



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
CIVIL WORKS
108 ARMY PENTAGON
WASHINGTON DC 20310-0108

JUL 26 2016

The Honorable Patrick E. Murphy
United States House of Representatives
211 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Murphy:

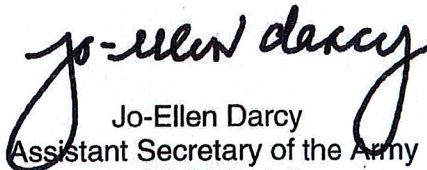
This letter is in response to your letter dated July 19, 2016, urging the US Army Corps of Engineers (Corps) to begin the planning study for the Everglades Agricultural Area. In your letter you stated that planning for water storage north and south of Lake Okeechobee will demonstrate a thoughtful commitment to reducing the devastating discharges and restoring Everglades.

The Corps, in partnership with the South Florida Water Management District, is starting two new studies this year. One study northeast and one southwest of Lake Okeechobee may include recommendations for additional water storage capacity projects that could be integrated into the Everglades Restoration program. As you stated, a study of the Everglades Agricultural Area is scheduled to start in 2021 and will investigate opportunities to create water storage areas south of the lake. The Army is prepared to initiate this study quickly, once a non-Federal sponsor for the study is identified.

In the long-term, implementation of the Everglades restoration projects will allow permanent reductions in flows to the St. Lucie and Caloosahatchee River estuaries by directing more flows to the south. This Administration has invested \$2.4 billion in Everglades restoration, including projects that increase capability to move water south towards Florida Bay. This funding includes \$1.3 billion for projects by the Corps. A critical next step is authorization and implementation of the Central Everglades Planning Project. We have made significant progress on Everglades Restoration and it is critical that we maintain this progress to realize the benefits that will come from moving water south to Everglades National park instead of to the coastal estuaries.

Thank you for your continued interest in the Army Civil Works program.

Very truly yours,


Jo-Ellen Darcy
Assistant Secretary of the Army
(Civil Works)



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

June 26, 2017

Colonel Jason A. Kirk
District Commander – Jacksonville District
U.S. Army Corps of Engineers
701 San Marco Boulevard
Jacksonville, FL 32207-8175

Subject: Development of a Post-Authorization Change Report - The Central Everglades Planning Project

Dear Colonel Kirk:

As we have previously discussed, Senate Bill 10 was signed into law by Governor Scott as Chapter 2017-10, Laws of Florida. A copy of the law is attached. Section 3 of the law creates Section 373.4598, Florida Statutes, entitled "Water Storage Reservoirs" authorizing additional above-ground water storage south of Lake Okeechobee.

In accordance with the directives of this statute, the U.S. Army Corps of Engineers is invited to join South Florida Water Management District in developing a post-authorization change report (PACR) for the Central Everglades Planning Project to plan for and provide additional Everglades Agricultural Area storage ahead of the timeframe currently identified in the Integrated Delivery Schedule. Timely engagement on this project is necessary to achieve the milestones regarding scope and schedule for a proposed PACR, as provided in Subsections (5) and (7) of the statute.

While the statute's timeframes are ambitious, with the expertise and commitment of our organizations, we may fairly anticipate successful achievement of this charge and a timely submittal of a PACR to Congress. This organization will align staff and deploy additional resources if required, to initiate development of a PACR prior to August 1, 2017.

I look forward to your response and working with you on this statutory addition of the Comprehensive Everglades Restoration Plan.

Sincerely,

Peter Antonacci,
Executive Director

Attachment



REPLY TO
ATTENTION OF

Executive Office

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-8175

JUL 24 2017

Mr. Peter Antonacci
Executive Director
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

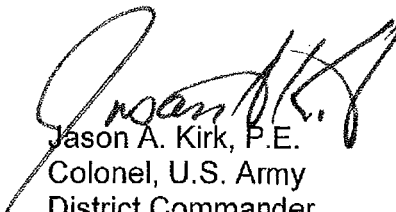
Dear Mr. Antonacci:

I am writing in response to your June 26, 2017 correspondence regarding State of Florida Senate Bill 10 and the South Florida Water Management District's invitation to the U.S. Army Corps of Engineers, Jacksonville District (Corps) to participate in the development of a post authorization change report (PACR) for the Central Everglades Planning Project (CEPP). I acknowledge that Governor Rick Scott signed Senate Bill 10 into law on May 9, 2017. I also acknowledge your invitation for the Corps to participate in the development of a PACR for CEPP to address additional storage in the Everglades Agricultural Area ahead of the timeframe identified in the current, December 2016, Integrated Delivery Schedule.

We are currently working through multiple options for the next steps to address your request. I expect to provide you with a fully formed response by August 31, 2017. During this period, we will work with the Corps' Vertical Team to ensure options are legally sufficient, policy compliant, and implementable.

I offer continued collaboration to identify the appropriate path forward in furtherance of our long-standing partnership and mutual goals for South Florida. If you have any questions regarding the information in this letter, please feel free to contact me at (904) 232-2241 or jason.a.kirk@usace.army.mil.

Sincerely,


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



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

July 26, 2017

Mr. Eric P. Summa
Chief, Planning and Policy Division
U.S. Army Corps of Engineers
Environmental Branch
701 San Marco Boulevard
Jacksonville, FL 32207-8175

Dear Mr. Summa:

I write to thank you for meeting with us and participating in the comprehensive discussion regarding Florida Senate Bill 10 (SB10), specifically, the development of a post authorization change report (PACR) for the Central Everglades Planning Project (CEPP).

This valuable discussion focused on several alternatives for implementing SB10 and planning for a storage reservoir within the Everglades Agricultural Area (EAA). While the meetings were productive, they raised some key challenges that we should address together. Please let us know how we can help:

- Support the U.S. Army Corps of Engineers' efforts to participate in planning of a storage reservoir and meet the schedule outlined in SB10.
- Reduce the uncertainty of Corps approval should the District take a lead role in planning. We recognize that some of the options presented perhaps have no particular precedent when considering the complexities of SFWMD's proposal.
- Deliver a plan that can successfully navigate the federal administrative and Congressional process for approval and meet the requirements for the state and federal government splitting the costs.

As your local sponsor for this project, we look forward to working with you and your team as well as maintaining clear communication to realize the benefits of an EAA reservoir for the Everglades ecosystem as quickly as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "John P. Mitnik".

John P. Mitnik
Chief Engineer

JPM/rb



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-8175

AUG 31 2017

Executive Office

Mr. Ernie Marks
Executive Director
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

Dear Mr. Marks:

I am writing to follow-up on my July 24, 2017 letter and in response to the South Florida Water Management District's (SFWMD) June 26, 2017 letter regarding Chapter 2017-10, Laws of Florida and invitation to the U.S. Army Corps of Engineers, Jacksonville District (Corps) to participate in the development of a post authorization change report (PACR) for the Central Everglades Planning Project (CEPP).

The Corps shares the State's interest in restoration objectives to include urgent attention to reducing estuary discharges, and we are committed to investments and progress on restoration projects throughout the system. The Corps is working to analyze options that will reduce estuary discharges, including acceleration of the Everglades Agricultural Area (EAA) project implementation report (PIR) and full implementation of CEPP South. Additional storage in and around Lake Okeechobee, in combination with CEPP, also depends on the successful completion of important features such as the State's Restoration Strategies to ensure water flowing south meets water quality standards, seepage management features along the C-11 Canal in Broward County to guard against flooding that may result from increased flows, and additional bridging and road raising along Tamiami Trail to enable flows south into Everglades National Park and Florida Bay. This comprehensive, multi-pronged approach will best enable meeting our shared objectives.

As you appreciate, the passage of state legislation in no way binds or provides authority for the Federal government to act. The Corps must use its existing authorities or seek new authority before we can take any action. Since receipt of the SFWMD's letter, we have worked through multiple potential Courses of Action (COAs) to assess which COA is consistent with federal authorities and would be consistent with the State of Florida's objectives as promulgated in Chapter 2017-10, Laws of Florida. Considered COAs included:

- a. COA 1: Complete CEPP PACR to evaluate 240,000 acre-feet of water storage on the A-2 parcel in the expedited timeframe identified in Chapter 2017-10, Laws of Florida;
- b. COA 2: Complete CEPP PACR within a 3 year "SMART Planning" effort;
- c. COA 3: Use existing authority to expedite modification of the previous EAA Project Implementation Report (PIR); consistent with CEPP (WRDA/WIIN 2016) and the previously authorized Comprehensive Everglades Restoration Plan (WRDA 2000);
- d. COA 4: SFWMD completes and transmits the study report to the Assistant Secretary for the Army (Civil Works) in accordance with Section 203 of the Water Resources Development Act of 1986, as amended; and
- e. COA 5: SFWMD applies for a Department of Army permit to perform the work under Section 404 of the Clean Water Act and for approval under Section 14 of the River and Harbors Act of 1899 (33 USC 408).

In consultation with regional and national Corps staff, we have further analyzed these COAs since our meeting with your team on July 25-26, 2017 and determined that COA 3 is the best alternative for a cooperative federal-state effort. Florida adopted Chapter 2017-10 after the Administration finalized the Fiscal Year 2018 President's Budget. The availability of Corps appropriations for this effort are currently unknown. If the SFWMD agrees with the Corps recommendation to pursue COA 3, the Corps will initiate identification of funding opportunities for the effort.

I look forward to follow-up discussions at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason A. Kirk". The signature is fluid and cursive, with a large loop at the end.

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



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

September 27, 2017

Colonel Jason A. Kirk
District Commander, Jacksonville District
U.S. Army Corps of Engineers
CESAJ-DE
701 San Marco Boulevard
Jacksonville, FL 32207-8175

Subject: Senate Bill 10 Implementation

Colonel Kirk:

I would like to thank you and your team for the dedication and hard work in response to Hurricane Irma, and most recently the U.S. Army Corps of Engineers' (Corps) efforts in the Caribbean Islands affected by Hurricane Maria. As our agencies continue to work on addressing the human health and safety concerns associated with the impacts of Hurricane Irma, its aftermath serves as a reminder of how important it is for us to continue to expedite Everglades restoration efforts. Our mutual interest in completing the Comprehensive Everglades Restoration Plan (CERP) storage features, as highlighted by the Governor and Florida Legislature this year, will only serve to ensure future generations will not be impeded by the constraints we contend with on the landscape today.

With regard to your August 31, 2017 letter, I wholeheartedly agree that a cooperative state-federal planning effort is optimal for ensuring our collective success. On August 1st, the District began project planning efforts in anticipation of jointly developing a Post Authorization Change Report (PACR), identified as "Course of Action (COA) 1" in your letter. The District remains committed to developing the PACR and is equally committed to helping the Corps overcome any hurdles to participation in this effort.

As part of Senate Bill 10, the Florida Legislature provided funding that could be leveraged to ensure the Corps participates in the timely development of the PACR, under COA 1, and its delivery to Congress consistent with the requirements set forth in state law. However, should the Corps be in a position where committing considerable resources to support this planning effort are unachievable given certain constraints, these funds could be used to ensure Corps support on addressing federal policy and program compliance with the District's development of the PACR, consistent with COA 4 in your August 31st letter. I would ask that you give these COAs further consideration so that we may expedite planning efforts.

Colonel Jason Kirk
September 27, 2017
Page 2

The District stands resolute in our commitment to CERP and our partnership with the Corps and we stand ready to offer our help in achieving the timeframes and storage features set forth in Senate Bill 10. As the District and the Corps proceed, cooperation to evaluate the approach necessary to obtain authorization for this increased storage will be vital.

Sincerely,



Ernie Marks
Executive Director

EM/mbh



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

October 12, 2017

The Honorable Douglas W. Lamont
Senior Official Performing the Duties of the
Assistant Secretary of the Army (Civil Works)
Office of the Assistant Secretary of the Army
108 Army Pentagon
Washington, DC 20310-0108

**Subject: Request for U.S. Army Corps of Engineers Technical Assistance on
Feasibility Study to Develop a Post-Authorization Change Report for the
Central Everglades Planning Project**

Dear Mr. Lamont:

As directed by the Florida Legislature in Section 373.4598, Florida Statutes, the South Florida Water Management District (SFWMD) has initiated a feasibility study to develop a post-authorization change report (PACR) for the Central Everglades Planning Project under the authority provided by Section 203 of the Water Resources Development Act of 1986, as amended. The PACR will propose modifications to the Central Everglades Planning Project, authorized by Section 1401(4) of the Water Resources Development Act of 2016, to increase the storage capacity in the Everglades Agricultural Area consistent with Senate Bill 10. I write to formally request technical assistance from the U.S. Army Corps of Engineers (USACE) on the Section 203 feasibility study.

SFWMD, as non-federal sponsor for the feasibility study, is prepared to pay all costs for the USACE to provide the requested technical assistance. In our effort to achieve the schedule required by Section 373.4598 for completion of the feasibility study and PACR, I respectfully request your assistance in expediting the development and execution of a Section 203 Memorandum of Agreement to fund the USACE's technical assistance. We would like to engage the USACE as early as possible in our study.

SFWMD has initiated discussions with the USACE Jacksonville District and are very appreciative of their cooperation and support in the development and evaluation of alternatives for completion of the proposed feasibility study. We look forward to working with the Jacksonville District and the USACE Vertical Team to complete the study.

Sincerely,

A handwritten signature in blue ink that reads "Dan O'Keefe".

Dan O'Keefe
Chairman, SFWMD Governing Board

The Honorable Douglas W. Lamont
October 12, 2017
Page 2

c: Lieutenant General Todd Semonite, USACE Headquarters
Brigadier General Diana M. Holland, South Atlantic Division
Colonel Jason Kirk, Jacksonville District



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
CIVIL WORKS
108 ARMY PENTAGON
WASHINGTON DC 20310-0108

OCT 24 2017

Mr. Dan O'Keefe
Chairman, Governing Board
South Florida Water Management District
P.O. Box 24680
West Palm Beach, Florida 33416-4680

Dear Chairman O'Keefe:

This letter is in response to your letter dated October 12, 2017, discussing the feasibility study initiated by the South Florida Water Management District (SFWMD) under the authority provided by Section 203 of the Water Resources Development Act of 1986, as amended, to develop a Central Everglades Planning Project post authorization change report (PACR). In your letter, you requested assistance with expediting the development, preparation, and execution of a Memorandum of Agreement (MOA) between the SFWMD and the U.S. Army Corps of Engineers (Corps). The purpose of the MOA will be to fund the Corps, so that they can provide technical assistance to the SFWMD for the feasibility study.

I fully support your efforts on this feasibility study, and my staff has been instructed to assist you with the preparation of the MOA. Brigadier General Diana Holland, Commander of the South Atlantic Division, has been delegated the authority to sign the Section 203 MOA you are preparing.

Thank you for your interest in the Army Civil Works program.

Sincerely,

A handwritten signature in black ink, reading "Douglas W. Lamont", is positioned above the typed name.

Douglas W. Lamont, P.E.
Senior Official Performing the Duties of the
Assistant Secretary of the Army
(Civil Works)



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

October 26, 2017

Jerry T. Murphy, P.E., PMP
Deputy District Engineer
Programs and Project Management Division
U.S. Army Corps of Engineers
701 San Marco Boulevard
Jacksonville, FL 32207-8175

**Subject: Request for Technical Assistance Under Support Agreement No. 1 for
Central Everglades Planning Project Post-Authorization Change Report**

Dear Mr. Murphy:

Please find attached a scope of work for the technical assistance that South Florida Water Management District requests from the U.S. Army Corps of Engineers (USACE) under Support Agreement No. 1 for the Central Everglades Planning Project Post-Authorization Change Report. I respectfully request that you review each task, along with deliverables and schedule, and provide a USACE cost estimate per task that can be inserted into a DD Form 1144 Support Agreement. With your help, we would like to target execution of this first Support Agreement in mid-November, as soon as possible after execution of the overarching Memorandum of Agreement.

I realize that this is an aggressive schedule for development, review and completion of a final PACR by March 31, 2018. However, we are striving to meet the requirements and expectations of the Florida Legislature as outlined in Section 373.4598, Florida Statutes. I greatly appreciate your support, as our partner in Everglades restoration, in meeting this schedule.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eva B. Velez".

Eva B. Velez, P.E.
Director, Everglades Policy and Coordination

EBV/pw
Enclosures

SCOPE OF WORK
SAJ Technical Support Staff Support Agreement Items (DD Form 1144)
Technical Services Requested to Complete the Section 203 as directed by Senate Bill 10
For Submission to ASA(CW) per Section 203 of WRDA 1986, as amended

Technical Reviews (if Government to Government is not allowed)

1. **Review and Comment on Draft Review Plan** –The SFWMD is not required to develop a Review Plan for its non-federal study under Section 203. However, if the SFWMD wishes to develop a Review Plan, it may request that SAJ explain how the Corps conducts its reviews to inform SFWMD as to how they may wish to execute their reviews.
2. **Review and Comment on Draft “Project Information” Sections of Integrated FR/EIS** –The SFWMD may request that SAJ provide any readily available information which may be used in SFWMD’s writing of the Background and Related Project sections. This SAJ deliverable would be limited to factual content.
3. **Review and Comment on draft “Project Scope” Sections of Integrated FR/EIS** – The SFWMD may request that SAJ provide any readily available information related to Existing Conditions and Prior History which may be used in SFWMD’s writing of the Existing Conditions and Prior History sections. This SAJ deliverable would be limited to factual content.
4. **Review and Comment on draft “Formulation Framework” Sections of Integrated FR/EIS** – The SFWMD may request that SAJ clarify existing Plan Formulation guidance, using general examples, to inform SFWMD as to how they may wish to plan formulate. Plan formulation involves judgment and decisions that will need to be made by the SFWMD and so could not be undertaken by SAJ.
5. **Review and Comment on the Tentatively Selected Plan (TSP)** — The SFWMD is not required to identify a TSP for its non-federal study under Section 203. However, if the SFWMD wishes to identify a TSP it may request that the Corps clarify existing TSP guidance (e.g. requirement for a NER plan), using general examples, to inform SFWMD as to how they may wish to identify the TSP. Identification of the TSP involves judgments and decisions that will need to be made by the SFWMD and so could not be undertaken by SAJ.
6. **Review and comment on Hydraulic and Hydrologic Modeling** – SAJ could provide a list of available models for use (but not recommend a specific model) and could run the model(s) pursuant to SFWMD’s selection and instructions (which may include optimization of components, etc). SAJ would not provide reviews of any products produced in the modeling process to avoid any appearance of approval or endorsement of such products.
7. **Review and Comment on Environmental Benefits Modeling and Cost Effectiveness/Incremental Cost Analysis (CE/ICA)** – SAJ could perform HU and/or CE/ICA modeling pursuant to SFWMD’s model selection(s) and instructions. SAJ would not provide reviews of any products produced in the modeling process to avoid any appearance of approval or endorsement of such products.
8. **Review Recreation Plans and Develop a Cost-Benefit Analysis for Recreation Plans** - SAJ could provide a list of USACE approved recreational features consistent with CERP projects. SAJ could

perform cost-benefit analysis of recreational facilities consistent with CERP projects and pursuant to the SFWMD's plan and instructions. SAJ would not provide reviews of any products produced via this process to avoid any appearance of approval or endorsement of such products.

9. **Assist SFWMD in Conducting an Independent Technical Review (ITR)** – The SFWMD may request that SAJ explain how the Corps conducts its review processes to inform SFWMD as to how they may wish to execute their reviews.

10. **Review Cost Engineering Documentation** – SAJ could, upon request, perform cost estimates and MCACES pursuant to SFWMD's inputs (e.g. contingencies) and instructions. SAJ could, upon request, provide technical instruction for the Cost and Schedule Risk Analysis tool. SAJ would not provide review of any products produced via this process to avoid any appearance of approval or endorsement of such products.

11. **Review Cultural Resource Documentation** – SAJ could provide readily available cultural resource information within the study area defined by SFWMD. This SAJ deliverable would be limited to factual content.

12. **Review Support Documentation of Biological Evaluation– The Corps could begin the Federal consultation process pursuant to instruction from the ASA(CW) after the SFWMD submits the completed report to the ASA(CW).** Federal consultation requirements associated with environmental compliance are inherently governmental functions that would be funded with Federal appropriations.

13. **Conduct Review of Documentation to Support Future Essential Fish Habitat (EFH) Consultation with National Oceanic and Atmospheric Administration (NOAA) Fisheries** – The Corps could begin the Federal consultation process pursuant to instruction from the ASA(CW) after the SFWMD submits the completed report to the ASA(CW). Federal consultation requirements associated with environmental compliance are inherently governmental functions that would be funded with Federal appropriations.

Product Development and Government to Government

14. **Federal Register Notifications** – The Corps could publish an NOI pursuant to instruction from the ASA(CW) after the SFWMD submits the completed report to the ASA(CW) and if the ASA(CW) then decides that an EIS should be prepared. Federal consultation requirements associated with environmental compliance are inherently governmental functions that would be funded with Federal appropriations.

15. **State Historic Preservation Officer (SHPO) consultation** – The Corps could begin the Federal consultation process pursuant to instruction from the ASA(CW) after the SFWMD submits the completed report to the ASA(CW). Federal consultation requirements associated with environmental compliance are inherently governmental functions that would be funded with Federal appropriations.

16. **Tribal consultation** – The Corps could begin the Federal consultation process pursuant to instruction from the ASA(CW) after the SFWMD submits the completed report to the ASA(CW). Federal consultation requirements associated with environmental compliance are inherently governmental functions that would be funded with Federal appropriations.

17. Fish and Wildlife Coordination Act (FWCA) compliance with US Fish and Wildlife Service (USFWS) – The Corps could begin the Federal consultation process pursuant to instruction from the ASA(CW) after the SFWMD submits the completed report to the ASA(CW). Federal consultation requirements associated with environmental compliance are inherently governmental functions that would be funded with Federal appropriations.

18. Endangered Species Act Section 7 consultation with USFWS – The Corps could begin the Federal consultation process pursuant to instruction from the ASA(CW) after the SFWMD submits the completed report to the ASA(CW). Federal consultation requirements associated with environmental compliance are inherently governmental functions that would be funded with Federal appropriations.

19. Climate Change Assessment – SAJ could conduct a climate change assessment and provide the results to the SFWMD. The impact determination involves judgment and decisions that will need to be made by the SFWMD and so could not be undertaken by SAJ.

20. Essential Fish Habitat (EFH) Consultation with National Oceanic and Atmospheric Administration (NOAA) Fisheries – The Corps could begin the Federal consultation process pursuant to instruction from the ASA(CW) after the SFWMD submits the completed report to the ASA(CW). Federal consultation requirements associated with environmental compliance are inherently governmental functions that would be funded with Federal appropriations.

21. Cost engineering review and certification – SAJ could, upon request, perform cost estimates and MCACES pursuant to SFWMD's inputs (e.g. contingencies) and instructions. SAJ could, upon request, provide technical instruction for the Cost and Schedule Risk Analysis tool. SAJ would not provide review of any products produced via this process nor certify costs to avoid any appearance of approval or endorsement of such products.

22. Environmental model certification – SAJ could perform HU and/or CE/ICA modeling pursuant to SFWMD's selection and instructions. SAJ would not review nor certify any products produced in the modeling process to avoid any appearance of approval or endorsement of such products.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

December 1, 2017

Colonel Jason A. Kirk
District Commander – Jacksonville District
U.S. Army Corps of Engineers
701 San Marco Boulevard
Jacksonville, FL 32207-8175

**Subject: Support Agreement No. 1 for Technical Assistance on Central
Everglades Planning Project Post-Authorization Change Report**

Dear Colonel Kirk:

Please find attached a DD Form 1144 Support Agreement for the technical assistance that South Florida Water Management District requests from the U.S. Army Corps of Engineers (USACE) under Support Agreement No. 1 for the Central Everglades Planning Project Post-Authorization Change Report. I request that you forward this Support Agreement to South Atlantic Division for review and approval for execution. With your support, we would like to target execution of this first Support Agreement prior to the December 14, 2017 Governing Board meeting.


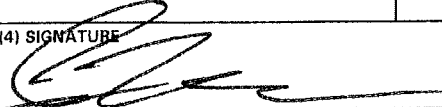
I also respectfully request that you continue to engage with the USACE Vertical Team to gain support for providing the technical assistance tasks that were removed from Support Agreement No. 1 because of the USACE's preliminary interpretations regarding its limitations of authority under Section 203 of WRDA-1986, as amended by WRDA-2016. I greatly appreciate your support.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernie Marks", with a long horizontal flourish extending to the right.

Ernie Marks
Executive Director

c: Howie Gonzales, USACE-SAJ
Eric Summa, USACE-SAJ

SUPPORT AGREEMENT			
1. AGREEMENT NUMBER <i>(Provided by Supplier)</i>	2. SUPERSEDED AGREEMENT NO. <i>(If this replaces another agreement)</i> NA	3. EFFECTIVE DATE (YYYYMMDD)	4. EXPIRATION DATE <i>(May be "Indefinite")</i> 31 March 2018
5. SUPPLYING ACTIVITY		6. RECEIVING ACTIVITY	
a. NAME AND ADDRESS U.S. ARMY CORPS OF ENGINEERS (USACE) JACKSONVILLE DISTRICT 701 SAN MARCO BOULEVARD JACKSONVILLE, FL 32207-8175		a. NAME AND ADDRESS SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) 3301 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406	
b. MAJOR COMMAND SOUTH ATLANTIC DIVISION (SAD)		b. MAJOR COMMAND NA	
7. SUPPORT PROVIDED BY SUPPLIER			
a. SUPPORT <i>(Specify what, when, where, and how much)</i>		b. BASIS FOR REIMBURSEMENT	c. ESTIMATED REIMBURSEMENT
The USACE, Jacksonville District, will provide technical services to the SFWMD for the development of the Everglades Agricultural Area (EAA) Storage Reservoir Integrated Feasibility Report and Environmental Impact Statement (FR/EIS), to be prepared by the SFWMD in accordance with Section 203 of the Water Resources Development Act of 1986, as amended. The FR/EIS will be submitted to ASA(CW) per Section 203 of WRDA 1986 as a Post-Authorization Change Report for the Central Everglades Planning Project. USACE technical support will be provided in accordance with a Memorandum of Agreement (Technical Assistance Related to Development of a Post Authorization Change Report for the Central Everglades Planning Project, November 29, 2017) and the attached scope of work titled: "SAJ Technical Support Staff Support Agreement Items for Technical Services Requested to Complete the EAA Reservoir Storage Integrated FR/EIS (Part 1)"		Funds will be transferred to USACE Jacksonville District via ETF	The total estimated cost for these services is \$585,346.00
ADDITIONAL SUPPORT REQUIREMENTS ATTACHED: <input type="checkbox"/> YES <input type="checkbox"/> NO			
8. SUPPLYING COMPONENT		9. RECEIVING COMPONENT	
a. COMPTROLLER SIGNATURE	b. DATE SIGNED	a. COMPTROLLER SIGNATURE 	b. DATE SIGNED 12/1/17
c. APPROVING AUTHORITY		c. APPROVING AUTHORITY	
(1) TYPED NAME Colonel Jason A. Kirk		(1) TYPED NAME Ernest Marks	
(2) ORGANIZATION U.S Army Engineers District, Jacksonville	(3) TELEPHONE NUMBER	(2) ORGANIZATION South Florida Water Management District	(3) TELEPHONE NUMBER (561) 682-6993
(4) SIGNATURE	(5) DATE SIGNED	(4) SIGNATURE 	(5) DATE SIGNED 11/30/17
10. TERMINATION <i>(Complete only when agreement is terminated prior to scheduled expiration date.)</i>			
a. APPROVING AUTHORITY SIGNATURE	b. DATE SIGNED	c. APPROVING AUTHORITY SIGNATURE	d. DATE SIGNED

11. GENERAL PROVISIONS *(Complete blank spaces and add additional general provisions as appropriate: e.g., exceptions to printed provisions, additional parties to this agreement, billing and reimbursement instructions.)*

- a. The receiving components will provide the supplying component projections of requested support. *(Significant changes in the receiving component's support requirements should be submitted to the supplying component in a manner that will permit timely modification of resource requirements.)*
- b. It is the responsibility of the supplying component to bring any required or requested change in support to the attention of Mike Albert, SFWMD Project Manager prior to changing or cancelling support.
- c. The component providing reimbursable support in this agreement will submit statements of costs to: Lissette Sori, SFWMD Budget Analyst.
- d. All rates expressing the unit cost of services provided in this agreement are based on current rates which may be subject to change for uncontrollable reasons, such as legislation, DoD directives, and commercial utility rate increases. The receiver will be notified immediately of such rate changes that must be passed through to the support receivers.
- e. This agreement may be cancelled at any time by mutual consent of the parties concerned. This agreement may also be cancelled by either party upon giving at least 180 days written notice to the other party.
- f. In case of mobilization or other emergency, this agreement will remain in force only within supplier's capabilities.

ADDITIONAL GENERAL PROVISIONS ATTACHED:



YES



NO

12. SPECIFIC PROVISIONS *(As appropriate: e.g., location and size of occupied facilities, unique supplier and receiver responsibilities, conditions, requirements, quality standards, and criteria for measurement/reimbursement of unique requirements.)*

SFWMD issues Support Agreement and funds for technical services and deliverables (including deliverable dates) specified in attached scope of work; Period of Performance: 8 December 2017 through 31 March 2018

(Type in any specific finance and accounting information for USACE and SFWMD, as needed, to facilitate completing the financial transaction)

ADDITIONAL SPECIFIC PROVISIONS ATTACHED:



YES



NO

13. ADDITIONAL PROVISIONS *(Use this space to continue general and/or specific provisions, as needed.)*

Summary of Technical Services and Deliverables to be Provided by USACE, Jacksonville District, to the SFWMD (detailed scope of work is attached)

Task 1 - Review and Comment on Draft Review Plan

Deliverable: SAJ Technical Support Staff Review Comments on the SFWMD's Review Plan

Task 2 - Review and Comment on Draft "Project Information" Sections of Integrated FR/EIS

Deliverable: Project Information (Section 1.0) Comments in DrChecks

Task 3 - Review and Comment on draft "Project Scope" Sections of Integrated FR/EIS

Deliverable: Project Scope (Section 2.0) Comments in DrChecks

Task 4 - Review and Comment on draft "Formulation Framework" Sections of Integrated FR/EIS

Deliverable: Formulation Framework (Section 3.0) Comments in DrChecks

Task 5 - Review and Comment on the Tentatively Selected Plan (TSP)

Deliverable: Tentatively Selected Plan (Section 6.0) Comments in DrChecks

Task 6 - Review and comment on Hydraulic and Hydrologic Modeling

Deliverable: Review of H&H products meeting USACE Regulations & Design Standards. Post review comments in DrChecks

Task 7 - Review and Comment on Environmental Benefits Modeling and Cost Effectiveness / Incremental Cost Analysis (CE/ICA)

Deliverable: Review HU model results, Draft Appendix G - Benefits Model, and CE/ICA Analysis. Post review comments in DrChecks.

Task 8 - Review Recreation Plans and Develop a Cost-Benefit Analysis for Recreation Plans

Deliverable: Provide review comments on SFWMD recreation plans in the Cost-Benefit Analysis Report

(Appendix F – Recreation, Section F.4 and F.5) in DrChecks

Task 9 - Assist SFWMD in Conducting an Independent Technical Review (ITR)

Deliverable: Prepare a brief review summary (reviewers, reviewer qualifications, review approach, key findings), and post comments in DrChecks.

Task 10 - Review Cost Engineering Documentation

Deliverable: Prepare a brief cost engineering review summary (reviewer(s), reviewer qualifications, review approach, key findings), and post cost engineering review comments in DrChecks.

Task 11 - Review Cultural Resource Documentation

Deliverable: Review CRAS report. Review comments to be posted in DrChecks.

Task 12 - Review Support Documentation of Biological Evaluation

Deliverable: Review Biological Evaluation. Review comments to be posted in DrChecks.

Task 13 - Conduct Review of Documentation to Support Future EFH Consultation with NOAA Fisheries

Deliverable: Review EFH assessment. Review comments to be posted in DrChecks.

SCOPE OF WORK
SAJ Technical Support Staff Support Agreement Items (DD Form 1144)
Technical Services Requested to Complete the Section 203 as directed by Senate Bill 10
For Submission to ASA(CW) per Section 203 of WRDA 1986, as amended

Technical Reviews

The South Florida Water Management District (SFWMD) intends to provide the following documents and FR/EIS planning components for technical review and feedback from the SAJ Technical Support Staff in accordance with the schedule in Table 1 below.

1. **Review and Comment on Draft Review Plan** – Consistent with EC 1165-2-214, the SFWMD will draft a Review Plan for SAJ Technical Support Staff review and comment. The Review Plan will provide the approach to all levels of review in the study, including: internal QA/QC efforts (equivalent to DQC in a traditional USACE study), Independent Technical Review (ITR), IEPR, cost engineering review, etc. SAJ Technical Support Staff consolidated comments on the review plan may be provided in a MS Word or Excel document, with any minor editorial comments included in a marked-up version of the plan. The SFWMD is not seeking approval of the review plan from the SAJ Technical Support Staff. The primary intent of the review will be to identify any major omissions or inaccuracies in the draft plan. SFWMD will update the Review Plan periodically throughout project development and will be included in the administrative record along with associated QA/QC documentation for all submittals including engineering, memoranda, reports, and studies.

Deliverable: SAJ Technical Support Staff Review Comments on the SFWMD's Review Plan

2. **Review and Comment on Draft "Project Information" Sections of Integrated FR/EIS** – SAJ Technical Support Staff will provide technical services to conduct a review of sections (Section 1.0 Introduction) of the draft FR/EIS providing basic information on the study, including Background, Authority, Description of the Study Area, Purpose and Related Projects, Reason for the Study (Post Authorization Change), etc. These reviews will supplement and support the SFWMD's quality control/quality assurance activities. SAJ Technical Support Staff will provide these "informal" comments within one week of receipt. The primary intent of the review will be early identification of any major omissions or inaccuracies in Section 1.0, including any suggestions that may make the document clearer and more complete. The SAJ Technical Support Staff review comments and SFWMD responses and actions to be taken will be documented in DrChecks. DrChecks provides a convenient and standardized tool to record and track comments and responses. At this early stage of the study, formal resolution of comments via backchecks will be desirable but not required.

Deliverable: Project Information (Section 1.0) Comments in DrChecks

3. **Review and Comment on draft "Project Scope" Sections of Integrated FR/EIS** – SAJ Technical Support Staff will provide technical services to conduct a review of sections (Section 2.0 Existing and Future Without Conditions) of the draft FR/EIS addressing the study scope, including Goals, Problems, and Opportunities; Study Objectives; Constraints and Other Considerations; Existing and Future Without Project Conditions; Planning Horizon; Prior History, etc. These SAJ Technical Support Staff reviews will supplement and support the SFWMD's quality control/quality assurance activities. SAJ Technical Support Staff will provide these "informal" comments within one week of receipt. The

primary intent of the review will be early identification of any major omissions or inaccuracies in Section 2.0, including any suggestions that may make the document clearer and more complete. The SAJ Technical Support Staff review comments and SFWMD responses and actions to be taken will be documented in DrChecks. At this early stage of the study, formal resolution of comments via backchecks will be desirable but not required.

Deliverable: Project Scope (Section 2.0) Comments in DrChecks

4. Review and Comment on draft "Formulation Framework" Sections of Integrated FR/EIS – SAJ Technical Support Staff will provide technical services to conduct a review of sections (Section 3.0 Formulation of Alternative Plans) of the draft FR/EIS addressing the formulation framework for the study, including Plan Formulation Framework; Formulation Strategy; Management Measure Identification; Array of Alternatives; Project Implementation; etc. These reviews will supplement and support the SFWMD's quality control/quality assurance activities. SAJ Technical Support Staff will provide these "informal" comments within one week of receipt. The primary intent of the review will be early identification of any major omissions or inaccuracies in Section 3.0, including any suggestions that may make the document clearer and more complete. The SAJ Technical Support Staff review comments and SFWMD responses and actions to be taken will be documented in DrChecks. At this early stage of the study, formal resolution of comments via backchecks will be desirable but not required.

Deliverable: Formulation Framework (Section 3.0) Comments in DrChecks

5. Review and Comment on the Tentatively Selected Plan (TSP) – SAJ Technical Support Staff will provide technical services to conduct a review of sections (Section 6.0, Tentatively Selected Plan) of the draft FR/EIS addressing the plan description, plan accomplishments, environmental considerations, cost estimates, plan implementation, design and implementation, etc. These reviews will supplement and support the SFWMD's quality control/quality assurance activities. SAJ Technical Support Staff will provide these "informal" comments within one week of receipt. The primary intent of the review will be early identification of any major omissions or inaccuracies in Section 6.0, including any suggestions that may make the document clearer and more complete. The SAJ Technical Support Staff review comments and SFWMD responses and actions to be taken will be documented in DrChecks. At this early stage of the study, formal resolution of comments via backchecks will be desirable but not required.

Deliverable: Tentatively Selected Plan (Section 6.0) Comments in DrChecks

6. Review and comment on Hydraulic and Hydrologic Modeling – SAJ Technical Support Staff will provide services to review SFWMD hydrologic and hydraulic products, including hydraulic designs and numerical modeling analyses. SAJ Technical Support Staff will review modeling assumptions (e.g. operational intent, conceptualization of hydraulic design features), and provide input regarding the adherence to requirements of the WRDA 2000 CERP Programmatic Regulations. Finally, SAJ Technical Staff will provide review support to assist in optimizing components for cost-effectiveness. For all review elements of this task, the SAJ Technical Support Staff review comments and SFWMD responses and actions to be taken will be documented in DrChecks.

Deliverable: Review of H&H products meeting USACE Regulations and Design Standards. Review comments to be posted in DrChecks.

7. Review and Comment on Environmental Benefits Modeling and Cost Effectiveness / Incremental Cost Analysis (CE/ICA) – SAJ Technical Support Staff will provide technical services to review Habitat Unit (HU) modeling conducted by the SFWMD (with the same model used during development of the CEPP FR/EIS) to determine environmental outputs and benefits associated with the alternatives considered in detail for this feasibility study. The SFWMD will provide the modeling results and CE/ICA to SAJ Technical Support Staff by December 5, 2017. SAJ Technical Support Staff will review the HU modeling results, CE/ICA, and Appendix G Benefits Model section of the FR/EIS including comments on the adequacy of the modeling and associated results, within 7 days of receipt. The SAJ Technical Support Staff review comments will be posted in DrChecks to facilitate recording/tracking of SFWMD responses and actions to be taken.

Deliverable: Review HU model results, Draft Appendix G - Benefits Model, and the CE/ICA Analysis. Review comments to be posted in DrChecks.

8. Review Recreation Plans and Develop a Cost-Benefit Analysis for Recreation Plans - SAJ Technical Support Staff will provide services to review recreation plans developed by the SFWMD for conformance to SAJ Technical Support Staff policies on recreation features. The SAJ Technical Support Staff review comments will be posted in DrChecks to facilitate recording/tracking of SFWMD responses and actions to be taken. In addition, SAJ Technical Support Staff will review a cost-benefit analysis for proposed recreation facilities for inclusion in the FR/draft EIS on or before January 15, 2018.

Deliverable: Provide review comments on SFWMD recreation plans in the Cost Benefit Analysis Report (Appendix F – Recreation, Section F.4 and F.5) in DrChecks

9. Assist SFWMD in Conducting an Independent Technical Review (ITR) – SAJ Technical Support Staff will assist the SFWMD in conducting a review of the draft FR/EIS that would be consistent with the intent and standards of an Agency Technical Review for a traditional USACE feasibility study (as described in EC 1165-2-214) to the maximum extent practicable. The SAJ Technical Support Staff will identify a team of experienced personnel representing the broad range of disciplines identified in the SFWMD review plan for the project, with a designated review lead, to conduct an ITR-level review of the draft FR/EIS. Anticipated project reviewers will include the following disciplines at a minimum: Planning, Environmental Resources, H&H Engineering, Geotechnical Engineering, Economics, and Real Estate. The ITR on the draft report is expected to start on January 22, 2018, with interim milestones for workshops (teleconferences) to discuss comments, post comments in DrChecks (SAJ Technical Support Staff), post responses in DrChecks (SFWMD), complete backchecks (SAJ Technical Support Staff), and close out the review process. These interim milestones will be determined in coordination between the SFWMD and SAJ Technical Support Staff.

Deliverable: Prepare a brief review summary (reviewers, reviewer qualifications, review approach, key findings), and post comments in DrChecks.

10. Review Cost Engineering Documentation – SAJ Technical Support Staff will review the cost engineering documentation (cost estimates and cost and schedule risk analysis), prepared by the SFWMD in accordance with pertinent USACE guidance, for the FR/EIS alternatives evaluated and compared in detail and for the more detailed MCACES estimate for the TSP. The SAJ Technical Support Staff review comments and SFWMD responses and actions to be taken will be documented in DrChecks. To the maximum extent practicable, the SAJ Technical Support Staff will carry out the cost

engineering review in accordance with the principles and procedures outlined in the document entitled "Agency Technical Review Guidance for Cost Engineering Products" (May 2011), prepared by the USACE Directory of Expertise for Civil Works Cost Engineering. The SFWMD will provide the cost documentation to the SAJ Technical Support Staff on January 22, 2017. The SAJ Technical Support Staff review comments will be posted in DrChecks to facilitate recording/tracking of SFWMD responses and actions to be taken.

Deliverable: Prepare a brief cost engineering review summary (reviewer(s), reviewer qualifications, review approach, key findings), and post cost engineering review comments in DrChecks.

11. Review Cultural Resource Documentation – SAJ Technical Support Staff will review the adequacy and completeness of a Cultural Resource Assessment Survey (CRAS) provided by the SFWMD for new areas of potential effect from the TSP that were not addressed in the CEPP FR/EIS. The CRAS report SFWMD will provide the basis for future SHPO consultation for any newly affected areas by the TSP not already addressed in the CEPP FR/EIS (Appendix C).

Deliverable: Review CRAS report. Review comments to be posted in DrChecks.

12. Review Support Documentation of Biological Evaluation–Following selection of the TSP, expected on December 13, 2017, the SFWMD will complete and provide a biological evaluation to SAJ Technical Support Staff (January 22, 2018). SAJ Technical Support Staff will review the biological evaluation, for adequacy and completeness for future formal section 7 consultation with the USFWS.

Deliverable: Review Biological Evaluation. Review comments to be posted in DrChecks.

13. Conduct Review of Documentation to Support Future Essential Fish Habitat (EFH) Consultation with National Oceanic and Atmospheric Administration (NOAA) Fisheries –By January 22, 2018, the SFWMD will provide the SAJ Technical Support Staff with a draft letter and draft EFH assessment to provide a basis for consultation with NOAA Fisheries. SAJ Technical Support Staff will review adequacy of documentation for future consultation with NOAA Fisheries per section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C, 1855(b)).

Deliverable: Review EFH assessment. Review comments to be posted in DrChecks.

Activity Name	Start	Deliverable Due Date	Task Close-Out Date
Review and Comments on Review Plan - Task 1	2-Jan-18	9-Jan-18	30-Mar-18
Review/comment of project information - Task 2	2-Jan-18	9-Jan-18	30-Mar-18
Review/comment of project scope - Task 3	2-Jan-18	9-Jan-18	30-Mar-18
Review/comment of project formulation framework - Task 4	2-Jan-18	16-Jan-18	30-Mar-18
R/C/Technical assistance for CE/ICA Round 1 - Task 7	2-Jan-18	9-Jan-18	30-Mar-18
R/C/Technical assistance for CE/ICA Round 2 - Task 7	9-Jan-18	16-Jan-18	30-Mar-18
Consultation/Technical assistance for hydrologic & hydraulic products	2-Jan-18	16-Jan-18	30-Mar-18
Review of Draft H&H Analysis Report	2-Jan-18	16-Jan-18	30-Mar-18
Review of draft hydrologic & hydraulic products - Task 6	2-Jan-18	16-Jan-18	30-Mar-18
Review Recreation Plans and Cost Benefit Analysis - Task 8	9-Jan-18	16-Jan-18	30-Mar-18
Review of TSP (milestone) - Task 5	9-Jan-18	16-Jan-18	30-Mar-18
ITR of Draft Report - Task 9 Part #1	22-Jan-18	7-Feb-18	7-Feb-18
ITR Workshop (Round 1)	29-Jan-18	2-Feb-18	30-Mar-18
Revise for Final Report - Task 9	8-Feb-18	27-Feb-18	30-Mar-18
ITR of Final Report - Task 9 Part #2	20-Feb-18	6-Mar-18	6-Mar-18
ITR Workshop (Round 2)	27-Feb-18	2-Mar-18	30-Mar-18
Cost Review (SAJ Technical review of alternative costs) - Task 10	19-Jan-18	6-Feb-18	30-Mar-18
Cost Review (SAJ Technical review of cost documentation and risk analysis) - Task 10	7-Feb-18	27-Feb-18	30-Mar-18
Cultural Resource Document Review - Task 11	16-Jan-18	2-Feb-18	30-Mar-18
Review documentation for Draft Biological Evaluation - Task 12	22-Jan-18	7-Feb-18	30-Mar-18
Review EFH Assessment - Task 13	22-Jan-18	7-Feb-18	30-Mar-18