

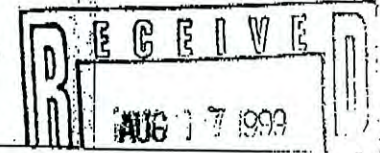


DEPARTMENT OF THE ARMY
 JACKSONVILLE DISTRICT CORPS OF ENGINEERS
 P. O. BOX 4970
 JACKSONVILLE, FLORIDA 32232-0010

REPLY TO
 ATTENTION OF

Planning Division
 Environmental Branch

AUG 13 1999



Jerry Brooks, Assistant Dir
 Division of Water Facilities
 Florida Department of
 2600 Blair Stone Road
 Tallahassee, Florida 32399

NATURE SAVE FAX MEMO 01616

Date	8/17/99	# of pages	5
To	Mike Zimmerman	From	Rich Bray
Co./Dept.		Co.	
Phone #		Phone #	850-921-5214
Fax #		Fax #	

Dear Mr. Brooks:

The purpose of this letter is to request an interim operating permit for the S-355 A and B structures, located at the southern boundary of Water Conservation Area (WCA) 3B. The requirement for an interim operating permit is described in the Department of Environmental Protection (DEP) Water Quality Certification No. 06, 12604959, paragraph 6 of the specific conditions.

The current high water levels in WCA 3B, as well as prior year high water levels in WCA 3B, are stressing the tree islands. If levels continue to rise, the Corps will be required to take emergency actions at the L-67A Gap (closing the gap with fill). The enclosed operation schedule, provided as enclosure A, for the S-355 A and B structures is an incremental step in the direction of reestablishing hydro patterns that support ecosystem restoration and will provide immediate relief to the tree islands in WCA 3B. This plan is very similar to the previously approved operating plan, however, it better meets the requirements of the US Fish and Wildlife's biological opinion on the Cape Sable Seaside Sparrow. It will improve conveyance of water to the NorthEast Shark River Slough and it will help reduce the negative impacts of the high water conditions in the Western Shark River Slough.

Due to this high water situation, the U.S. Army Corps of Engineers (Corps) requests that this interim operating permit be issued as quickly as possible. If a short term exemption would be processed faster, to allow interim operation of the structures while the operating permit is being processed, the Corps requests DEP consider issuing a temporary exemption. This would help correct the immediate problem the tree islands are experiencing and help avoid the necessity to take emergency actions at the L-67A Gap.

The operation of the S-355 A and B structures has already been authorized by DEP in the emergency order issued for the Cape

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Sable Seaside Sparrow Breeding Habitat Emergency. The environmental monitoring for these structures has already been coordinated with DEP and the Florida Fish and Wildlife Conservation Commission. This monitoring is already underway and is identical to the monitoring required by the non-Everglades Construction Project permit for the S-332 structure with the addition of two marsh monitoring stations in WCA 3B.

The S-355 A and B structures are part of the Modified Water Deliveries Project. The objective of the Modified Water Deliveries Project is to reestablish sheet flow as much as practical from WCA 3A to WCA 3B and to the Northeast Shark River Slough. This will help meet a major ecosystem restoration goal for the Everglades National Park, which is reestablishing the natural hydropatterns of the everglades system to the extent practical.

Please feel free to contact Jim Riley of our staff at 904-232-2438 for any additional information required to process this request.

Sincerely,

RICHARD E. BONNER, P.E.
Deputy District Engineer
for Project Management

Enclosure

Copy Furnished (w/encl)

- Mr. Mike Zimmerman, Everglades National Park, 4001 State Road
9336, Homestead, Florida 33034
- ✓ Mr. Rich Bray, Department of Environmental Protection, 2600 Blair
Stone Road, Mail Station 3560, Tallahassee, Florida 32399-2400
- Mr. Frank Nearhoof, Department of Environmental Protection, 2600
Blair Stone Road, Mail Station 3550, Tallahassee, Florida
32399-2400
- Mr. Herb Zebuth, Department of Environmental Protection, Post
Office Box 15425, West Palm Beach, Florida 33416

CESAJ-EN-HW

SUBJECT: Operations of Structures 355A and 355B

met the requirements of the FBO to protect the endangered Cape Sable Seaside sparrow (CSSS) as well as other natural resources. The IOP will be in place until the Modified Water Deliveries Project is completed. Detailed operational criteria will be developed for the features of the Modified Water Deliveries Project and may differ from the operations for S-355A&B outlined in this memorandum.

4. Structures 355A and B were constructed as part of the Modified Water Deliveries Project. The structure were designed to provide discharge capacity out of WCA No. 3B into northeast Shark River Slough (SRS) via the Levee 29 borrow canal (L-29). There are 19 sets of culverts located under the Tamiami Trail (US 41) which convey water from the L-29 borrow canal into northeast SRS. One-thousand foot long collection canals have been constructed in WCA No. 3B running east-west just upstream of each structure in order to collect marsh flow from WCA No. 3B and facilitate the discharge of water into the L-29 borrow canal and ultimately into northeast SRS.

5. As part of the Experimental Program, a weekly target for flow to Shark River Slough (SRS) is computed and the total computed flow is divided with a goal of discharging 45 percent through the S-12 structures into western SRS and 55 percent through S-333 into northeast SRS, reference 1.a. for Test 7 operating criteria for details on these flow computations and on the information that follows. The USFWS issued a FEO that requires changes to the flow distribution for SRS, reference 1.b. pages 78-83. The IOP will be developed to try to meet those flow distributions. The S-355A and B structures would be used along with S-333 and G-69 to try to meet weekly target discharges to northeast SRS.

6. The following information is provided as input for operation of S355A and B during Test 7, phase I operations and during the IOP:

a. S-355A and B are to be used in conjunction with S-333 and culvert structure G-69 to met weekly target discharges.

b. Structures S-355A & B would be closed if any of the following conditions exist:

(1) When insufficient head or a reverse head exists across S-355A and B.

(2) When water levels at G-3273 have been above 6.8* ft., NGVD, for 24 hours.