



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
701 SAN MARCO BOULEVARD  
JACKSONVILLE, FL 32207-0019

REPLY TO  
ATTENTION OF

28 June 2017

Regulatory Division

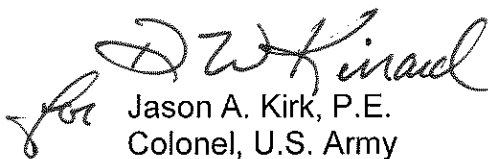
Mr. Pete Antonacci  
South Florida Water Management District  
3301 Gun Club Road  
West Palm Beach, FL 33406

Dear Mr. Antonacci:

The U.S. Army Corps of Engineers (Corps), Jacksonville District, requested U.S. Fish and Wildlife Service (FWS) concurrence for the use of S-199 and S-200 pump stations and the G-737 structure to reduce Stages in Water Conservation Area (WCA) 3A per your letter dated June 23, 2017 and the requirements of the DA Permit Number SAJ-2005-09856. This letter is to inform you that the FWS responded with concurrence on June 27, 2017.

Thank you for your cooperation with our Regulatory Program. If you have any questions regarding the information in this letter, please feel free to contact me or Mr. Donald Kinard at 904-232-1177 or via email at [Donald.W.Kinard@usace.army.mil](mailto:Donald.W.Kinard@usace.army.mil).

Sincerely,

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

Enclosures



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

June 23, 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: Deviation to use S-200 and S-199 Pump Stations and G-737  
Structure until June 30, 2017**

Dear Colonel Kirk:

The South Florida Water Management District (SFWMD) is requesting the use of S-200 and S-199 Pump Stations and the G-737 Structure to manage water levels in the C-111 Canal to support high water relief efforts for WCA-3A. This deviation request will expire on June 30, 2017, at which time the features will operate in accordance with the permit conditions. The SFWMD plans to meet regularly (e.g., weekly) with US Fish and Wildlife Service to communicate operations and discuss the system response until the deviation has ceased.

Please contact me at 561-682-2679 if you have any questions.

Sincerely,

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

John P. Mitnik, P.E.  
Chief District Engineer

JPM/bm



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
South Florida Ecological Services Office  
1339 20<sup>th</sup> Street  
Vero Beach, Florida 32960

June 27, 2017

Jason A. Kirk, P.E.  
Colonel, US Army  
U.S. Army Corps of Engineers  
701 San Marco Boulevard  
Jacksonville, Florida 32207-8175

Dear Colonel Kirk:

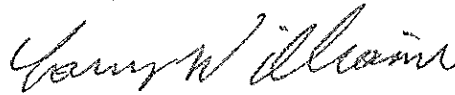
The U.S. Fish and Wildlife Service (Service) has reviewed the U.S. Army Corps of Engineers' (Corps), Jacksonville District, request for emergency consultation and the associated deviations in letters dated June 22, 2017; June 26, 2017; and e-mail dated June 26, 2017. Additionally, we reviewed the South Florida Water Management District's (District) request dated June 22, 2017, and the State of Florida's Emergency Order dated June 23, 2017. We also acknowledge the two telephone conversations you and I have had in the past 24 hours wherein you explained the Corps now considers this high water emergency as a risk to human health and safety.

Our recommendation to the Corps is to proceed with all the emergency deviations and actions described in these letters; however, we request you minimize, as much as practical, flows going through the S-12A and S-12B structures. Critically endangered Cape Sable seaside sparrows (CSSS) are actively nesting immediately downstream of these structures and allowing those nests to succeed will help this species recover.

The Corps determined that the proposed emergency actions may affect, but are not likely to adversely affect the Everglade snail kite, wood stork, and CSSS. The Service concurs with the Corps' determination for the Everglade snail kite and wood stork. However, since there is documented nesting occurring within CSSS subpopulation A, and increased water levels within the habitat are likely to adversely affect nesting birds, nestlings, and eggs, the Service is not able to concur with the "not likely to adversely affect" determination for CSSS. However, we have determined these actions will not result in jeopardy to the CSSS because their population appears to have increased slightly this year and the minimum target of 90 dry nesting days has been met in all subpopulations this year.

We recognize the need for the Corps and other agencies to take immediate action, and in keeping with our emergency consultation policy, we will complete formal consultation after the fact. In the meantime, if you have any questions regarding this project, please contact Donald Progulske at 772-469-4299 or by e-mail at [Donald\\_Progulske@fws.gov](mailto:Donald_Progulske@fws.gov).

Sincerely,

A handwritten signature in cursive script that reads "Larry Williams".

Larry Williams,  
State Supervisor, Ecological Services