florida Water Management District (District) acquired the property for the Comprehensive Everglades Restoration Plan (CERP), Caloosahatchee River (C-43) West Basin Storage Project (C-43 Project). A portion of the funds used for acquisition were from a U.S. Department of the Interior (DOI) Federal grant. After finalizing the project plans, a 2.49-acre tract within the Berry Grove Property known as Tract GX100-030 was identified as no longer needed for the C-43 Project.

The District needs to acquire a 5.20-acre section of a water supply canal which is required for construction and long-term operation of the C-43 Project. The District wishes to exchange the 2.49-acre Tract GX100-030 for fee ownership in the 5.20-acre section of water supply canal along the north border of the C-43 Project.

Because Tract GX100-030 was purchased in part with Federal grant funding, The District cannot dispose of it without transferring the Federal funding to another property with equal fair market value. The District seeks to transfer those funds to a 2.49-acre tract known as Tract QD100-017 which is located within the footprint of the C-43 Project.

Benefits of this exchange include:

- The DOI and District will no longer own 2.49 acres of agricultural property (Tract GX100-030) that provides no measurable ecological benefit to water quality, wildlife or flood control. There are currently no plans that include these lands as part of a restoration project.
- Federal grant funds from tract GX100-030 will be transferred to Tract QD100-017 located within the C-43 Project footprint. This tract will provide ecological benefits when the C-43 Project is complete.
- The District will gain a water supply canal that is needed to construct and operate the C-43 Project. This action will keep the construction project on schedule and save approximately \$750,000 in construction costs.

Appraisals revealed the value of Tract GX100-030 at \$19,000 and Tract QD100-017 at \$19,000 (Table 1). The Federal share of the value of GX100-030 (\$9,500 or 50%) will be transferred to QD100-017.

**Table 1. Locations and values of tracts identified for restriction transfers.**

Tract ID:	GX100-030	QD100-017
<b>County:</b>	Hendry	Hendry
<b>Acreage:</b>	2.49	2.49
<b>Acquisition date:</b>	10/6/2000	5/22/2003
<b>Appraised value:</b>	\$19,000	\$19,000
<b>Federal share:</b>	\$9,500	\$0
<b>District share</b>	\$9,500	\$19,000

## **1.2 Caloosahatchee River (C-43) West Basin Storage Project**

The purpose of the C-43 Project is to improve the timing, quantity, and quality of freshwater flows to the Caloosahatchee River and estuary. South Florida's flood reduction system stores water in Lake Okeechobee during the annual wet season. Excess water is released, and the resulting, unnatural surges of freshwater to the Caloosahatchee River reduce estuarine salinity levels. Alternately, during the dry season when irrigation demands are high, little to no water is released to the river. This causes an increase in salinity levels. Both high and low salinity levels can trigger the death of sea grasses and oysters, species that are indicators of the estuary's overall health.

The C-43 Project will help ensure a more natural, consistent flow of fresh water to the estuary. To restore and maintain the estuary during the dry season, the project will capture and store basin stormwater runoff, along with a portion of the water discharged from Lake Okeechobee and water will be slowly released into the Caloosahatchee, as needed. This project also provides secondary benefits, once the needs of the estuary are met, along with recreational benefits.

## **1.3 Department of the Interior and Related Agencies Appropriations Act of 1999, Public Law 105-277 (Land and Water Conservation Funds Grant Agreement -1) (LWCF-1)**

LWCF-1 recognized that some of the properties acquired by the District might not be used for an Everglades restoration project. In such circumstances, Farm Bill-1 allowed that the District may:

- 1) Retain and use the property for other Everglades restoration purposes.
- 2) Acquire replacement property for Everglades restoration. Such replacement property shall be of at least equal fair market value.

For this exchange, the District is proposing choosing option 2.

## **1.4 Scope of Analysis**

This supplemental environmental assessment evaluates the removal of Federal grant funding from Tract GX100-030 purchased pursuant to Federal grant agreement LWCF-1

(Table 1). The District proposes to compensate DOI by applying the fair market value of Tract GX100-030 to Tract QD100-017. The effects of changed ownership are evaluated in this limited Environmental Assessment.

# **CHAPTER 2. Alternatives**

## **2.1 Alternative A: No Action - Current Land Ownership**

Under Alternative A, no funding transfer or land exchange would occur, and the current land ownership and management would continue. Funding restrictions on GX100-030 would remain. This action would cause a delay in the construction schedule of the C-43 Project and would increase construction costs by approximately \$750,000.

## **2.2 Alternative B: New Proposed Action - Removal of Federal Interest on Tract GX100-030 for Placement on Tract QD100-017**

The District would convey all real property interest in the 2.49-acre GX100-030 parcel to a private entity and remove the Federal funding encumbrance from GX100-030, which was partially acquired with LWCF-1 funds. In exchange, the District would transfer the Federal interest to the 2.49-acre QD100-017.

## **2.3 Alternative C: New Proposed Action - Removal of Federal Interest on Tract GX100-030 for Newly Identified Property**

The new proposed action would require the acquisition of lands within an acceptable area having an appraised value of at least \$19,000. Once acquired, the District would convey all real property interest in the 2.49-acre GX100-030 parcel to a private entity and remove the Federal funding encumbrance from GX100-030, which was partially acquired with LWCF-1 funds. In exchange, the District would transfer the Federal interest to the newly acquired property. This alternative is problematic, due to availability of acceptable property, budgetary and time constraints.

# **CHAPTER 3. Affected Environment**

The following sections provide a review of Tracts QD100-017 and GX100-030.

## **3.1 Tract GX100-030**

### **Location**

GX100-030 is located on the south side of State Road 80 in Hendry County, Florida, within Section 26, Township 43 South, Range 28. (Figures 1 and 2).

### **Property Use**

The property is currently under a lease for citrus crop cultivation with the lease expiring on 05/31/2020. The prospective buyer is also the current lessee (Figure 3).

### **Topography**

The site is estimated to be 15-18 feet above mean sea level (Figure 4).

### **Hydrology**

The site consists of a 2.49-acre block of citrus grove. The elevation of the water table varies seasonally, with winter typically being the dry period of the year in this region. The citrus trees are irrigated throughout the growing season, but the water table remains below the surface on this property (Figure 5).

### **Contaminants**

There are no known contaminants on this property based on the Environmental Assessment Summary Document C-43 (Caloosahatchee River) West Reservoir Overview of the Environmental Audits, Assessments, and Corrective Actions published in April 2007 (Appendix E.)

### **Soil Survey**

Based on the United States Department of Agricultural Soil Conservation Service soil survey map for Hendry County, soils include Boca sand and Pineda sand (Figures 6 and 7).

### **Wildlife**

The 2.49-acre site GX100-030 which is currently encumbered by Federal funding is located adjacent to a concrete plant. This property was part of the former citrus grove and has similar wildlife habitat to that of the citrus grove. This land is not within the footprint of the C-43 Project. Wildlife habitat on this property is degraded due to the industrial operations associated with the concrete plant.

Due to new project information regarding the crested caracara, the District is currently reinitiating the Consultation process with the U.S. Army Corps of Engineers (Corps) and the U.S. Fish and Wildlife Service (USFWS) to amend the original Biological Opinion (BO).

## **Vegetation**

The site consists entirely of citrus trees.

## **3.2 Tract QD100-017**

### **Location**

Tract QD100-017 is located within the C-43 Project in the southwest corner of the project footprint. The subject property is in the northeastern portion of Section 7 Township 44, Range 28 (Figures 1 and 8).

### **Property Use**

The property is currently part of a fallow citrus grove (Figure 9).

### **Topography**

The site is estimated to be 22.0 to 25.0 feet above mean sea level (Figure 10).

### **Hydrology**

The site consists a 2.49-acre block of a fallow citrus grove. The elevation of the water table varies seasonally, with winter typically being the dry period of the year in this region. The water table remains below the surface on this property year-round (Figure 11).

### **Contaminants**

There are no known contaminants on this property based on the Environmental Assessment Summary Document C-43 (Caloosahatchee River) West Reservoir Overview of the Environmental Audits, Assessments, and Corrective Actions published in April 2007 (Appendix E.)

### **Soil Survey**

Based on the United States Department of Agricultural Soil Conservation Service soil survey map for Hendry County, soils include Malabar sand and Boca sand (Figures 12 and 13).

### **Wildlife**

The property proposed to receive the Federal funding (QD100-017) transferred from GX100-030 is located within the southwest section of the C-43 Project. The pre-assessment, design and permitting of the C-43 Project area included the development of an Environmental Impact Statement (EIS) and BO along with the Corps permit (SAJ-2005-05958) for the construction and operation of the C-43 Project. The project site has been improved as a raised-bed citrus grove. The construction of a reservoir will modify the existing wildlife habitat. Based on the BO, the project area provides habitat for protected species such as the Everglade snail kite, West Indian manatee, Florida panther, eastern indigo snake, crested caracara, Florida bonneted bat, red cockaded woodpecker and gopher tortoise.

The BO indicated a “no effect” determination for the bald eagle, Florida scrub jay, Florida grasshopper sparrow, red cockaded woodpecker, Okeechobee gourd, and beautiful pawpaw. A “may affect but is not likely to affect” determination was made for the West

Indian manatee, Everglade snail kite, and the wood stork and a “may affect and is likely to adversely affect” determination was made for the crested caracara, eastern indigo snake, and Florida panther. Florida bonneted bat monitoring took place prior to land clearing efforts and gopher tortoise surveys and relocations continue to occur as needed.

As part of the initial construction, the District has completed the site clearing for the reservoir footprint. The clearing activities included the removal of native pines, oaks, and cypress trees along with some exotics such as Brazilian pepper. The site clearing activities were designed to mitigate potential damage to the project levees and structures.

### **Vegetation**

The site consists entirely of vacant cleared land (former citrus grove).

## **3.3 Socio-economic Environment**

### **Demographics**

Tracts GX100-030 and QD100-017 are both within Hendry County which has a population of approximately 39,290 (United States Census Bureau, 2017).

### **Recreation Use**

#### **Tract GX100-030**

This property has no recreational use in its current state as a citrus grove.

#### **Tract QD100-017**

This property has no recreational use in its current state as vacant land.

## **3.4 Cultural and Historic Resources**

As part of the C-43 Project, Final Integrated Project Implementation Report and Final Environmental Impact Statement, cultural resource surveys (Florida State Department of Historic Preservation numbers 2004-8676 and 2006-07757) were conducted. The study identified three isolated prehistoric artifacts, one isolated historic artifact, one prehistoric archeological site (8HN129), and four modified historic buildings. All except the prehistoric archeological site were determined to lack integrity and therefore are not eligible for listing on the National Register of Historic Places. Site 8HN129 is located outside of the C-43 Project footprint and will therefore not be impacted. These results show that cultural resources impacts are not considered significant for this project.

The U.S. Army Corps of Engineers (USACE) has determined that the C-43 Project will not affect historic properties eligible for listing on the National Register of Historic Places. The Florida State Historic Preservation Officer (SHPO) concurred with this determination (SHPO numbers 2004-8676 and 2006-07757). Tracts QD100-017 and GX100-030 were included in the assessment and reviewed by SHPO. No cultural resources were identified on either of the two tracts. The property that will receive the DOI funding (QD100-017) is located within the southwest section of the C-43 Project footprint. Construction on this portion of the property will include soil excavation. To ensure the site is protected during construction the District has specified steps that shall be taken if cultural resources are

encountered. The construction project contractor and their subcontractors are required to participate in training developed by a professional archaeologist. The training will explain the types of archaeological/cultural materials that might be encountered during construction and the steps to be taken in the event these materials are encountered. A professional archaeologist will also conduct periodic monitoring of the project area during construction.

# **CHAPTER 4. Environmental Consequences**

This chapter describes the foreseeable environmental consequences of removing funding restrictions on GX100-030 and moving the encumbrance to QD100-017. When detailed information was available, a scientific and analytical comparison between alternatives and their anticipated consequences is presented. The consequences are described as "impacts" or "effects." When detailed information was not available, those comparisons are based on the professional judgment and experience of District Staff and subsequent concurrence by the Service.

## **4.1 Physical Consequences**

### **Tract GX100-030**

The restrictions that currently exist on GX100-030 require the property to be used for the C-43 Project. Based on a more updated evaluation, the District has determined that the parcel is no longer needed for that purpose. Under Alternative B, the Federal funding will be moved to QD100-017 which is within the C-43 Project footprint.

Any future changes to the use of QD100-017 by the District or any other owner would require separate assessments and reviews as required by law and based on the specific details of the proposed changes. The Service, the public and other entities would provide comments on any specific plans for the parcels at that time (no impacts anticipated).

### **Tract QD100-017**

The Interim use of QD100-017 will continue to be vacant land (former citrus grove) until the C-43 Project is constructed. (no impacts anticipated).

## **4.2 Impacts to Physical Environment**

### **Tract GX100-030**

The proposed funding transfer from GX100-030 does not inherently cause a change in the physical environment of this property. Thus, Alternative B would have no impacts on the physical environment, including hydrology, water quality, and air quality.

### **Tract QD100-017**

The proposed grant funding transfer to QD100-017 does not inherently cause a change in the physical environment of this property. Thus, Alternative B would have no impacts on the physical environment, including hydrology, water quality, and air quality.

## **4.3 Biological Consequences**

### **Tract GX100-030**

There are no immediate or anticipated biological consequences to GX100-030 associated with the proposed Federal funding transfer. The site is currently an intensely managed citrus grove with minimal natural areas.

### **Tract QD100-017**

There are no immediate or anticipated biological consequences to QD100-017 associated with the proposed Federal grant funding transfer. The site is currently vacant land (former citrus grove) with minimal natural areas.

#### **4.4 Impacts to Vegetation and Habitat**

### **Tract GX100-030**

The proposed Federal grant funding transfer does not cause a change to vegetation or habitat within this property or necessitate a change in use of the land. The property will continue to function as an intensely managed citrus grove.

### **Tract QD100-017**

The proposed Federal grant funding transfer to QD100-017 will result in better wildlife habitat based upon the fact that the aquatic habitat of the C-43 Project is likely more desirable than the former citrus grove (vacant land) within GX100-030.

#### **4.5 Impacts to Wildlife**

### **Tract GX100-030**

The proposed Federal grant funding transfer does not change the potential for wildlife to occur on-site. The property is currently a citrus grove and will continue to be operated as such. The wildlife habitat on this site is not anticipated to experience any impacts.

### **Tract QD100-017**

Tract QD100-017 will offer a more productive ecological system once the C-43 Project is constructed. The proposed Federal grant funding transfer will provide some wildlife benefits when compared to GX100-030.

#### **4.6 Impacts to Threatened and Endangered Species**

### **Tract GX100-030**

The proposed Federal grant funding transfer does not negatively impact threatened and endangered species. The property is currently an intensely managed citrus grove and will continue to be operated as such. The wildlife habitat on this site is minimal and no changes are planned. Removing restrictions does not inherently induce a change to wildlife or wildlife habitat in general or to threatened and endangered species on the tract proposed for inclusion in the exchange.

### **Tract QD100-017**

Tract QD100-017 will offer a more productive aquatic system once the C-43 Project is constructed. The proposed Federal funding transfer to this tract will provide some wildlife benefits when compared to GX100-030.

## **4.7 Socioeconomic Consequences**

### **Tracts GX100-030 and QD100-017**

The proposed Federal funding transfer would not have an adverse effect on either of the properties. Tract GX100-030 will remain in its current use as a citrus grove. Tract QD100-017 will become part of the C-43 Project. The proposed funding transfer (Alternative B) will not cause negative socioeconomic consequences.

## **4.8 Impacts on Environmental Justice**

### **Tracts GX100-030 and QD100-017**

President Bill Clinton signed Executive Order 12898 “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” on February 11, 1994, to focus Federal attention on the environmental and human health conditions of minority and low-income populations with the goal of achieving environmental protection for all communities. The Order directed Federal agencies to develop environmental justice strategies to aid in identifying and addressing disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. The Order is also intended to promote nondiscrimination in Federal programs substantially affecting human health and the environment and to provide minority and low-income communities with access to public information and participation in matters relating to human health or the environment.

This assessment has not identified any adverse or beneficial effects as part of the proposed Federal grant funding transfer. Therefore, no impacts are anticipated with the grant funding transfer to minority or low-income populations in the affected area. The proposed grant funding transfer (Alternative B) will not disproportionately place any adverse environmental economic, social, or health impacts on minority or low-income populations.

## **4.9 Impacts on Public Health and Safety**

### **Tracts GX100-030 and QD100-017**

The proposed Federal grant funding transfer will not negatively change any activity or infrastructure that serves public health and safety. Therefore, Alternative B is not anticipated to have any impact on human health and safety.

## **4.10 Impacts on Recreation**

### **Tracts GX100-030 and QD100-017**

No recreational opportunities are currently available on GX100-030 because of the high intensity agricultural operation. The proposed Federal grant funding transfer will not negatively affect recreational opportunity on this site.

No recreational opportunities are currently available on QD100-017. The proposed Federal grant funding transfer may provide additional recreational opportunities for the public on this site once the C-43 Project is constructed.

#### **4.11 Cultural Resource Consequences**

##### **Tracts GX100-030 and QD100-017**

Tracts GX100-030 and QD100-017 have no known archaeological or historical resources. Removing restrictions from GX100-030 does not inherently cause disturbance or disruption of the physical condition of the property. Considering that the Service and District are both public agencies that are required to protect cultural resources, if any cultural resources were discovered on either property, they would continue to be protected in the public's trust. The State of Florida historic preservation responsibilities are delineated in Chapter 267.061 of the Florida Statutes and the Division of Historical Resources' 2014 Management Procedures and Guidelines for Archaeological and Historical Sites and Properties on State-owned or Controlled Lands. In addition, Chapter 872 of the Florida Statutes provides supplementary assurances that sites would be protected.

#### **4.12 Cumulative Impacts Analysis**

The analysis reviewed the cumulative impacts to the environment resulting from incremental effects of a proposed action when these are added to other past, present, and reasonably foreseeable future actions.

The Service is currently assessing the cumulative impacts through a Section 7 Intra-service Biological Evaluation related to this proposal. That decision will be included upon receipt as an addendum to the Final Environmental Assessment for this proposed action. While cumulative effects may result from individually minor actions, they may become substantial over time.

As stated in Chapter 2, the proposed funding transfer (Alternative B) would transfer funding from GX100-030 to QD100-017 site. It is the District staff's opinion that the proposed fund transfer would provide an equitable value and would enhance the physical, biological, socioeconomic, and cultural and historic characteristics of the current environment after the proposed transfer. As such, there are no expected cumulative impacts of this action.

## **CHAPTER 5. Consultation and Coordination**

The District and DOI have worked together to identify and assess properties that could be included in the proposed Federal Land grant transfer that would result in an equitable exchange and would provide benefits to the mission and goals of both entities. The transfer of the land grant funding from GX100-030 to QD100-017 would include review and comment by other Federal and state, agencies and Tribes as well as the affected and interested public. Notification of the opportunity to comment and where to obtain copies of the Environmental Assessment will be announced in Hendry-Glades Sunday News. (Appendix D).

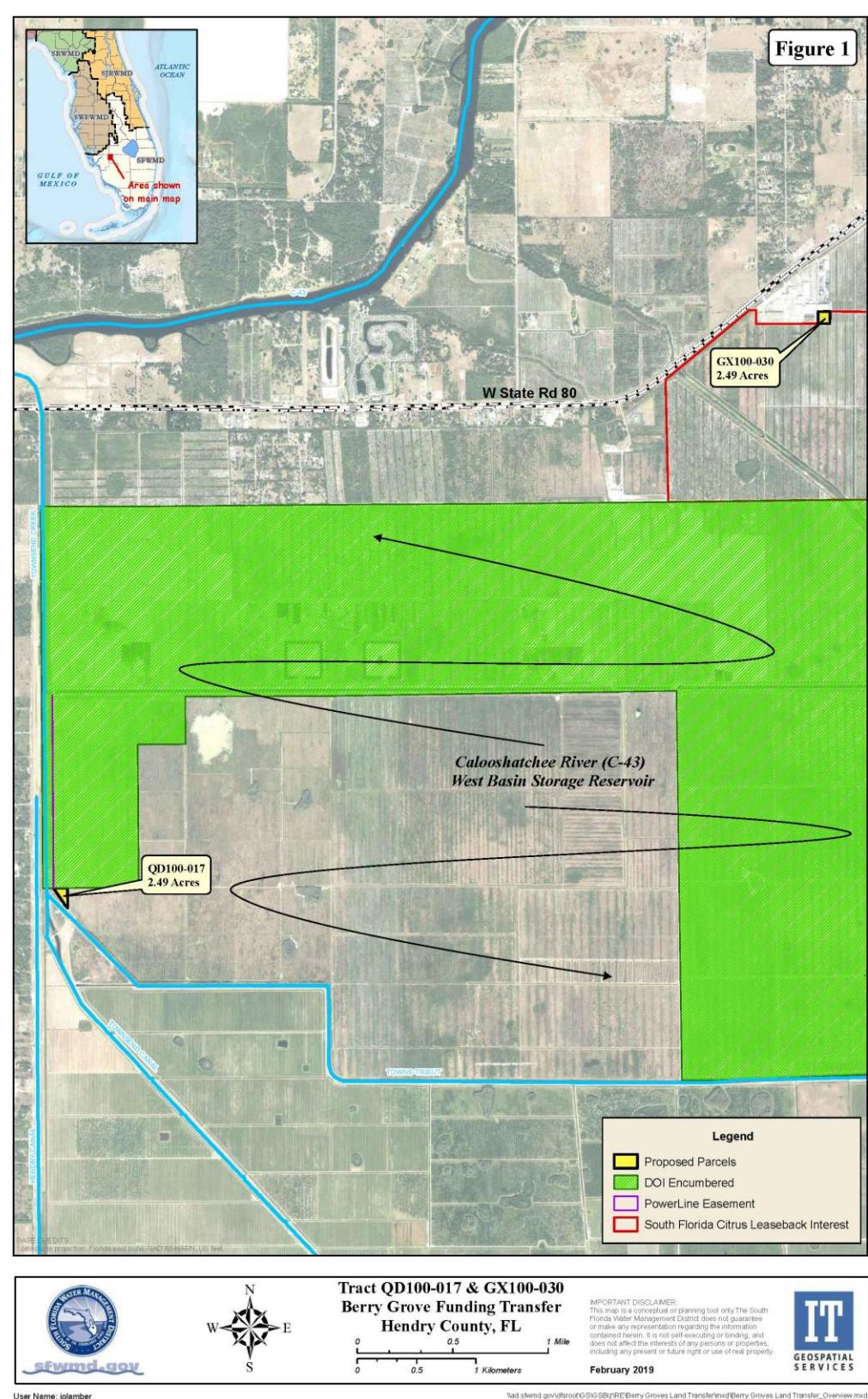


Figure 1. Overview Map of Tract QD100-017 and GX100-030 Property.

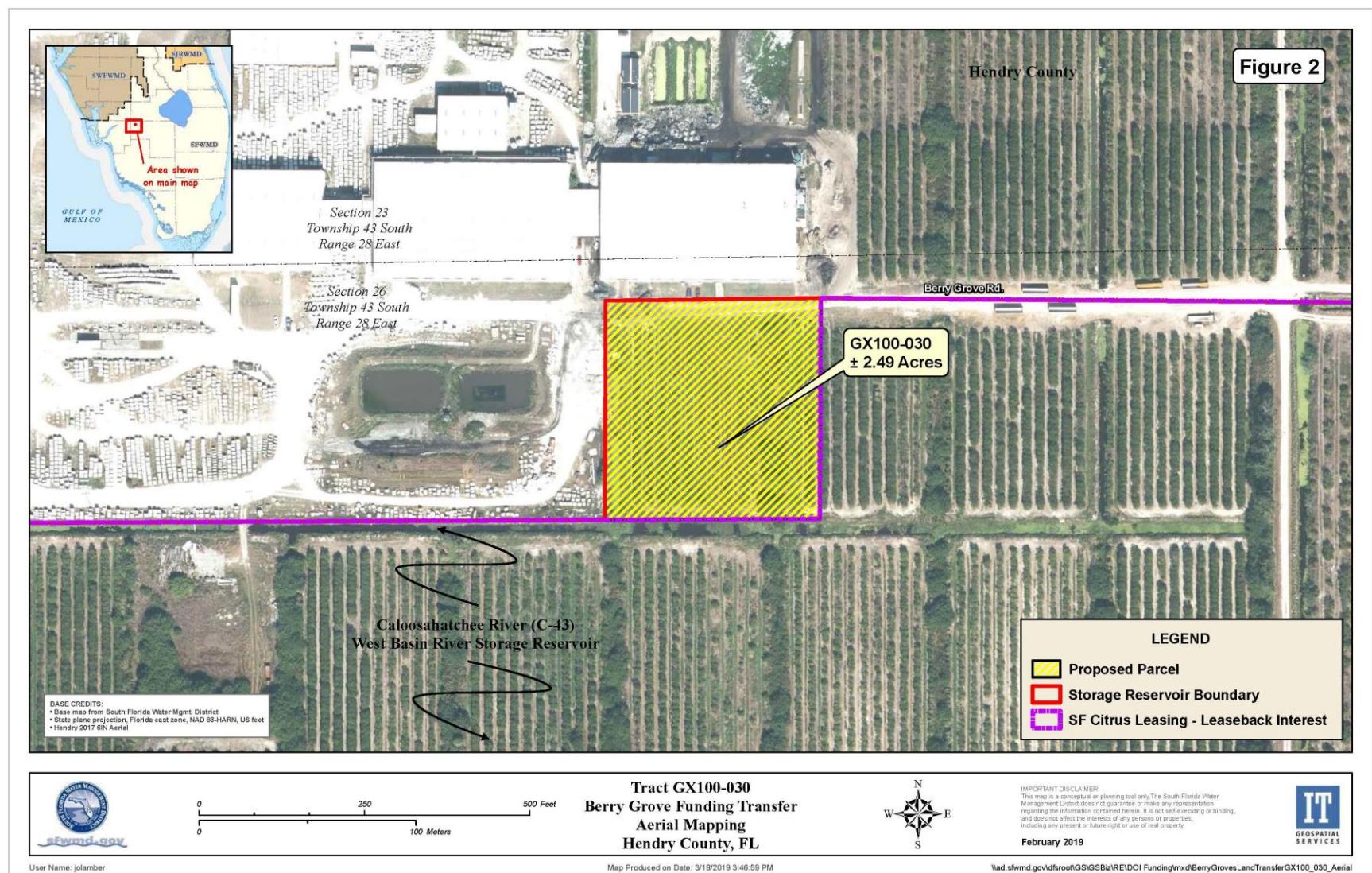


Figure 2. Tract GX100-030 Aerial Map.

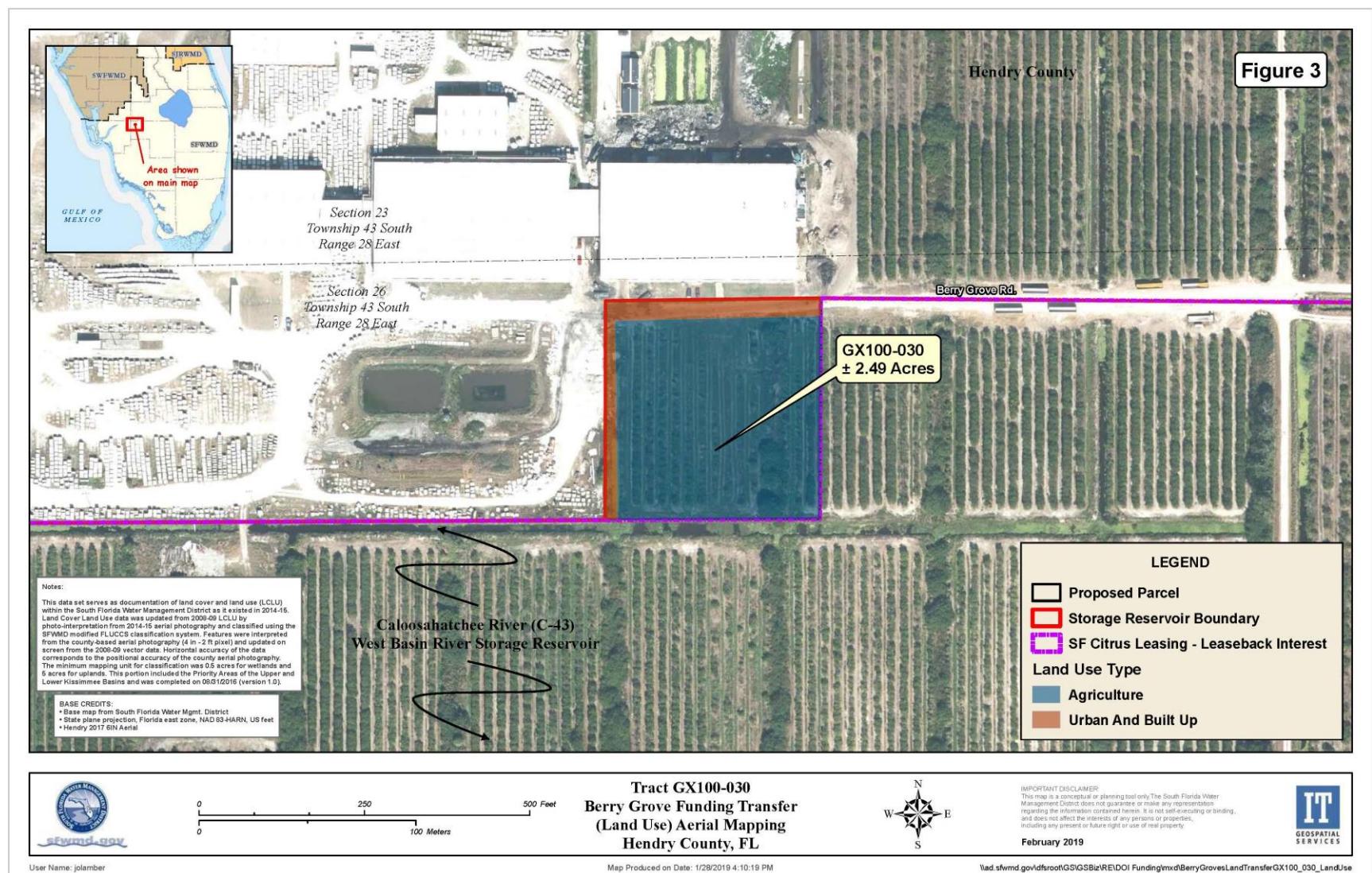


Figure 3. GX100-030 Land Use Map.

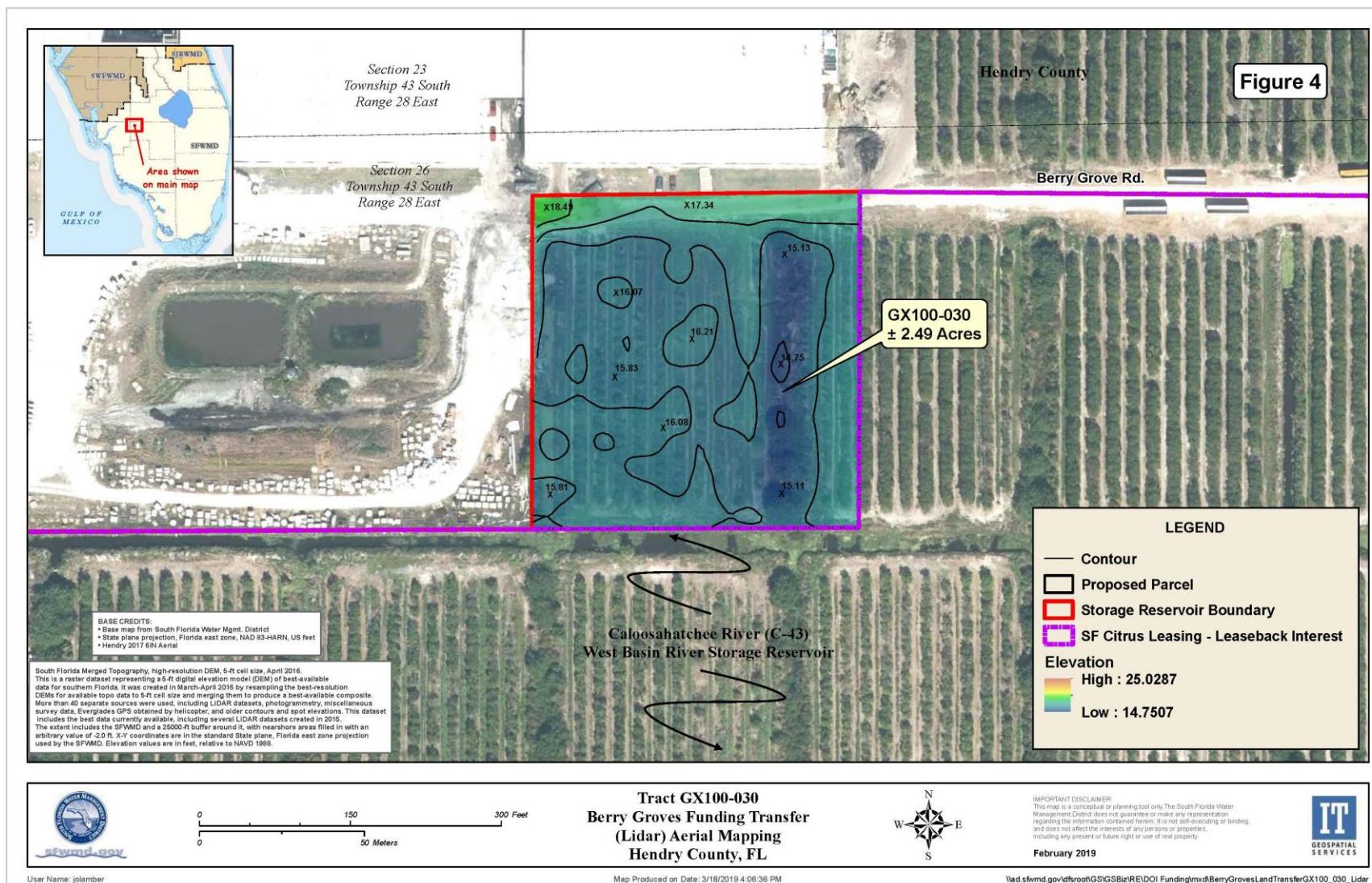
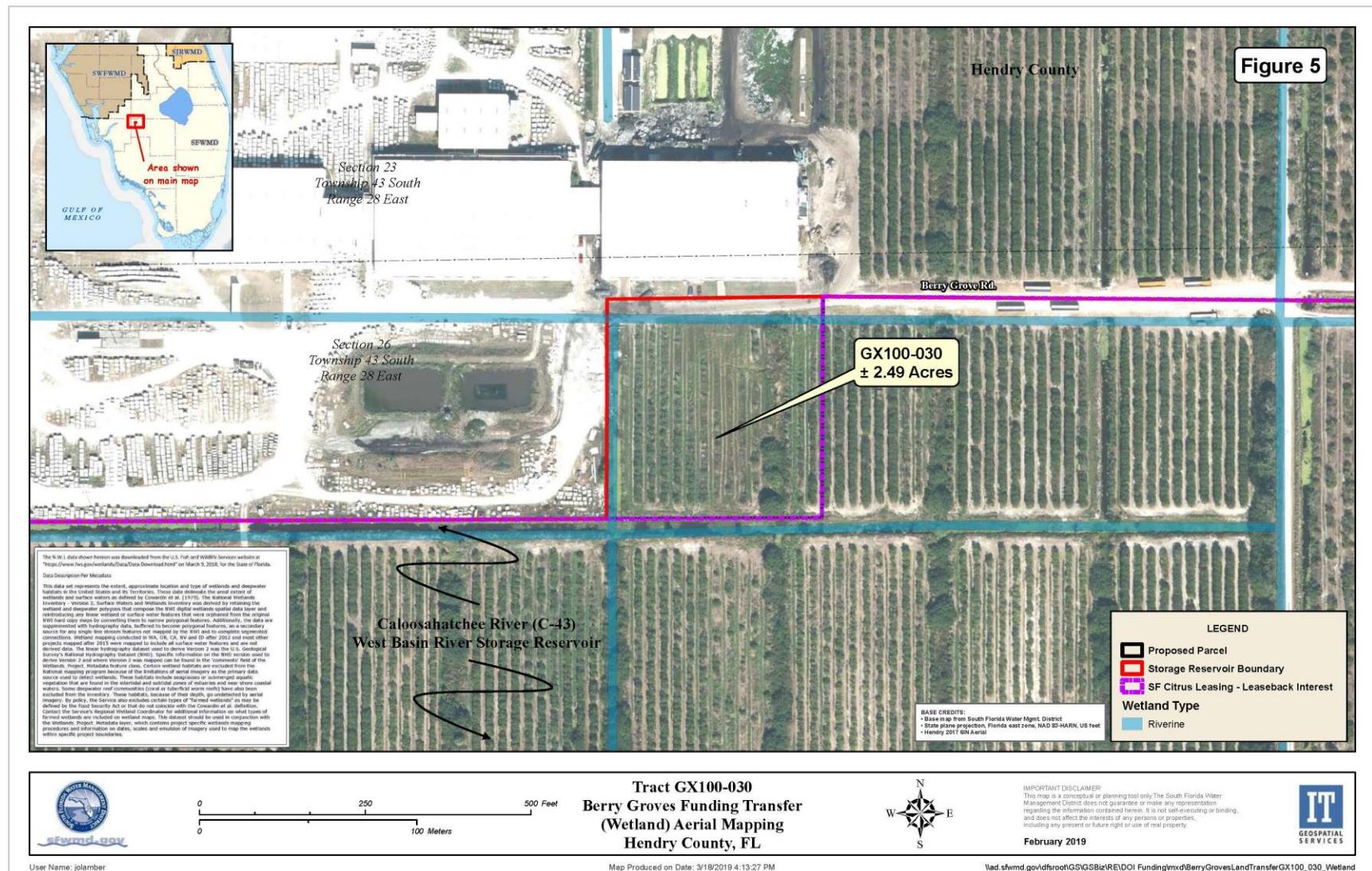


Figure 4. GX100-030 Lidar and Topo Map.



*Figure 5. GX100-030 Wetlands Map.*

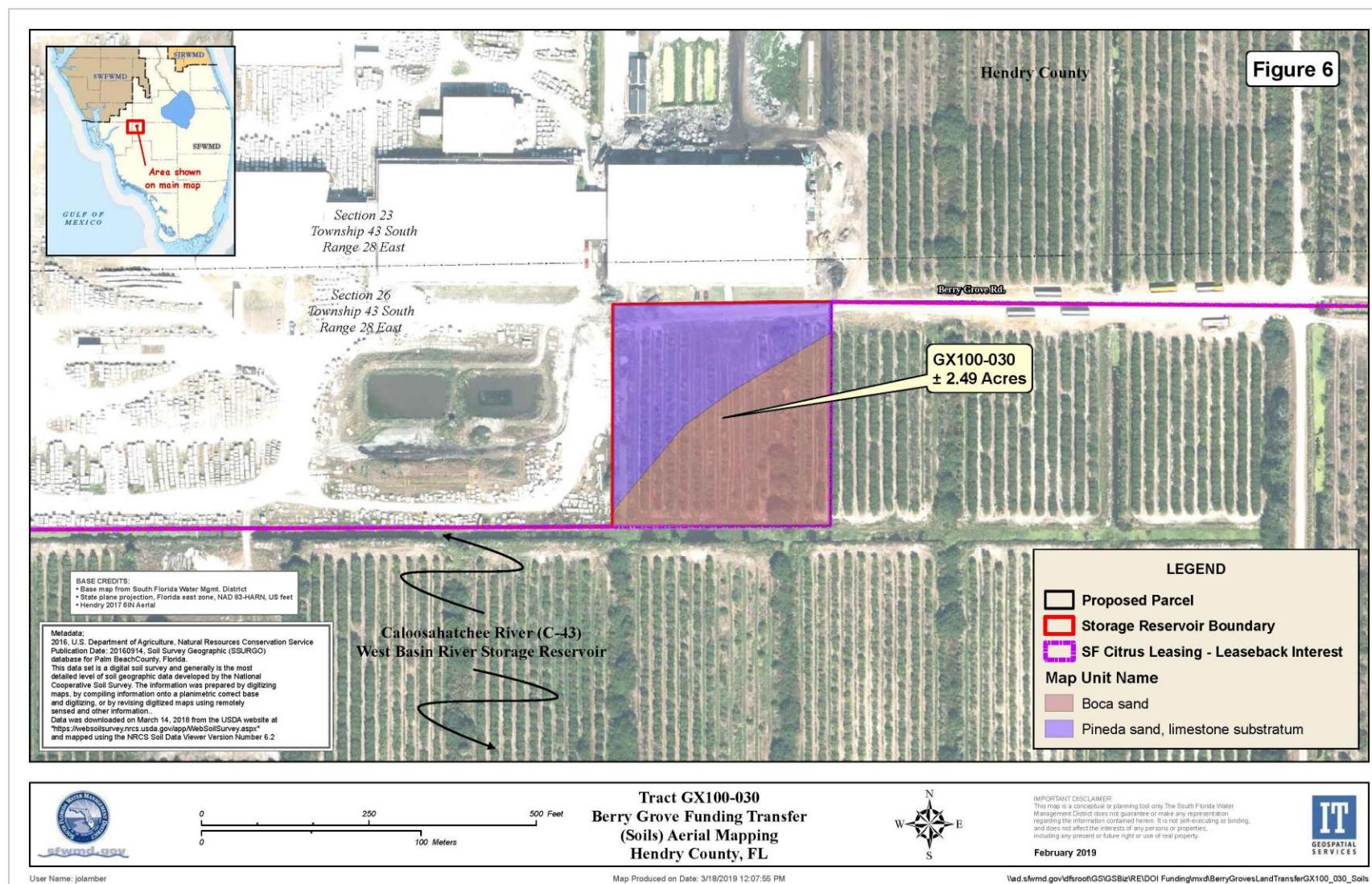


Figure 6. GX100-030 NRCS Soils Map.

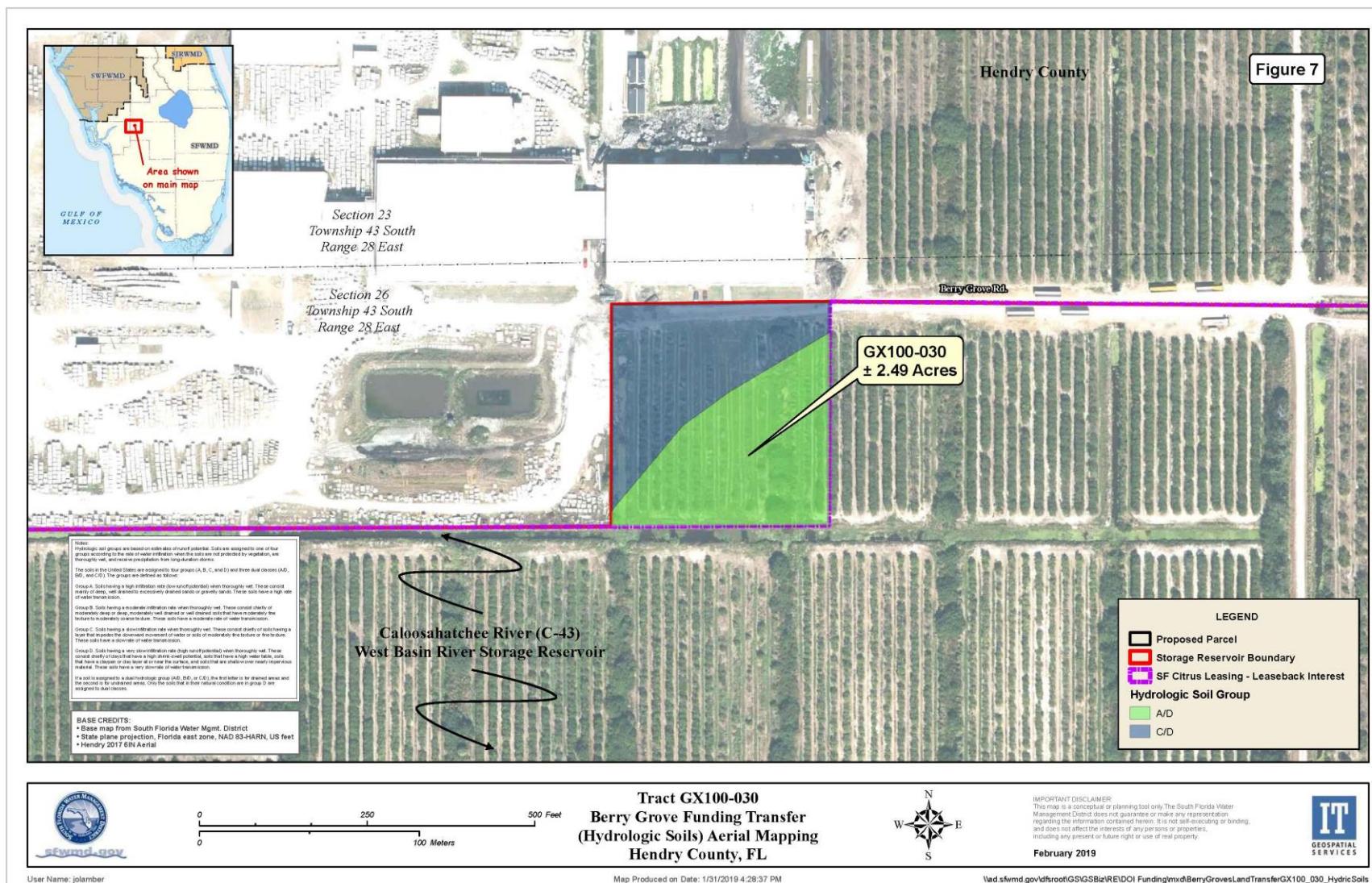


Figure 7. Tract GX100-030 Hydric Soils Map.

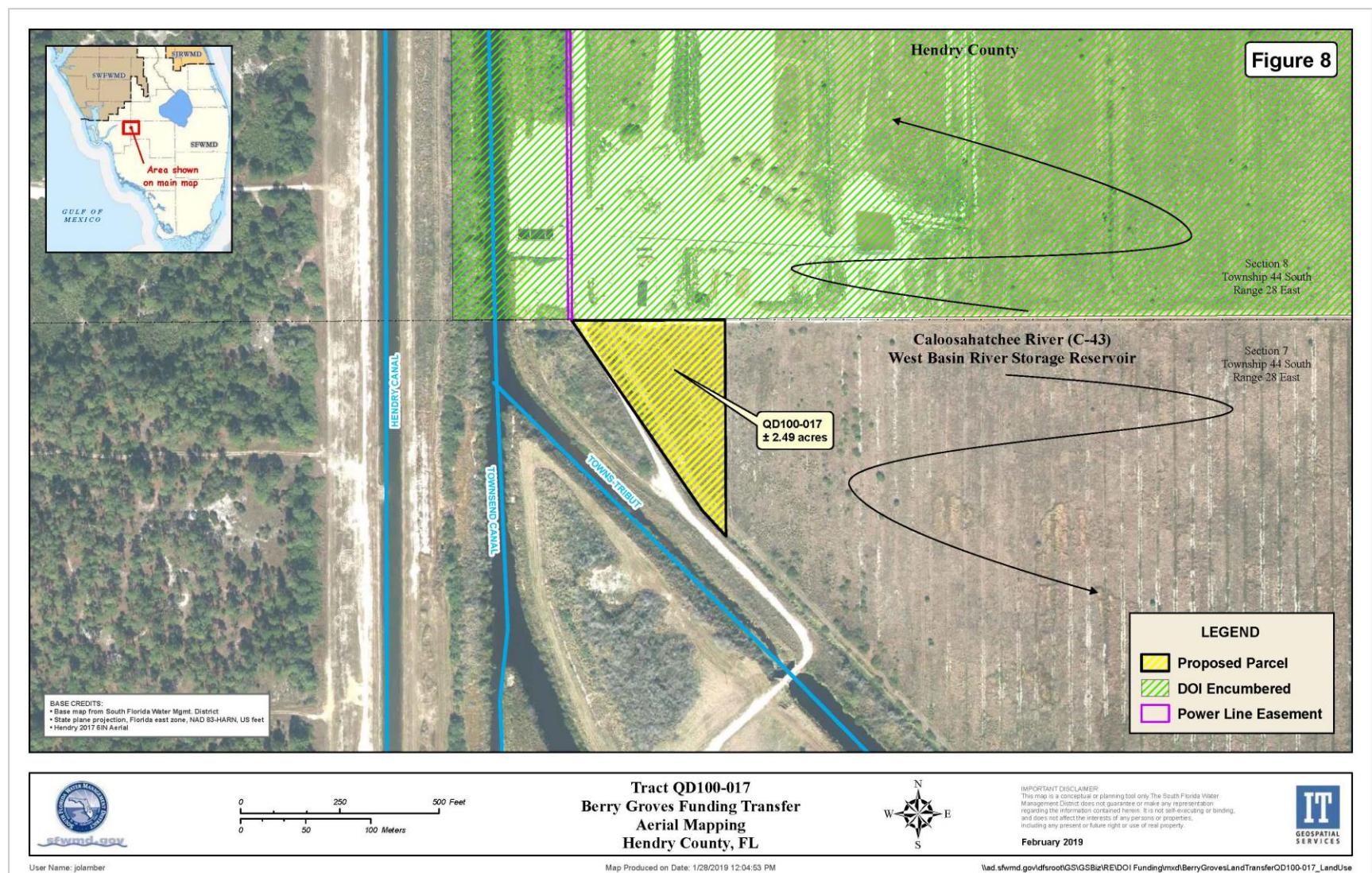


Figure 8. Tract QD100-017 Aerial Map.

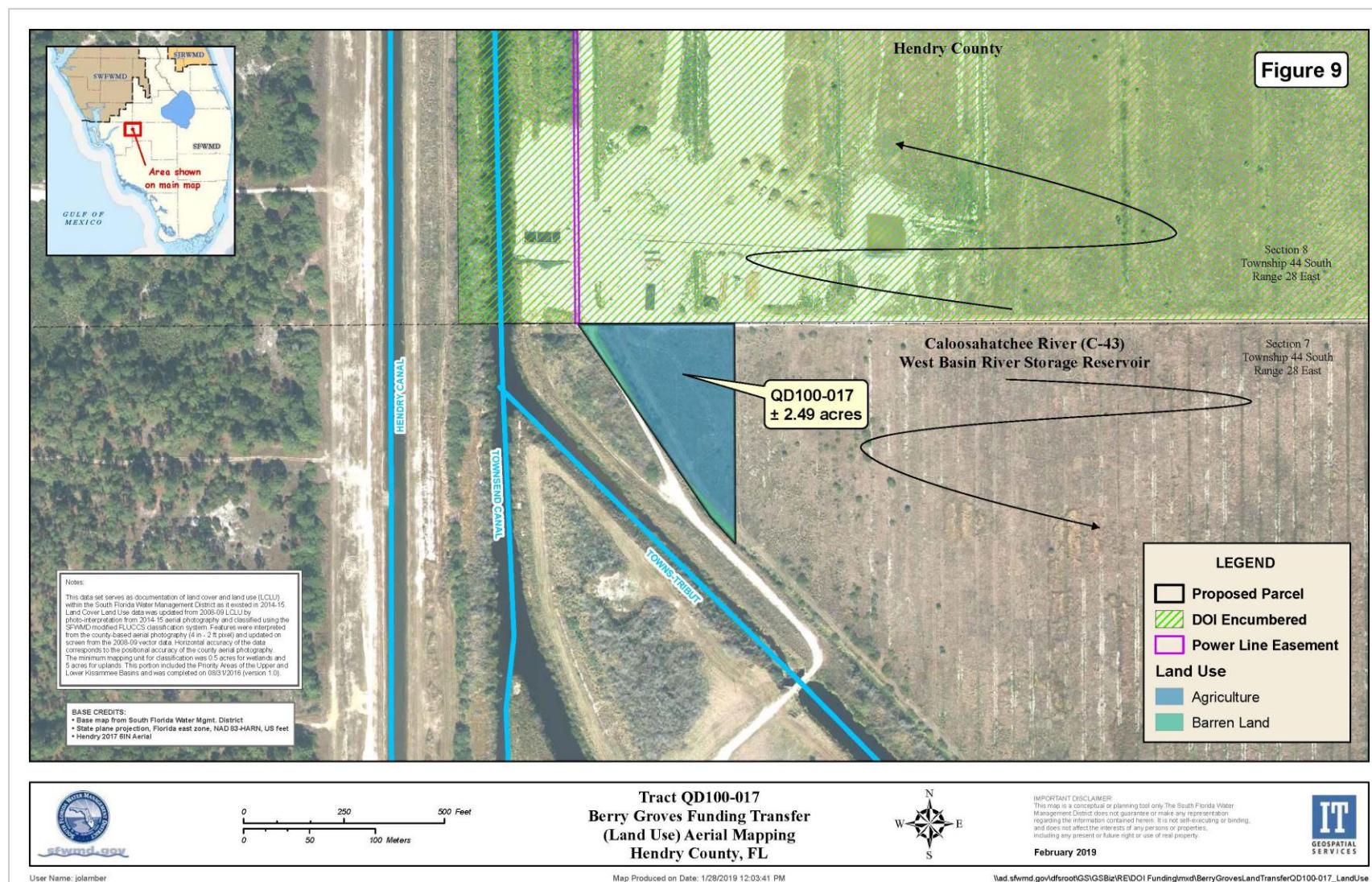


Figure 9. Tract QD100-017 Land Use Map.

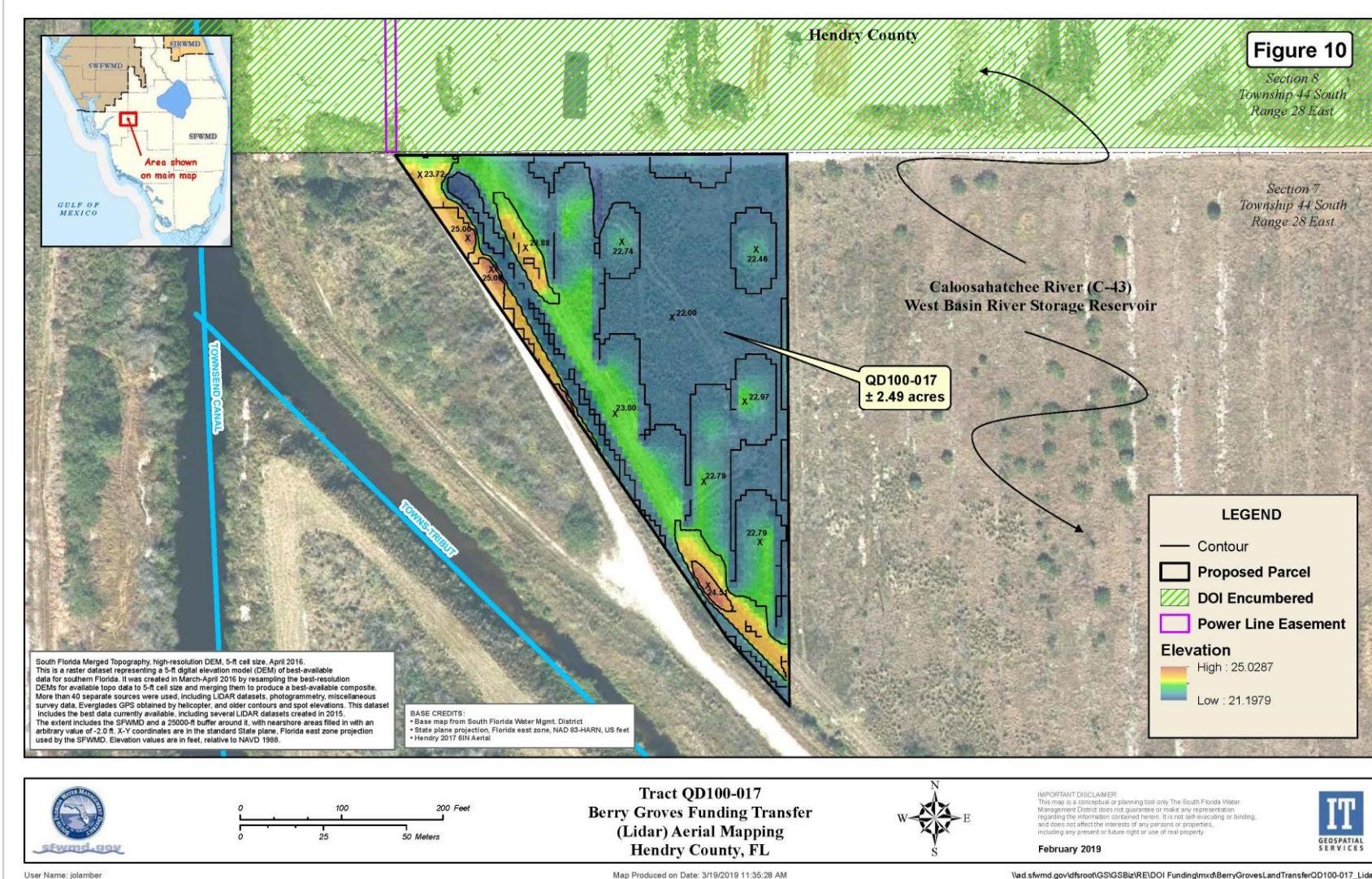


Figure 10. QD100-017 Lidar and Topo Map.

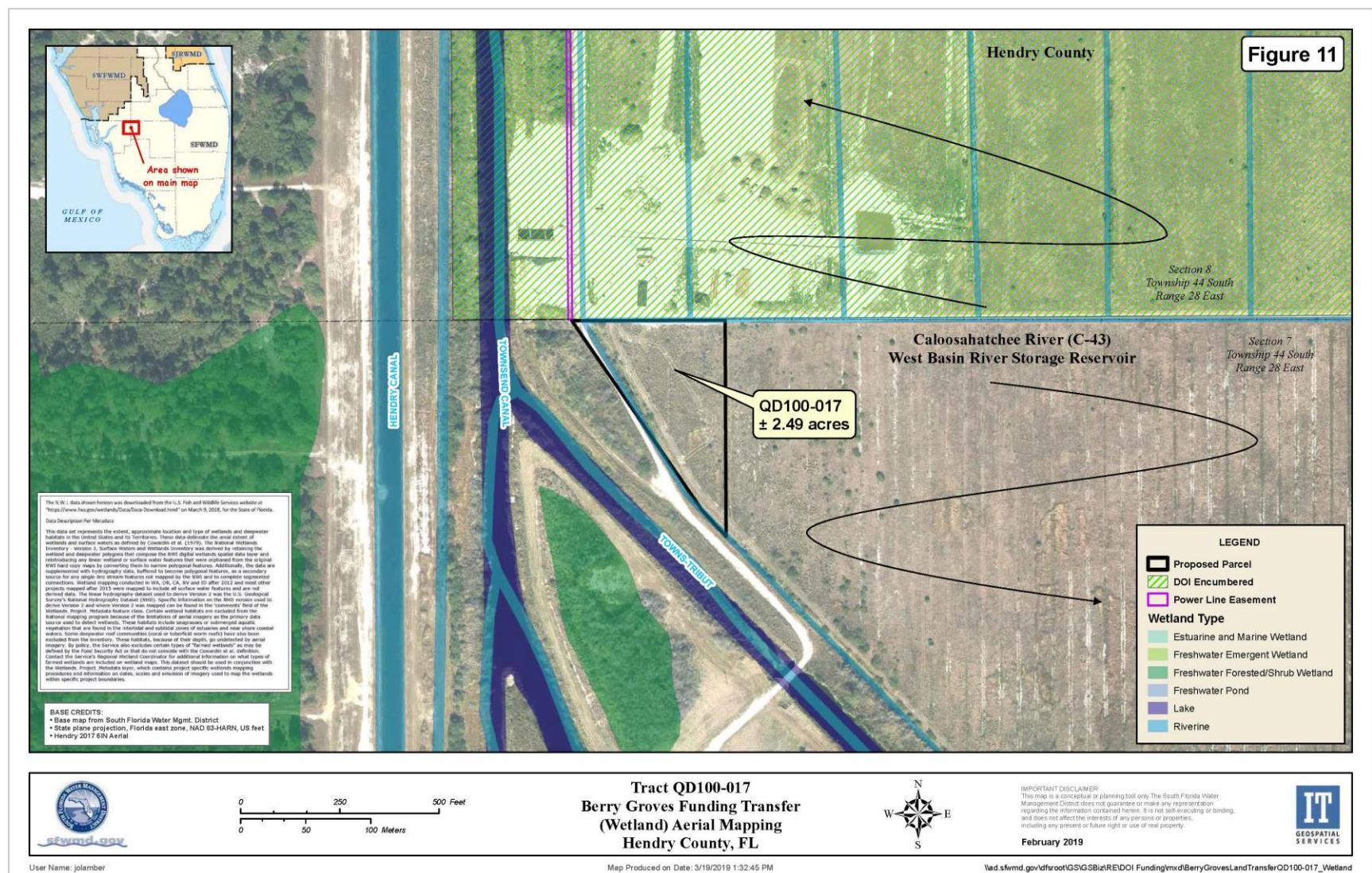


Figure 11. QD100-017 Wetlands Map.

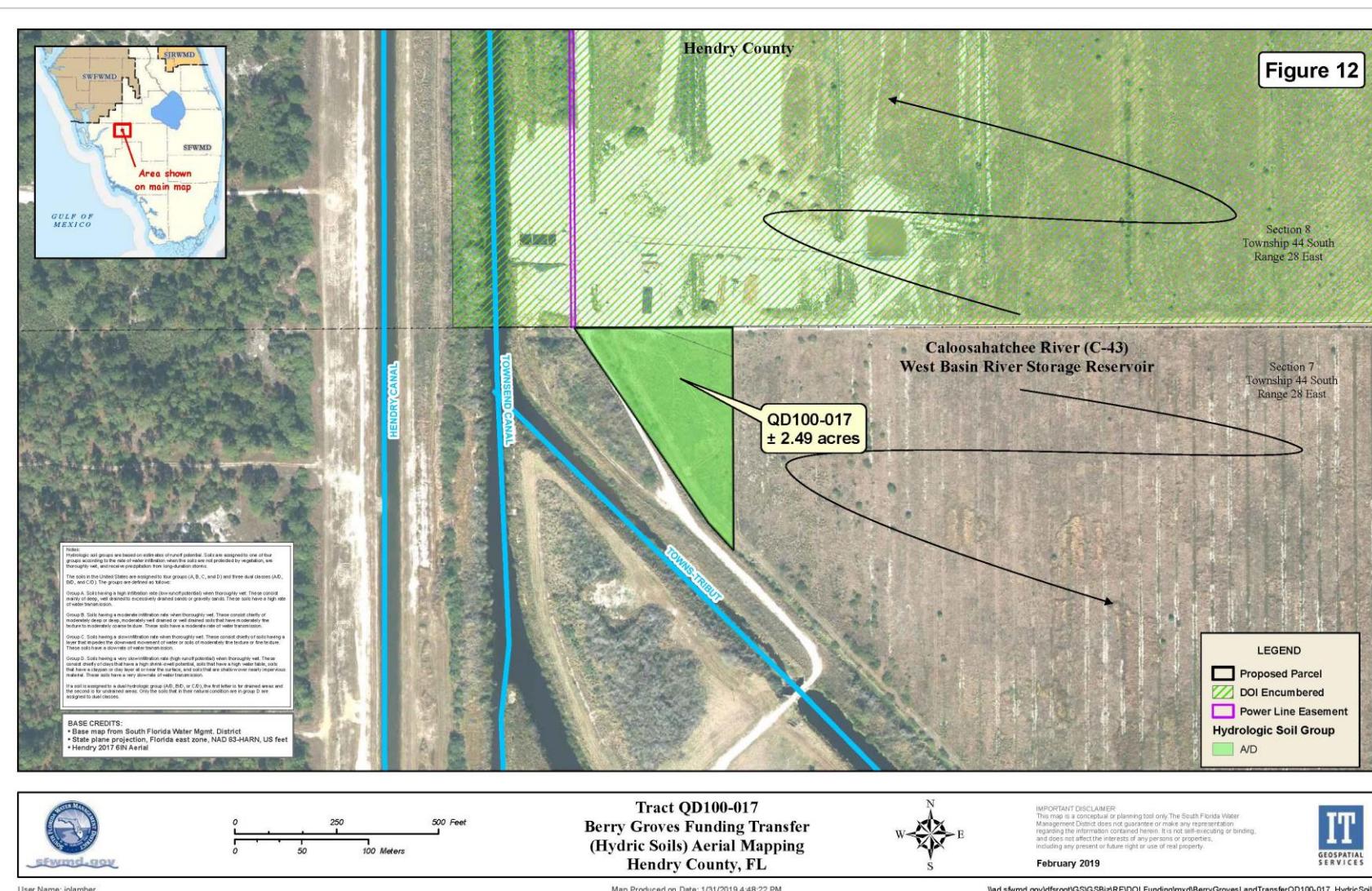


Figure 12. QD100-017 Hydric Soils Map.

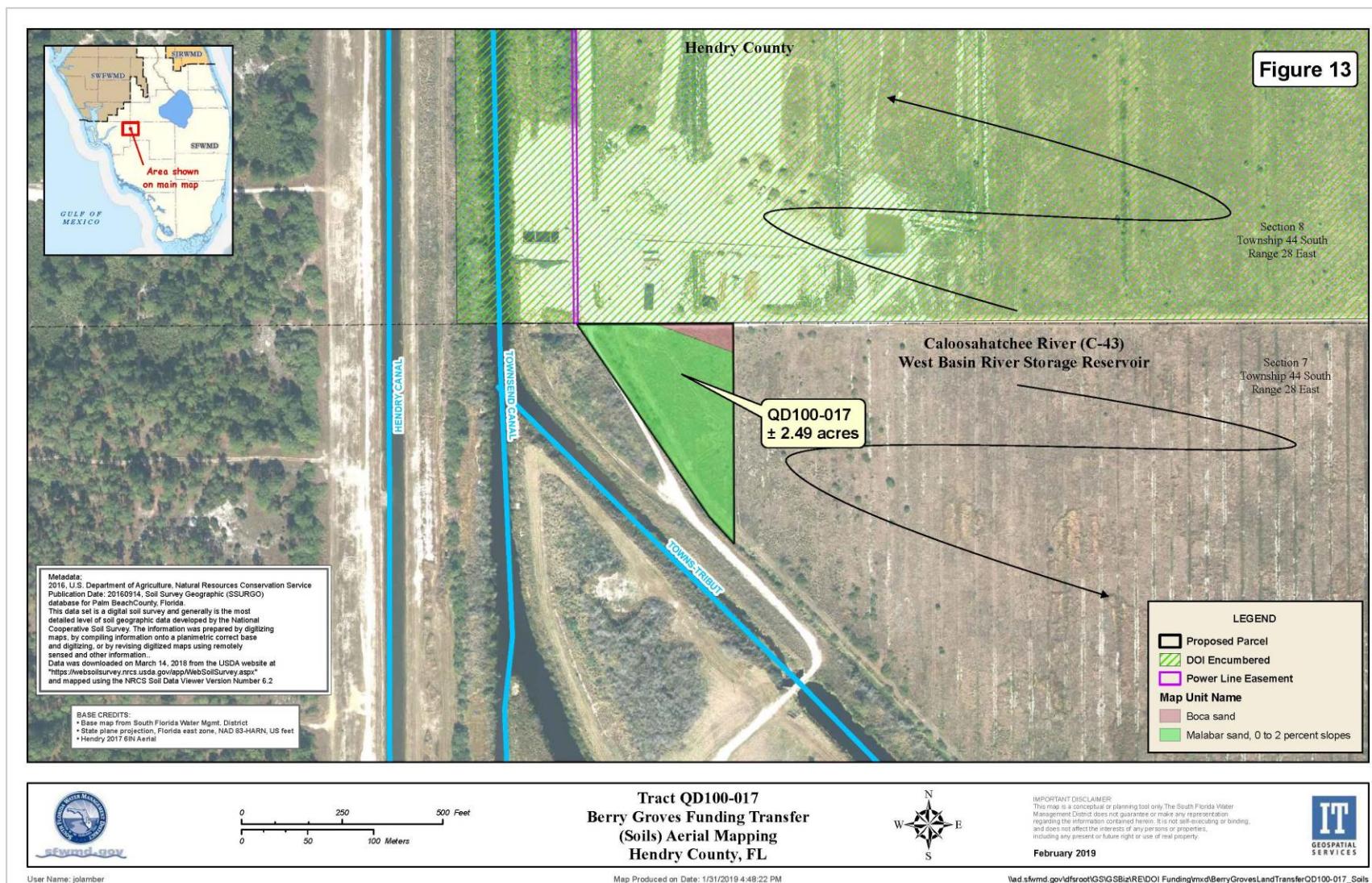


Figure 13. QD100-017 NRCS Soils Map.

(Appendix A. Placeholder – C-43 Project Implementation Report)

## APPENDIX B

### Environmental Action Statement

Within the spirit and intent of the Council on Environmental Quality regulations for implementation of the National Environmental Policy Act (NEPA) and other statute orders and policies that protect fish and wildlife resources, I have established the following administrative record and determined the proposed land exchange with the State of Florida and the Department of the Interior. The actions include removal of specific grant funded restrictions on a property owned by the District known as Tract GX100-030 in exchange for the placement of specific grant funded restrictions on a second property owned by the District known as Tract QD100-017

Check One:

- Is a categorical exclusion as provided by 516DM2, Appendix 1 and 516 DM5, Appendix 1, Section 1.4 A (4). No further NEPA documentation will therefore be made.
- Is found not to have significant environmental effects as determined by the attached Environmental Assessment finding and No Significant impacts.
- Is found to have a significant effect and therefore further consideration of this action will require a notice of intent to be published in the Federal Register announcing the decision to prepare an EIS.
- Is not an emergency action within the context of the 40 CFR 1 506.1 1. Only those actions necessary to control the immediate impacts of the emergency will be taken. Other related actions remain subject to NEPA review.

### **Other Supporting Documents**

Environmental Assessment Report  
FWS Endangered Species Act, Section 7 Consultation

### **Signature Approval:**

<hr/> <p>(1) Originator, Robert Taylor Principal Scientist, SFWMD</p>	<hr/> <p>Date</p>	<hr/> <p>(2) Donald R Progulske Everglades Program Supervisor Ecological Services, FL</p>	<hr/> <p>Date</p>
<hr/> <p>(3) Mike Piccirilli U.S. Fish and Wildlife Service Chief of Wildlife and Sportfish Restoration Program, Atlanta, Georgia</p>	<hr/> <p>Date</p>	<hr/> <p><u>Only Needed for EIS/ROD</u></p> <p>(4) Regional Director, Southeast Region</p>	<hr/> <p>Date</p>

## **APPENDIX C**

### **Finding of No Significant Impact (FONSI)**

#### *Finding of No Significant Impact (FONSI)*

#### **Introduction**

On **xxxxxx**, the U.S. Fish and Wildlife Service (Service) completed Step 3 of the Everglades Grant Land Disposition Protocol outlined in a letter provided to the South Florida Water Management District (District) on March 11, 2016 by the U.S. Department of Interior. The review focused on the removal of specific grant funded restrictions on a property owned by the District known as Tract GX100-030 in exchange for the placement of specific grant funded restrictions on a second property owned by the District known as Tract QD100-017.

The Berry Grove Property consists of 8,682-acres located a within Hendry County. The South Florida Water Management District (District) acquired the property for the Comprehensive Everglades Restoration Plan (CERP), Caloosahatchee River (C-43) West Basin Storage Project (C-43 Project) using Federal grant funding. After finalizing the project plans, a 2.49-acre tract within the Berry Grove Property known as GX100-030 was identified as no longer needed for the C-43 Project.

An Environmental Assessment (EA) has been prepared to inform the public of the possible environmental consequences of removing the grant funding restrictions. A description of the alternatives, the rationale for selecting the preferred alternative, the environmental effects of the preferred alternative, the potential adverse effects of the action, and a declaration concerning the factors determining the significance of effects, in compliance with the National Environmental Policy Act of 1969, are outlined below. The supporting information can be found in the Environmental Assessment.

#### **Alternatives**

Alternative B was selected as the "Preferred Alternative," for the proposed action to allow for long-term resource protection, enhanced wildlife habitat and population management, and further public wildlife-oriented recreation. The overriding concern reflected in this plan is ensuring quality habitat and protection to native species while providing compatible recreational experiences for the public.

#### **Alternative A: No Action - Current Land Ownership**

Under Alternative A, no land exchange would occur, and the current land ownership and management would continue. Restrictions on GX100-030 would remain. However, not acquiring QD100-017 would require rerouting a water supply canal. This action would cause a delay in the construction schedule for the C-43 Project and would increase construction costs by approximately \$750,000.

## **Alternative B: New Proposed Action - Removal of Federal Interest on Tract GX100-030 for Placement on Tract QD100-017**

The District would convey all real property interest in the 2.49-acre GX100-030 parcel to a private entity and remove the encumbrance from GX100-030, which was partially acquired with LWCF-1 funds. In exchange, the District would transfer the Federal interest encumbrance to the 2.49-acre QD100-017.

## **Alternative C: New Proposed Action - Removal of Federal Interest on Tract GX100-030 for Placement on Newly Identified Property**

The new proposed action would require, if available, the acquisition of properties within an acceptable area having an appraised value of at least \$19,000. Once acquired, the District would convey all real property interest in the 2.49-acre Tract GX100-030 parcel to a private entity and remove the encumbrance and Federal nexus from Tract GX100-030, which was partially acquired with LWCF-1 funds. In exchange, the District would transfer the Federal interest encumbrance to the newly acquired property. This alternative is problematic, due to property availability and budgetary and construction schedule constraints.

### **Selection Rationale**

The transfer of grant funding restrictions from GX100-030 to QD100-017 removes both the U.S. Department of the Interior (DOI) and the District from ownership of a highly intensive agricultural property that provides no measurable ecological benefit. GX100-030 is not part of any current or future restoration project. Tract QD100-017 is within the Comprehensive Everglades Restoration Plan (CERP), Caloosahatchee River (C-43) West Basin Storage project (C-43 Project).

### **Environmental Effects and Consequences**

The physical, biological, socioeconomic, and cultural and historic characteristics of QD100-017 will be retained after the proposed transfer of funding restrictions occurs.

Tract GX100-030 would retain the physical, biological, socioeconomic, and cultural and historic characteristics of the current condition after the proposed removal of DOI funding restrictions. The property is not part of any current or future restoration strategy project. *The direct impacts of this action are expected to be minimal.*

### **Cumulative Impacts**

Cumulative impacts on the environment result from incremental effects of a proposed action when these are added to other past, present, and reasonably foreseeable future actions. While cumulative effects may result from individually minor actions, they may become substantial over time. The proposed land exchange (Alternative B) would transfer funding restrictions from GX100-030 to QD100-017. GX100-030 will remain in agricultural use, while D100-017 will be incorporated within the CERP C-43 Project. Therefore, cumulative effects of this action are not expected to be substantial.

### **Coordination**

The U.S. Fish and Wildlife Service (Service) and the District have actively communicated and coordinated regarding the proposed land exchange. The public will be kept well-informed of this land exchange through various media. The District has communicated about grant funding restriction removal and transfers at meetings with various stakeholders over the past year and in a public meeting on the transfer of funding restrictions and land exchange. The Service Regional Office (RO) personnel and staff biologists have conducted reviews of the transfer of funding restrictions.

## **Findings**

Based on the findings of the EA's and the Service's review, the proposed removal of funding restrictions does not constitute a major Federal action significantly affecting the quality of the human environment under the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969 (as amended). As such, an environmental impact statement is not required.

1. Both beneficial and adverse effects have been considered, and this action will not have a significant effect on the human environment. (Environmental Assessment, page 13)
2. The actions will not have a significant effect on public health and safety. (Environmental Assessment, page 115)
3. The project will not significantly affect any unique characteristics of the geographic areas, such as proximity to historical or cultural resources, wild and scenic rivers, or ecologically critical areas. (Environmental Assessment, page 16)
4. The effects on the quality of the human environment are not likely to be highly controversial. (Environmental Assessment, page 16)
5. The actions do not involve highly uncertain, unique, or unknown environmental risks to the human environment. (Environmental Assessment, page 16)

## **Findings (cont'd)**

6. The actions will not establish a precedent for future actions with significant effects nor do they represent a decision in principle about a future consideration. (Environmental Assessment, page 16)
7. There will be no cumulatively significant impacts on the environment. Cumulative impacts have been analyzed with consideration of other similar activities on adjacent areas. (Environmental Assessment, page 16)
8. The actions will not significantly affect any site listed in, or eligible for listing in, the National Register of Historic Places, nor will they cause loss or destruction of

significant scientific, cultural, or historic resources. (Environmental Assessment, page 1)

9. The actions are not likely to adversely affect threatened or endangered species, or their habitats. (Environmental Assessment, page 14)
10. The actions will not lead to a violation of Federal, state, or local laws imposed for the protection of the environment.

#### Supporting References

U.S. Fish and Wildlife Service. 2018. RO Vero Beach statement on Trustee Species Cultural Resources Assessment Pero Property Janus Research: May, 2018

#### Document Availability

The Environmental Assessment was made available to the public electronically on the South Florida Water Management District Website, March, 2018. Additional copies are available by writing:

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Mike Piccirilli  
U.S. Fish and Wildlife Service  
Chief of Wildlife and Sportfish Restoration Program  
Atlanta, Georgia

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Date

**APPENDIX D**  
**Public Comment**

Transfer of Grant Fund Restrictions  
Tract GX100-030 to Tract QD100-017

An announcement of the proposed grant funding transfer will appear in the Hendry-Glades Sunday News, a weekly newspaper distributed in Hendry County, Florida.

(Appendix E.)  
Placeholder for C-43 Environmental Assessment Summary