

Presentation
to the

Civil Works Review Board

Comprehensive Everglades Restoration Plan

Biscayne Bay Coastal Wetlands Project

**Final Integrated Project Implementation Report
and Environmental Impact Statement**

by

MG Todd Semonite

**Commander
South Atlantic Division
27 September 2011**



Key Partners

- South Florida Water Management District (SFWMD)
- Department of Interior
- Florida Department of Environmental Protection



SFER HQ-DC Team Members

- Wes Coleman, OWPR
- Jeanette Gallihugh, OWPR, Review Team Lead
- Lee Ware, OWPR
- Katy Chekouras, Counsel, SAD-RIT
- Rodney Hallstrom, Real Estate
- Steve Kopecky, HQ USACE SFER Program Manager
- Marilyn Benner, CWRB Team



Rationale for SAD Support

- Concur with District Commander's findings & recommendations.
- Plan supported by sponsor and congressional delegation.
- Recognizes advance work planned by SFWMD
- Plan is consistent with Comprehensive Everglades Restoration Plan
- Plan will provide positive environmental benefits
- Anticipate favorable response to the draft Chief's Report.



Rationale for SAD Support (con't)

- Report complies with all applicable laws in place at time of submittal to HQ.
- Project supports Everglades - an ecosystem of national significance and Obama Administration priority

"As President, I will make protecting Florida's water resources a priority. My Administration will live up to the federal government's promise to be a 50-50 partner with Florida in restoring the Everglades ..."



Certification of Legal & Policy Compliance

- Legal certification of the final Project Implementation Report made by SAJ District Counsel.
- Technical and Policy Compliance:
 - Review Plan approved 1 May 2009
 - External ATR certification complete; all ATR comments have been resolved.
 - IEPR completed – all comments closed.



Certification of Legal & Policy Compliance (con't)

- Compliant with Corps policies at this time, with one exception.
- New (14 Sept 11) policy on CERP agricultural chemicals being expeditiously addressed.
- Expect completion of necessary PIR revisions in near term.



SAD Quality Assurance Activities

- Continuous involvement throughout development of the PIR.
- Worked w/EcoPCX, vertical team in establishment of peer review plan.
- Review of Policy Compliance Memo: all issues identified in draft PIR have been adequately addressed.
- Examples of quality assurance assistance actions:
 - ▶ Work In-Kind: need for PPCA
 - ▶ Support for identified RE interests
 - ▶ Application of Agrochemical policy guidance



SAD Recommendation

- Approve Final Report
- Release for State and Agency Review
- Complete Chief's Report



SAD Lessons Learned

- Importance of continuous coordination with SFWMD when they are advancing design and construction activities.
- Participation by other agencies on the PDT and open PDT meetings improves the quality of the decision document.
- Importance of identifying policy issues quickly – *they may not be quickly resolved!*



BISCAYNE BAY COASTAL WETLANDS PHASE 1

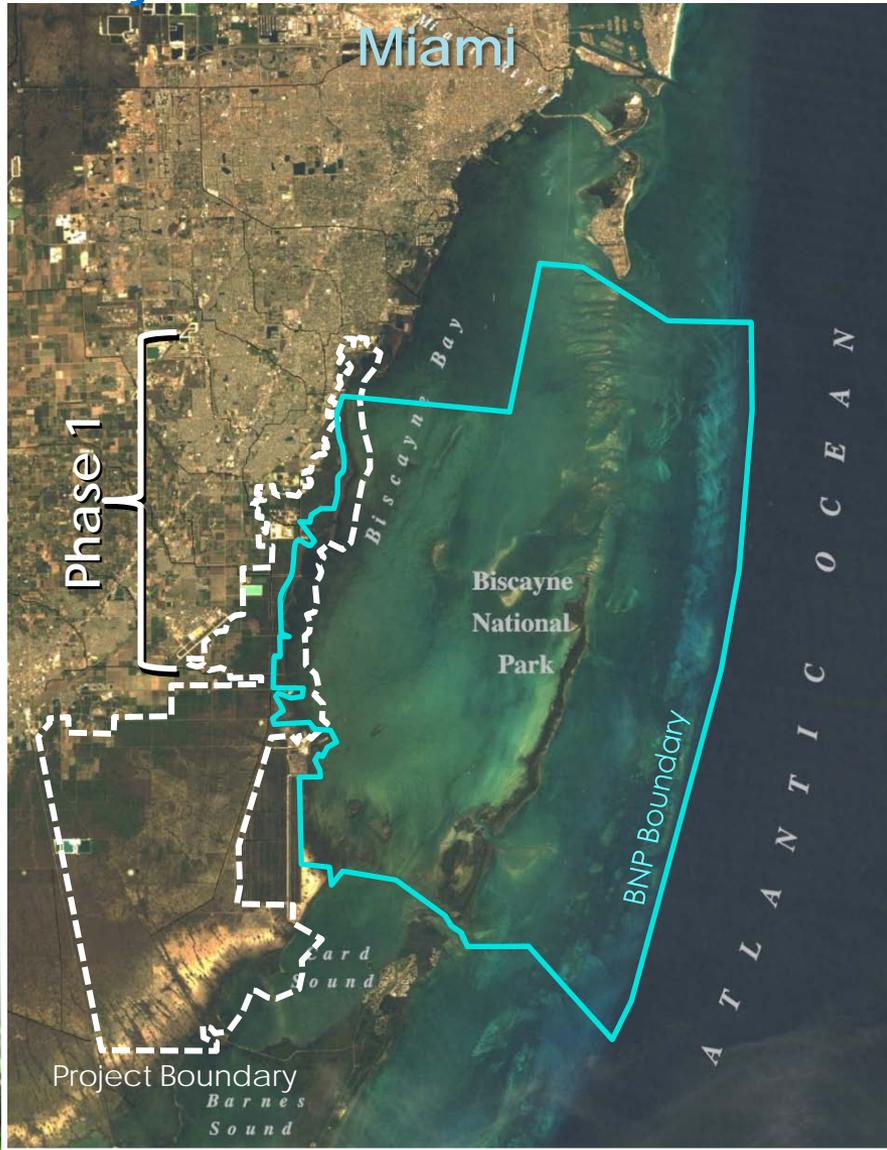
Comprehensive Everglades Restoration Plan (CERP)

Civil Works Review Board (CWRB) Briefing
Presented by COL Alfred Pantano

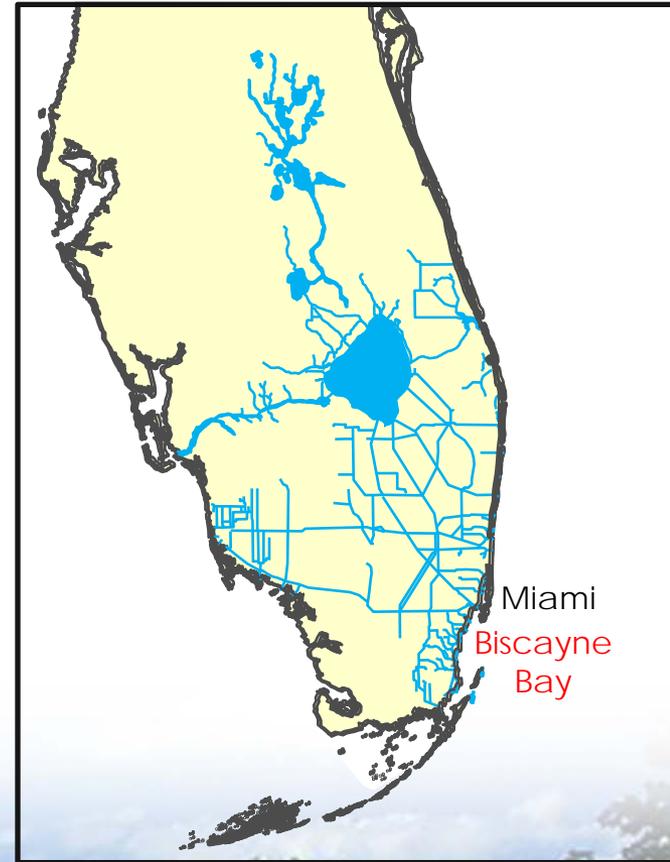
September 2011



Project Location and Scope

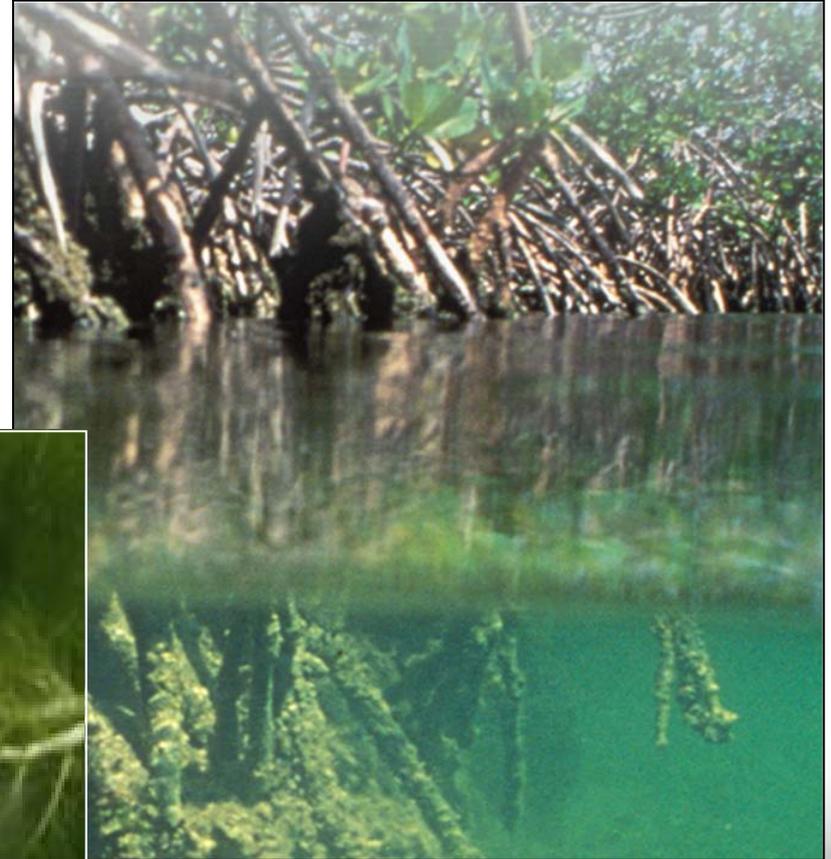


Biscayne Bay Coastal Wetlands
and Biscayne National Park
Serving the Quality of Life in South Florida

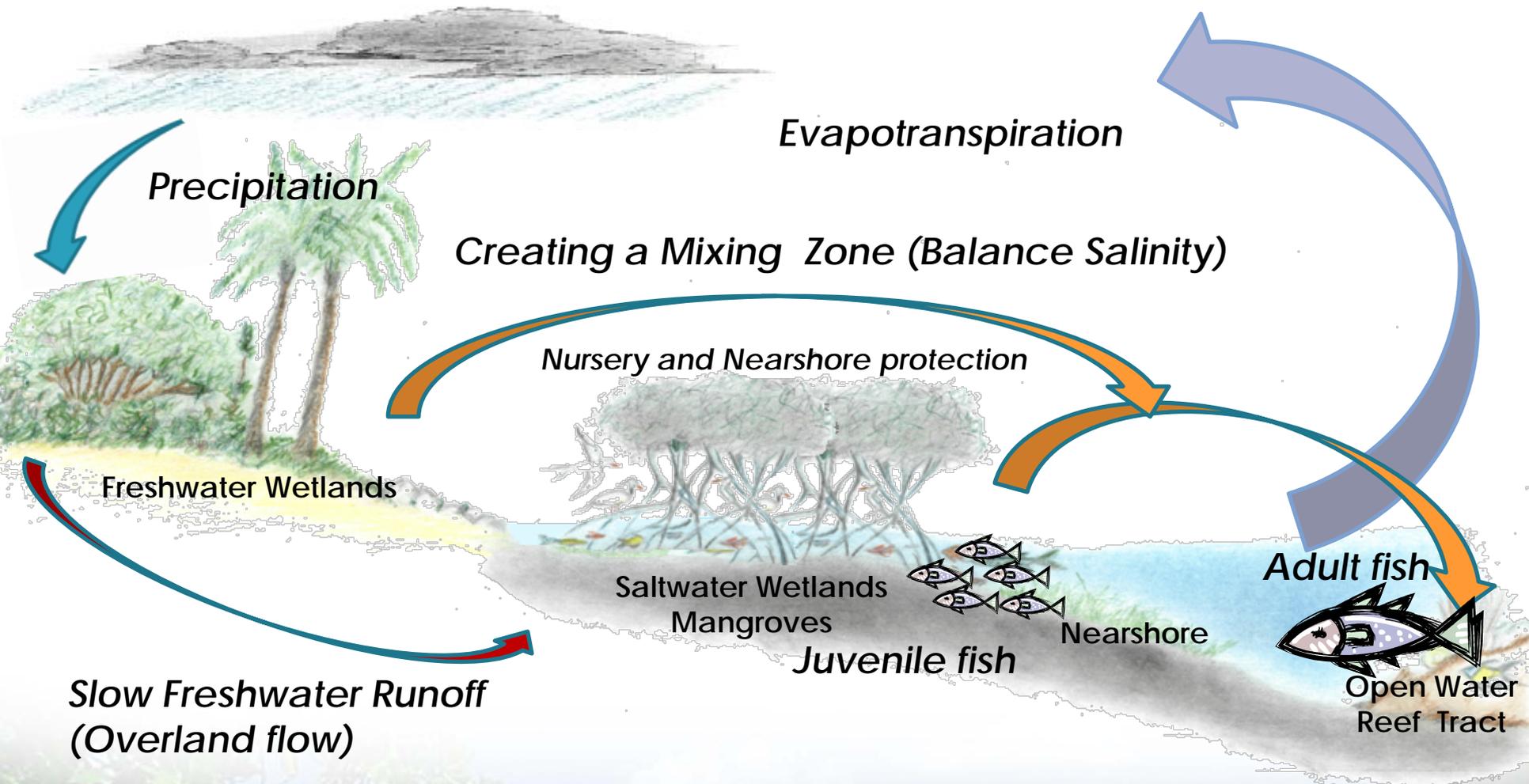


Declining Ecosystem

- Wetland Habitat
- Fish
- Wildlife
- Mangroves



Biscayne Bay – A delicate lifecycle relationship between habitats



Freshwater Wetlands
(Sawgrass Marsh)



Florida Panther



Everglades Snail Kite



Woodstork



Eastern Indigo Snake

Saltwater Wetlands
(Mangrove Estuary)



American Crocodile



Smalltooth Sawfish



Least Tern



Roseate Tern

Nearshore
(Seagrasses)



West Indian Manatee



Leatherback Sea Turtle



Green Sea Turtle



Hawksbill Sea Turtle

44 Endangered and Threatened Species in Project Area

Biscayne Bay Coastal Wetlands Ecosystem Restoration Project

Executive Order 13547

July 19, 2010

Stewardship of the Ocean, Our Coasts,
and the Great Lakes

Presentation Outline

- Project Delivery Team Members
- Authority
- Location and Scope
- Historic Conditions
- Existing Conditions
- Future without Project
- Study Objectives
- Plan Formulation
- Recommended Plan (Benefits and Details)
- Other Details (Risk and Uncertainty, Public Involvement, Peer Review, Campaign Plan)
- Schedule
- State Expedited Features (SFWMD)

Project Delivery Team Agencies

- U.S. Army Corps of Engineers
- **South Florida Water Management District ***
- Florida Department of Environmental Protection
- Florida Fish and Wildlife Conservation Commission
- Miami-Dade Department of Environmental Resources Management
- Department of Interior
- National Park Service
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service

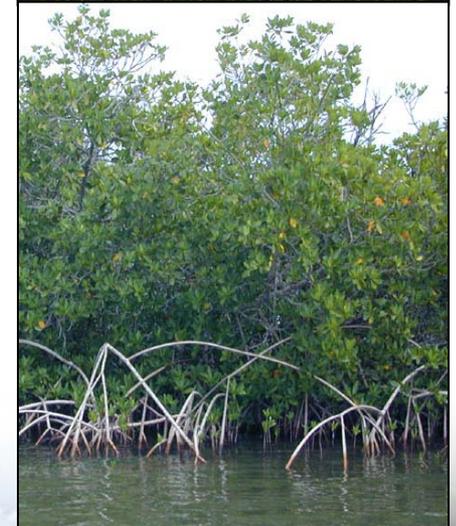
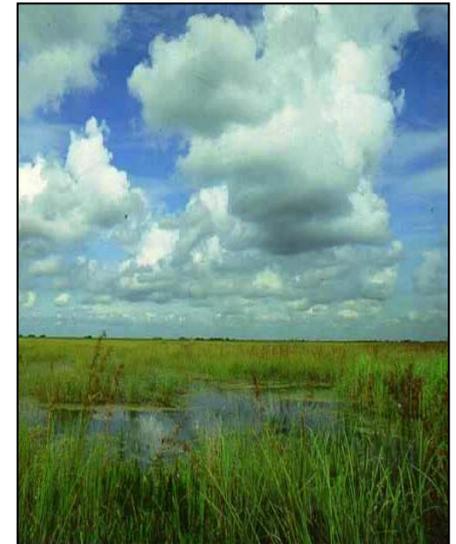
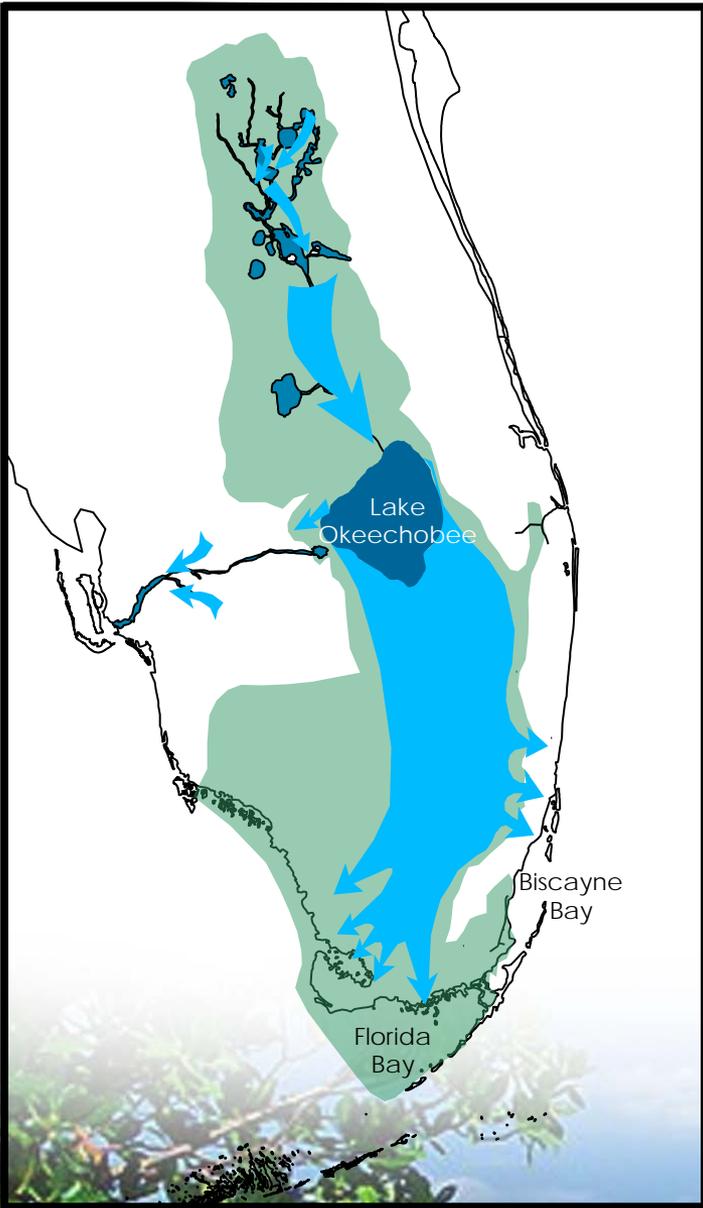
* Non-federal Sponsor

Project Authority

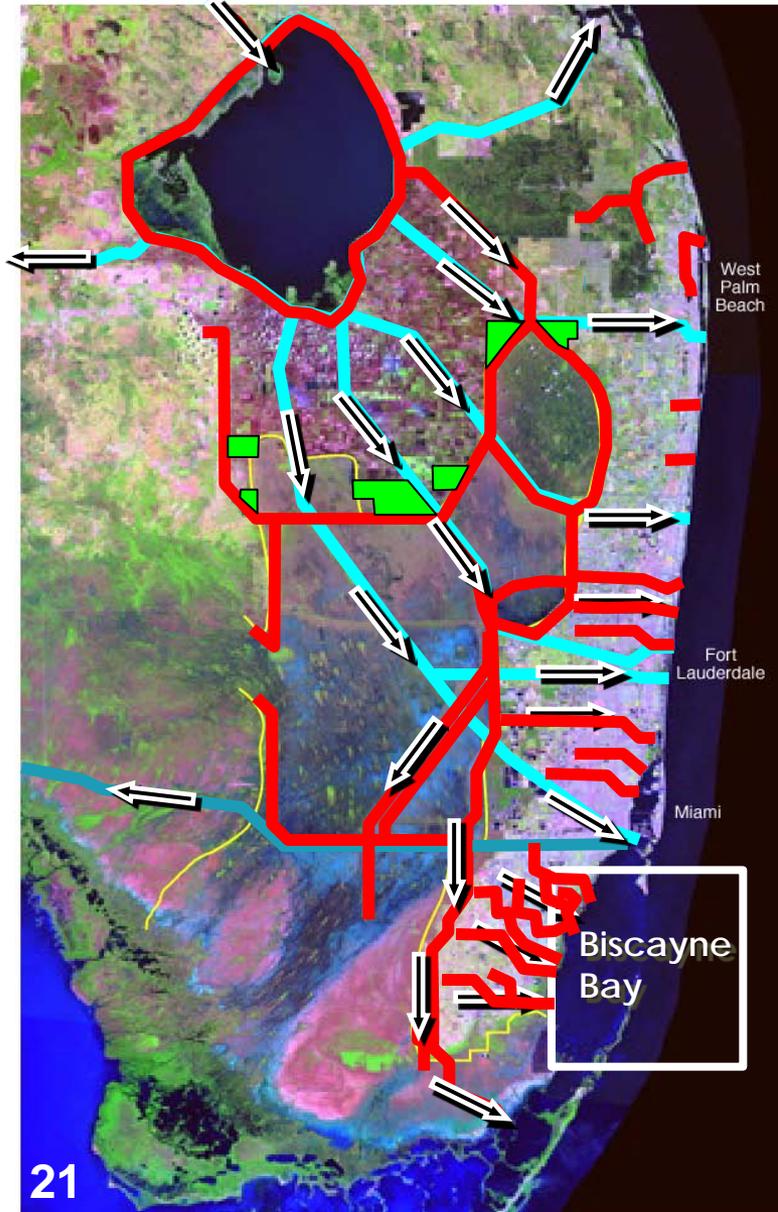
- Comprehensive Everglades Restoration Plan (CERP)
- Water Resources Development Act (WRDA) 2000
- Project Implementation Report (PIR)

Historic Everglades - Overview

- Continuous water flow from central Florida through Lake Okeechobee and south into Florida Bay
- Natural system composed of over 9 million acres of lakes, rivers and wetlands
- Unique and diverse mosaic of habitat



Drainage of the System and Water Flow Alterations



Pre-Central & South Florida Projects

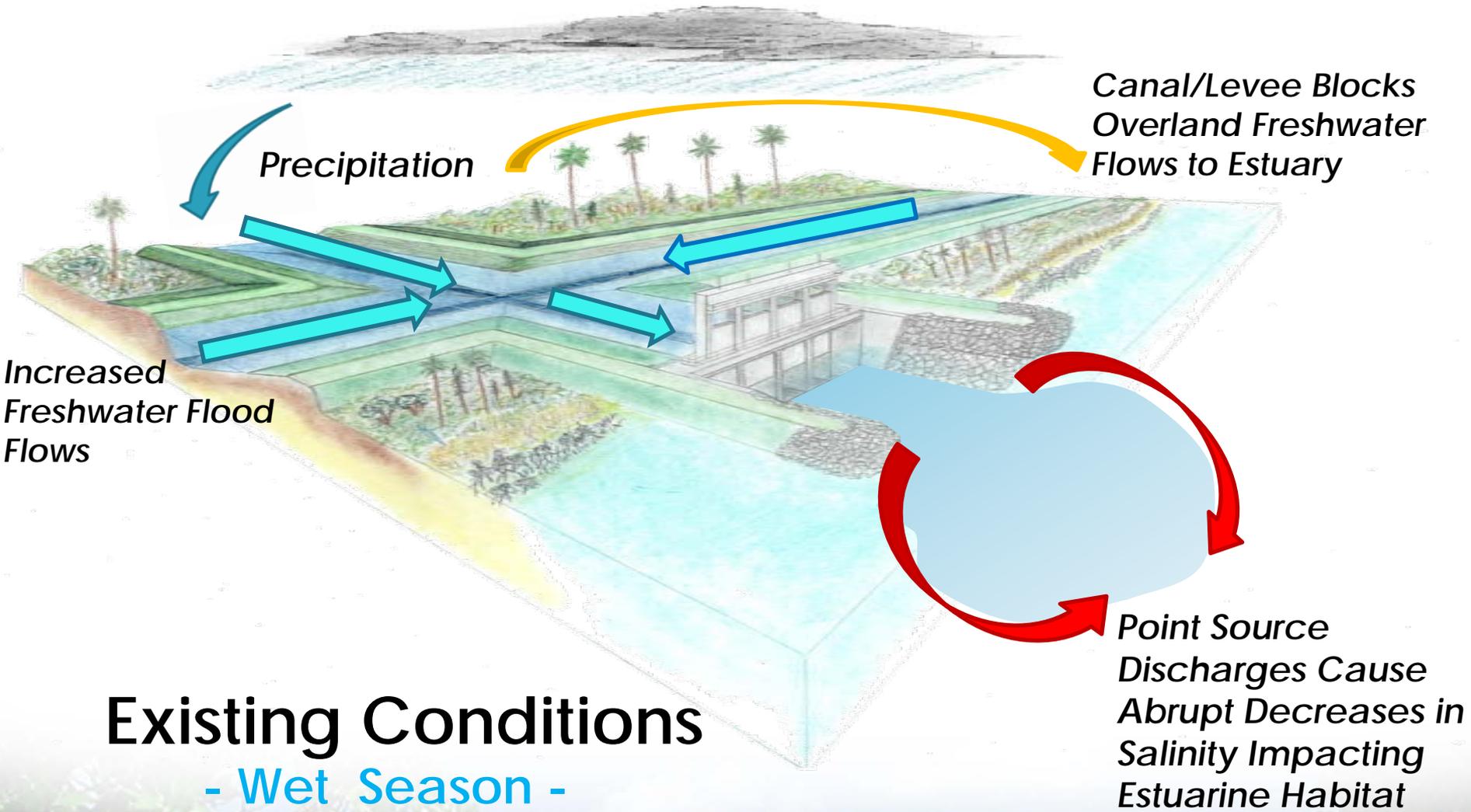
- | Caloosahatchee/Kissimmee Rivers 1881-93
- | East Coast Canals/St. Lucie Canal 1905-24
- | Tamiami Trail 1915-28
- | Lake Okeechobee HH Dike 1932-38

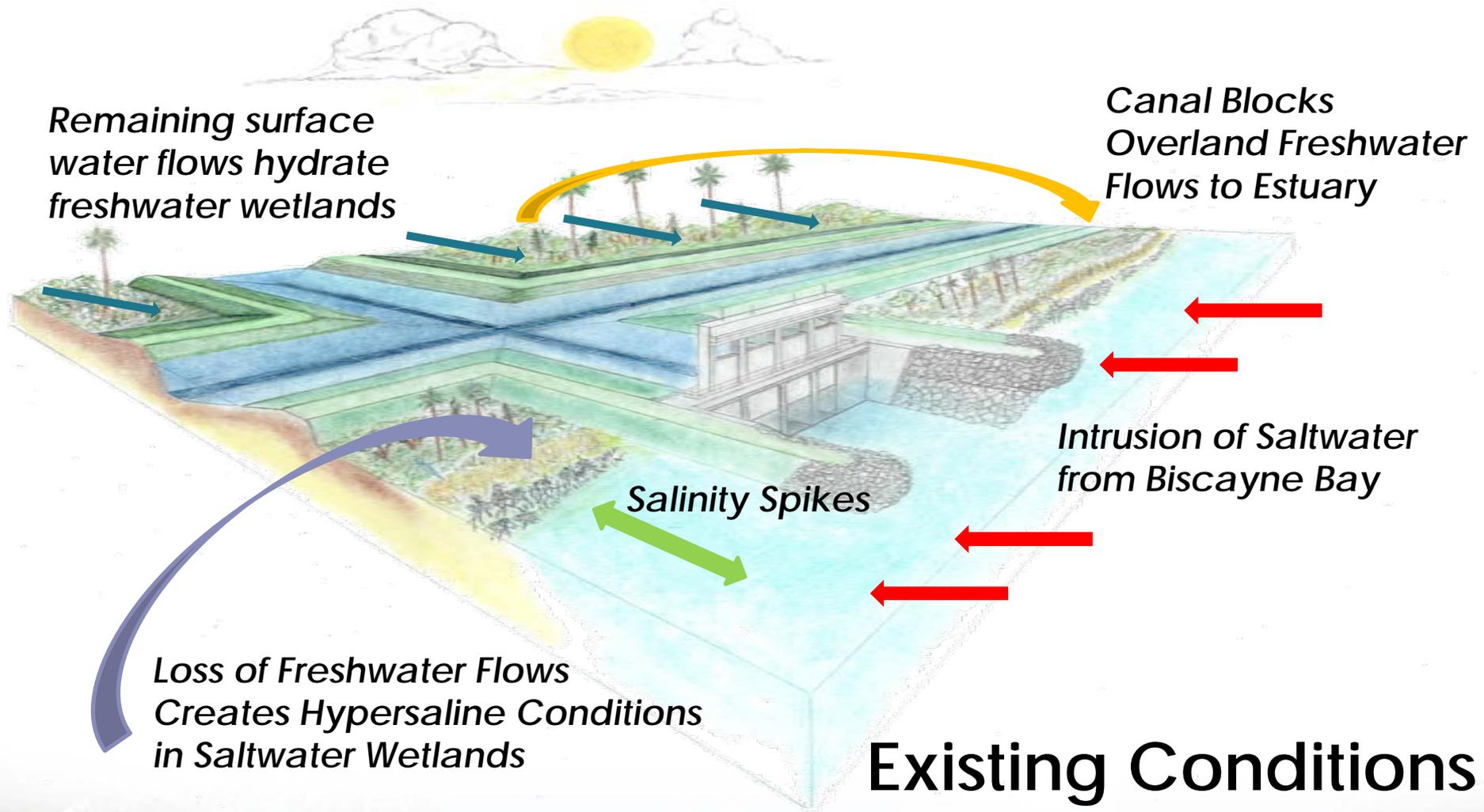
Central & Southern Florida Project

- | Eastern Protective Levee System 1952-54
- | Everglades Agricultural Area 1954-59
- | Water Conservation Area Levees 1960-63
- | Lower East Coast Canals 1954-65
- | Lake Okeechobee Levees 1960-64
- | Kissimmee River Channelization 1962-71
- | South Dade System 1965-83

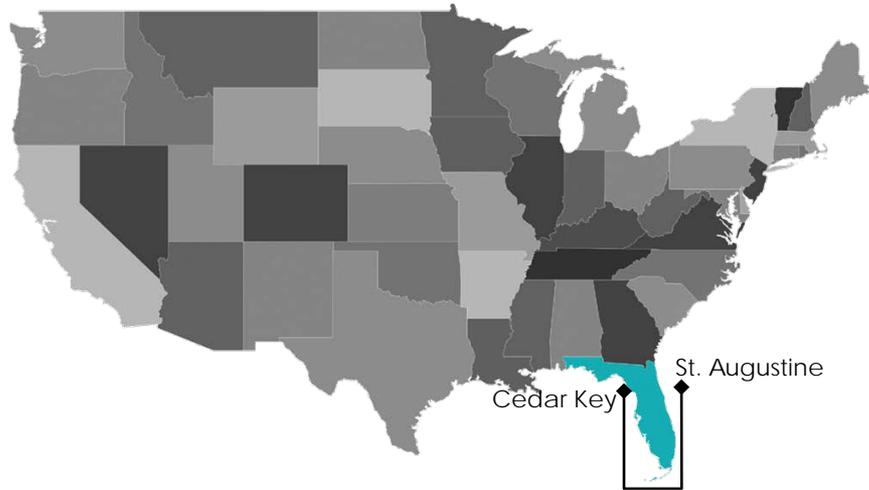
Everglades Construction Project

- | Stormwater Treatment Areas 1994-2003





Future Without Project Conditions



Existing Mangrove Habitat
in North America



- Degraded habitat
- Decreased fish populations
- Reduced fishing industry



- Diminished habitat for **44** threatened and endangered species



- Quality of life – residents and tourists

Study Objectives

1. Restore quantity, quality, timing and distribution of freshwater
2. Redistribute freshwater flows
3. Restore salinity regimes
4. Reestablish shoreline nursery habitat
5. Reestablish connectivity
6. Preserve and restore spatial extent of natural habitats
7. Provide recreational opportunities



Plan Formulation

Starting Point:

Comprehensive Everglades Restoration Plan (CERP)

- Key objectives:

- Store/conserve water
- Redistribution of freshwater flows
- Water quality

CERP “Yellow Book” Conceptual
Biscayne Bay Coastal Wetlands project plan:

- 16,000 acre footprint
- 9 pump stations
- 35 culverts reconnecting wetlands
- 4 storm water treatment areas (STAs) totaling 4,000 acres
- 14 miles of spreader canals
- 7 miles of conveyance canals
- 5 miles of canal backfilling
- plugging 2,000 feet of mosquito control ditches

Plan Formulation

Management Measures – the Toolkit

OBJECTIVE 1 Store/Conserve Water	OBJECTIVE 2 Redistribute Water from Canals to Wetlands	OBJECTIVE 3 Improve Water Quality
<ul style="list-style-type: none">•Reservoirs•Aquifer Storage and Recovery (ASRs)•Operational Changes	<ul style="list-style-type: none">•Pumps•Conveyance features•Spreader swales•Culverts•Plug mosquito ditches•Operational changes	<ul style="list-style-type: none">•Stormwater Treatment Areas (STAs)

Plan Formulation

Creating the Alternatives

- Combine measures to form alternatives
- Initial array = 14 alternatives
- Screening – discard alternatives that won't work
 - Way too expensive
 - 2 or more alternatives essentially the same
 - Doesn't solve problems
 - Doesn't meet objectives
 - Violates constraints
- Tweak alternatives/ Create new alternatives to:
 - Improve efficiency
 - Reduce costs
- Final array of 6 alternatives

Plan Formulation

6 Alternatives as the Final Array

Alt A: No action or Future Without Project

Alt YB: Yellow Book Conceptual Plan (**Starting Point**)

Alt M: Minimal approach; relies on trenches and detention areas versus stormwater treatment areas (STAs); passive movement of water (gravity)

Alt Q: No reservoirs; reduced infrastructure; allows eastward, passive surface water flow through L-31E

Alt O: Introduced as an intermediate plan between Alternative M and Alternative Q

Alt O Phase 1: Reflects a standalone increment of Alternative O

Plan Formulation

Final array of Alternatives - by Scale Relative to Conceptual Plan (YB)

	YB	M	Q	O	O Phase 1	No Action
Cost (ROM)	\$1.0 Billion	\$424 m	\$907 m	\$595m	\$144 m	----
Benefits (HUs)	9,687	8,181	12,462	12,546	9,276	----
STA, Reservoir (footprint)						
Pump (CFS)						
Spreader Canal (feet)						
Plugs/ Backfilling						

ROM: Rough Order of Magnitude Costs

Economic Analysis

System-wide Combined Output

Plan Name	Rough Order of Magnitude (ROM) Costs	Annual Cost	Average Annual Combined Habitat Unit Output	Cost Per Habitat Unit	Cost Effective
Alternative M	\$424 m	\$26,340,000	8,181	\$3,220	No
Alternative O - Phase 1	\$144 m	\$9,070,000	9,276	\$978	Yes
Alternative YB	\$1.0 b	\$60,030,000	9,687	\$6,197	No
Alternative Q	\$907 m	\$54,400,000	12,462	\$4,365	No
Alternative O	\$595 m	\$35,480,000	12,546	\$2,828	Yes

Note: Listed in order of increasing output (benefits)

Selecting the Plan

Compare Alt O full project to Alt O Phase 1

	Alt O – full	Alt O Phase 1
Footprint	~11,312 acres	~3,761 acres
Pumps	13	7
Culverts	20	10
Spreader Canals	~7 miles	~3 miles
Conveyance Canals	~1 mile	~1 mile
Ditches filled	~8,000 feet	~2,500 feet
Cost (ROM)	\$595 million	\$144 million
Habitat lift – Freshwater wetlands	3,111 acres	283 acres
Saltwater	6,174 acres	6,396 acres
Nearshore	3,892 acres	2,950 acres
2050 Habitat Lift	13,177 acres	9,629 acres

73%

Recommended Plan (ALT O Phase 1) Habitat Benefits

9629 Habitat Units (HUs)



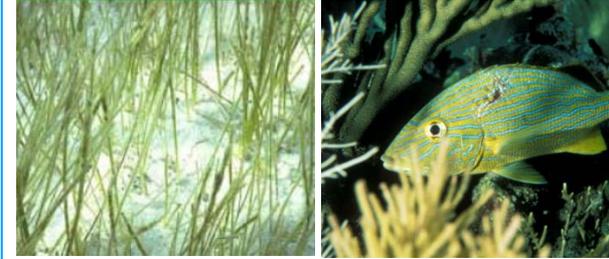
283 HUs

Improved
Freshwater
Wetlands Habitat



6396 HUs

Improved
Saltwater
Wetlands Habitat



2950 HUs

Improved
Nearshore
Habitat

Comparison of Recommended Plan with No-Action

P&G System of Accounts	No Action	Alternative O – Phase 1
Environmental Quality (EQ)	Decreases	Increases (9,629 HUs)
National Economic Development (NED)	Not used	Not used
Regional Economic Development (RED)	None	Moderate
Other Social Effects (OSE)	None	None



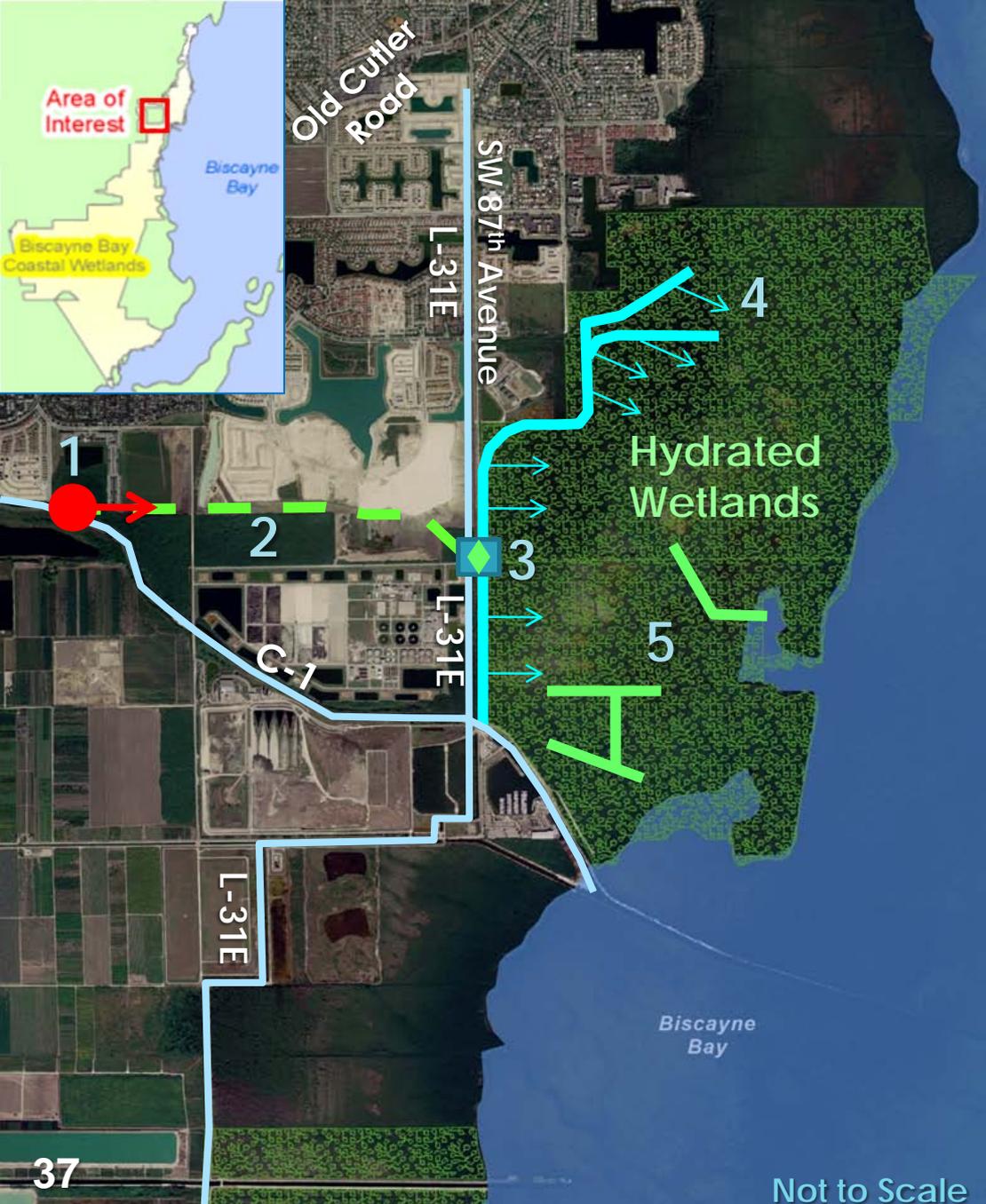
Recommended Plan Deering Estate Component

1. 500-foot extension of C-100A Spur Canal
2. pump station (100cfs)
3. 538 linear feet of 60" pipe
4. spreader structure



C-100A Spur Canal

Not to Scale



Recommended Plan Cutler Wetlands Component

1. pump station on C-1 Canal (400cfs)
2. 7000+/- linear feet of lined conveyance canal
3. culverts
4. 13,160 linear feet of spreader canal
5. plugging (2500 linear feet) remnant mosquito ditches

Not to Scale





Recommended Plan L-31E Component

1. pump station (50 cfs)
2. pump station (100cfs)
3. inverted siphon
4. 10 riser structures with flap gated culverts
5. pump station (40cfs)
6. pump station (40 cfs) & spreader canal
7. pump station (40 cfs) & spreader structure



Proposed Recreation Features

Activities

- Biking/walking trails
- Environmental interpretation
- Canoeing/kayaking
- Bank fishing
- Tent camping
- Nature study

Proposed facilities

- Interpretive signage and shade shelter,
- Handicapped accessible waterless restrooms
- Handicapped parking
- Tent platforms
- Pedestrian bridge
- Benches
- Bike rack
- Trash receptacles
- Park security gate
- Trail signage
- Potable water source
- Bird watching platform

Forecasted 29,200 additional recreation visits per year - average annual visits; Recreational features are proposed for fee lands and will be within the 10% rule



Recommended Plan - Cost Share

Item	Federal Cost	Non-Federal Cost	Total
Ecosystem Restoration (ER)			
PED	\$ 27,690,000	\$ 5,260,000	\$ 32,950,000
Construction Management	\$ 8,106,000	\$ 8,106,000	\$ 16,212,000
LER&R	-----	\$ 80,985,000	\$ 80,985,000
Ecosystem Restoration	\$ 58,555,000	-----	\$ 58,555,000
Recreation	\$ 1,158,000	\$ 1,158,000	\$ 2,316,000
Total Project Cost	\$ 95,509,000	\$ 95,509,000	\$ 191,018,000
Total Project Level Monitoring Costs	\$ 958,500	\$ 958,500	\$ 1,917,000
Annual OMRR&R	\$ 936,500	\$ 961,500	\$ 1,898,000
OMRR&R (vegetation management)	\$ 96,500	\$ 96,500	\$ 193,000
OMRR&R (non-recreation)	\$ 840,000	\$ 840,000	\$ 1,680,000
OMRR&R (recreation)		\$ 25,000	\$ 25,000

Project Monitoring

Per Civil Works Policy:

- Decrease uncertainties
- Construction complete until ecological success is determined
- Timeframe not to exceed 10 years
- Monitoring funds after construction shall be considered OMRR&R costs (Section 601 (e)(4) of WRDA 2000)

Recommended Plan

Project Assurances (per WRDA 2000)

- Maintain levels of service for existing legal water users ✓
- Maintain existing levels of flood protection to agricultural and urban lands ✓
- Water Reservation for the Natural System ✓

Recommended Plan

Risk and Uncertainty

- Phase 1 not a universal remedy for Biscayne Bay
- Modeling
- Sea level rise

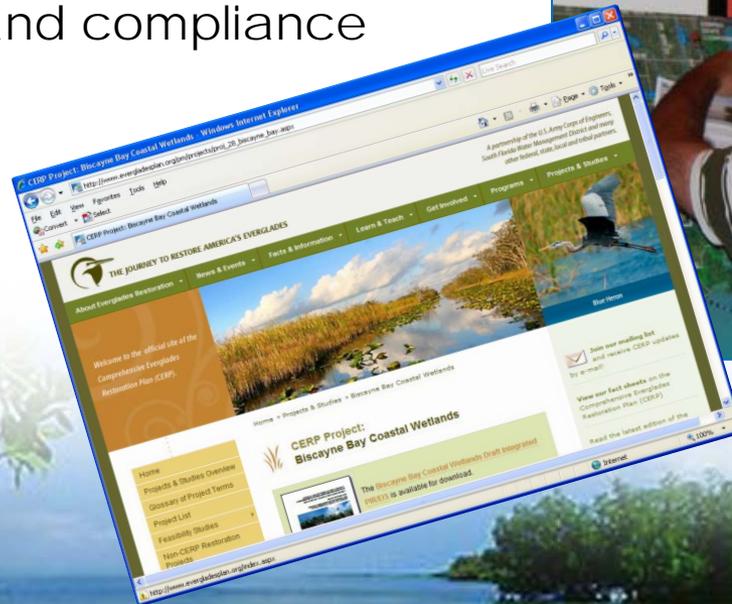
Sea Level Rise (SLR)

EC-1135-2-211

- Analyses
 - Low, intermediate, and high
 - 20, 50, and 100 years
- The Average Annual Benefits: worst case scenario - reduced by less than 20% over the 50-year life of the project
- The impacts to the aquatic ecosystem from SLR will be much worse if the project is not implemented

Public Involvement

- Public Workshops engaging the public, local government, stakeholders including numerous non-governmental agencies, etc.
- Last Public Workshop (Draft PIR): April 2010
- Internet Postings: www.evergladesplan.org
- Diverse Interagency Project Delivery Team
- NEPA coordination and compliance
- Newsletters



Peer Review

- FSM Briefing Package Agency Technical Review (ATR): September 2004
- AFB Briefing Package ATR: September 2007
- Draft PIR ATR: May 2009
- Final PIR ATR: August 2010
- Independent External Peer Review (IEPR) Final Report: December 2009
- Land Valuation and Crediting ATR : January 2010
- Model Certification: September 2011

Campaign Plan

Goal 2: Deliver enduring and essential water resource solutions

Objective 2a: Deliver integrated, sustainable, water resources solutions

Objective 2b: Implement collaborative approaches

Goal 3: Deliver innovative, resilient, sustainable solutions to the Armed Forces and the Nation.

Objective 3b: Improve protection, resilience and lifecycle investment in critical infrastructure

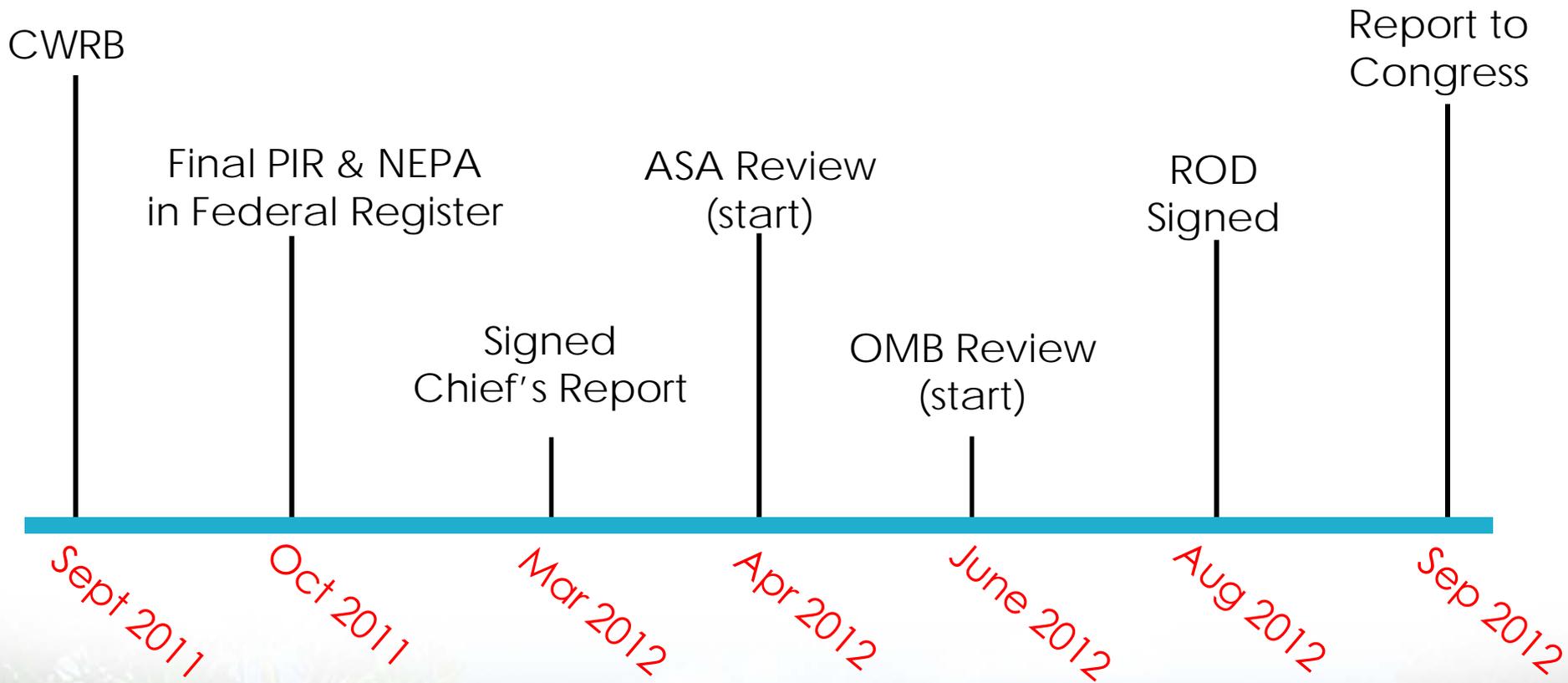
Objective 3c: Use a risk-informed asset management strategy

Objective 3d: Develop and apply innovative approaches

Environmental Operating Principles

- Ecosystem approach
- Holistic consideration
- Monitoring and adaptive management strategy
- Collaborative agency interactions
- Public and stakeholder involvement
- The project is in compliance with all 7 of the EOP's (summarized above).

Anticipated Schedule





South Florida Water Management District Presentation

Melissa Meeker
Managing Director, SFWMD

Civil Works Review Board September 27, 2011



Biscayne Bay Coastal Wetlands Non-Federal Sponsor Project Support

*Melissa Meeker, Executive Director
South Florida Water Management District*

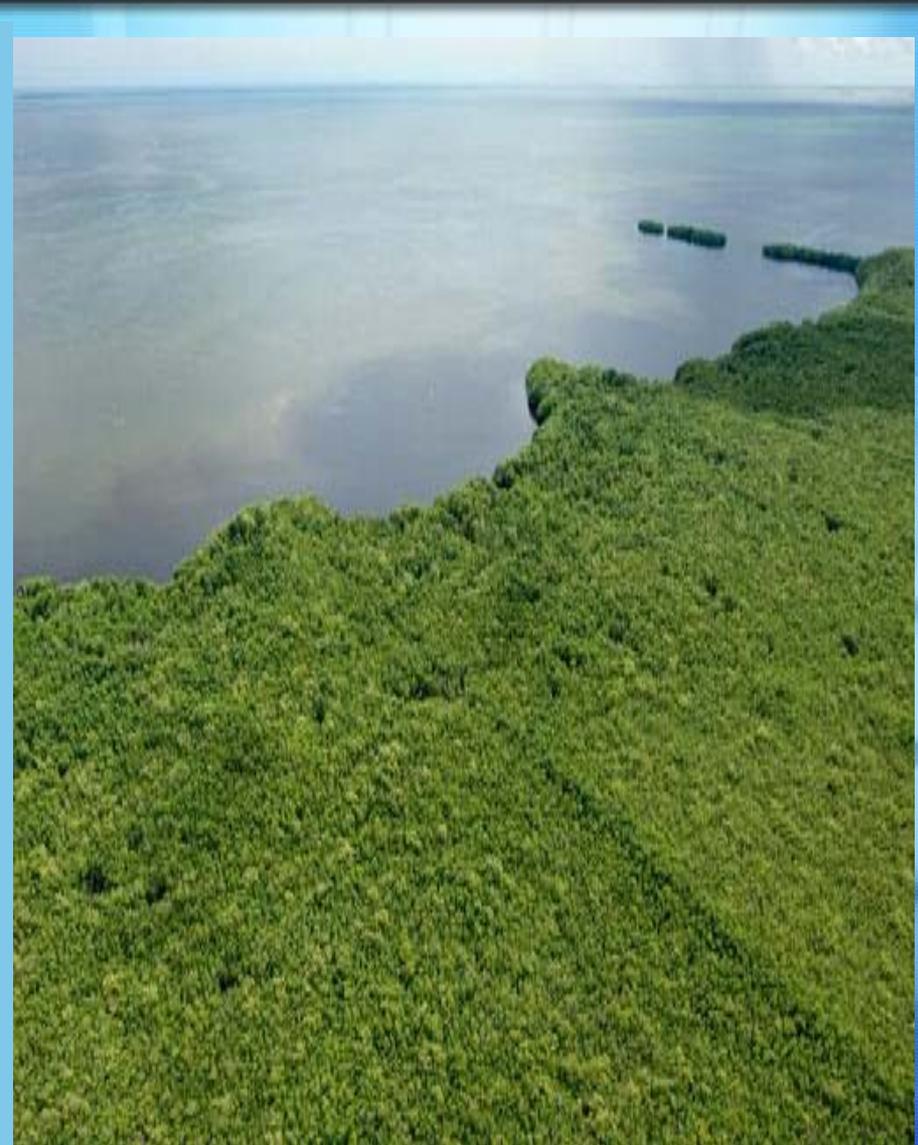
“Why this Project, Why Now”



- Improves delivery efficiency within Biscayne National Park
 - Redistributes freshwater flow and minimizes point source discharges
 - Preserves and restores natural coastal wetlands habitat
 - Re-establishes connectivity between the coastal and adjacent wetlands
 - Delivers fresh water to historical tidal creeks
 - Hydrates areas (tidal wetlands) susceptible to hypersaline conditions during extended dry periods
 - Improves near shore salinity regimes and re-establishes productive nursery habitat

SFWMD Project Commitment

- Project currently listed on CERP Integrated Delivery Schedule with a 2010 construction start by the South Florida Water Management District
- Expedited design and construction on several project components have already been completed or are currently underway
 - Deering Estate Features
 - L-31E Tidal Restoration Components
 - Cutler Flow Way
- Expedited Project elements meet all seven Project “Study Objectives”
- Provides early ecosystem restoration benefits by distributing flows along the coast and near shore including Biscayne National Park

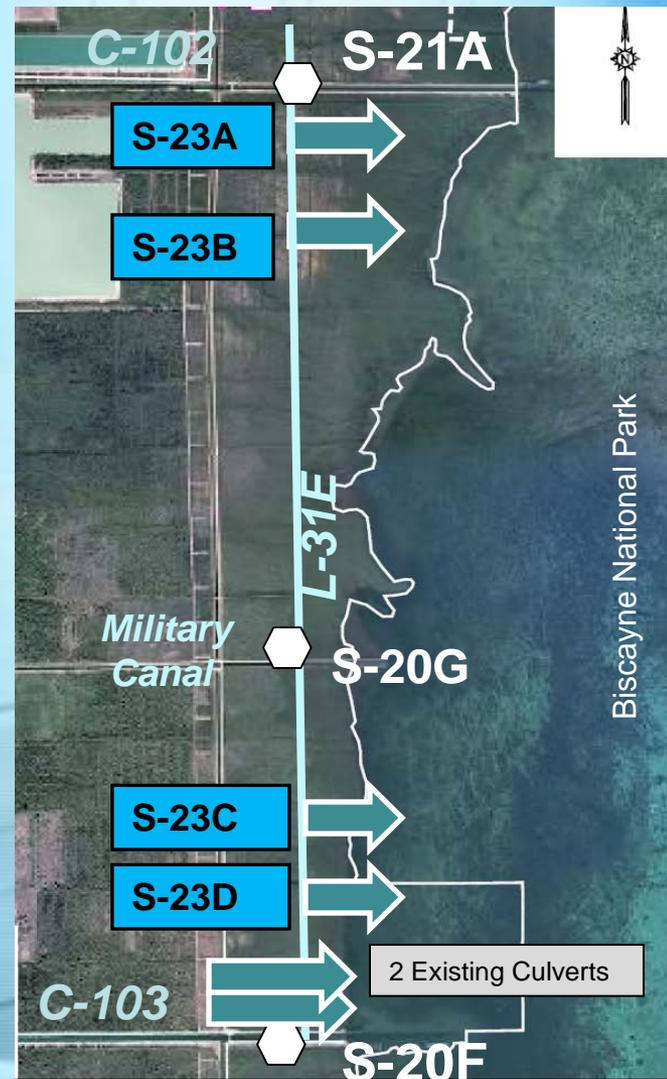


SFWMD Project Commitment

L31E Tidal Restoration Construction Complete

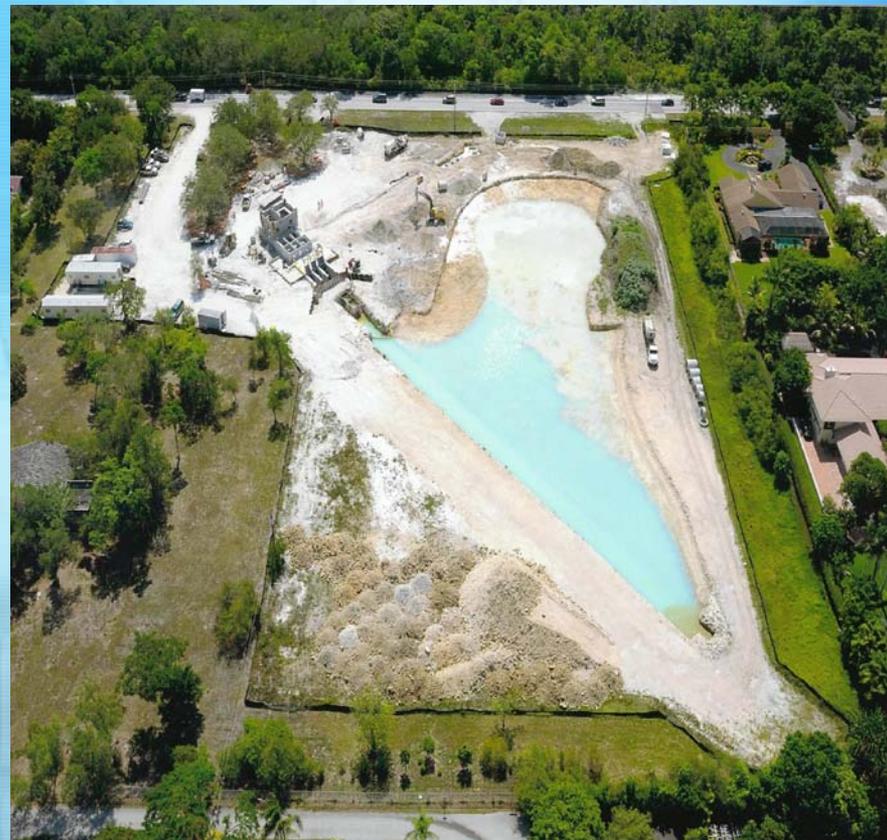
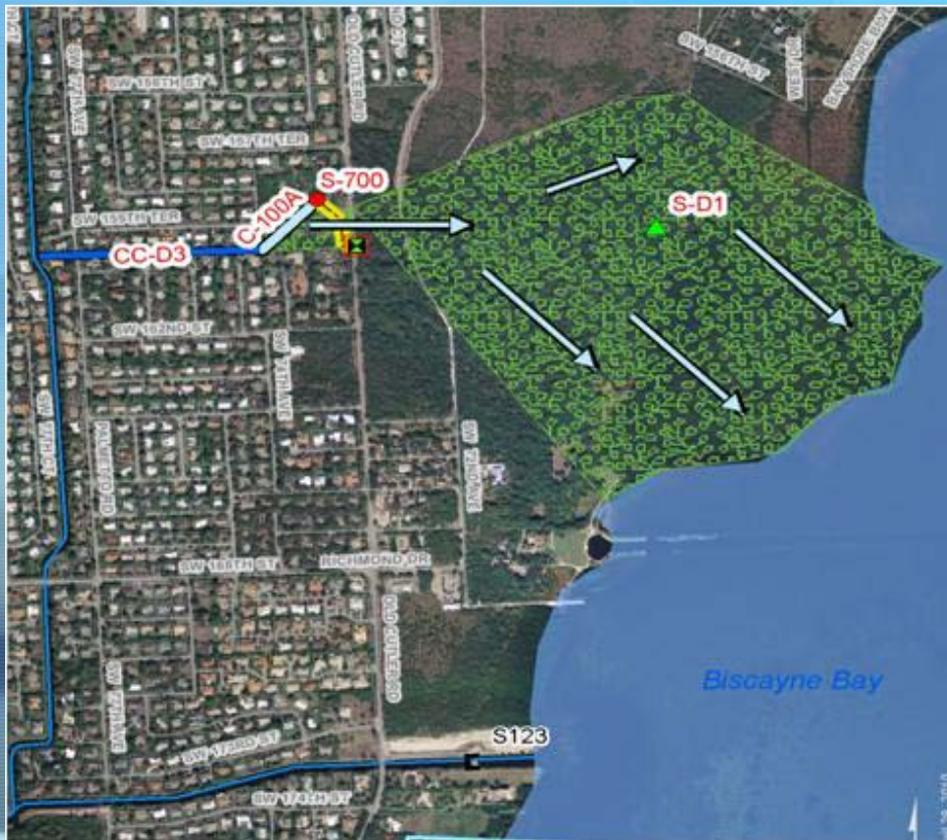


Completed – June 2010



SFWMD Project Commitment

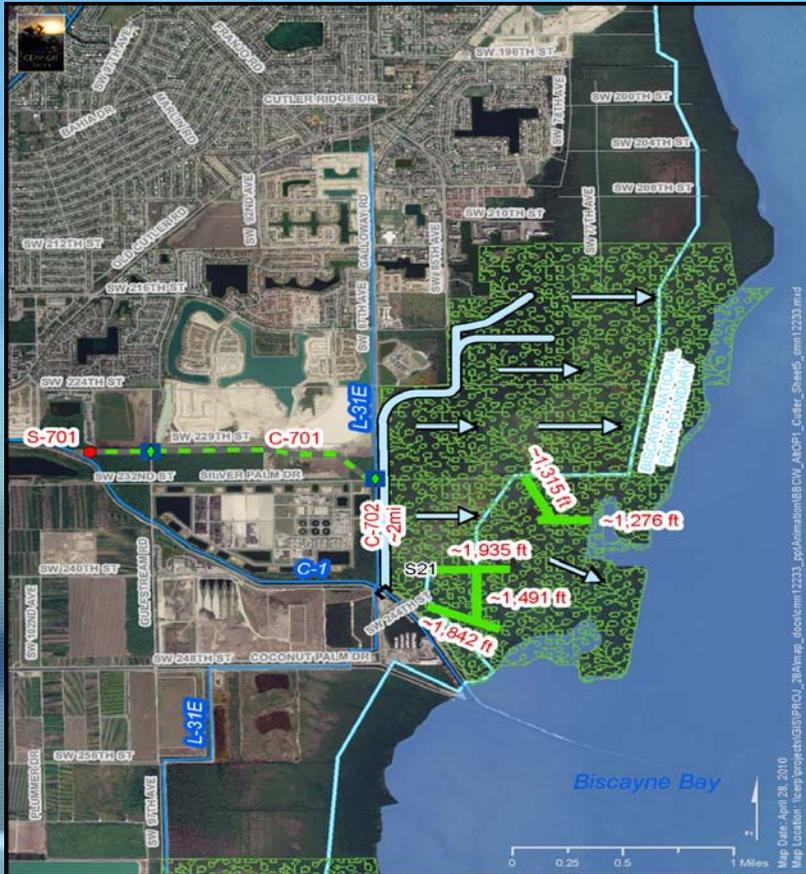
BBCW Deering Estate Features Construction Underway



Scheduled Completion – October 2011

SFWMD Project Commitment

Cutler Flow Way Design Complete



Completed – November 2009

SFWMD Project Commitment

Ecosystem Restoration Cost Element	SFWMD Expenditures to Date
Pre-Construction, Engineering and Design (PED)	\$13.9M
Construction	\$ 5.7M
Real Estate	\$57.4M
Total	\$77.0M

SFWMD Project Support

- SFWMD has provided a signed Letter of Support and Financial Capability Statement based on Governing Board approval at the August 2011 meeting
- SFWMD supports Civil Works Review Board approval of the Biscayne Bay Coastal Wetlands Phase I Final Integrated Project Implementation Report and Environmental Impact Statement



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

August 11, 2011

Colonel Alfred A. Pantano, Jr.
District Commander
U.S. Army Corps of Engineers
701 San Marco Boulevard
Jacksonville, FL 32207-8175

Dear Colonel Pantano:

Subject: Letter of Support for the Biscayne Bay Coastal Wetlands Phase I Final Integrated Project Implementation Report and Environmental Impact Statement dated July 2011

The purpose of this letter is to express the South Florida Water Management District's (SFWMD) support for the Biscayne Bay Coastal Wetlands Phase I Final Integrated Project Implementation Report and Environmental Impact Statement (PIR/EIS) dated July 2011. The project is intended to improve the quantity, quality, timing and distribution of freshwater discharges to the Biscayne Bay Coastal Wetlands and Biscayne Bay.

The authority for preparation of the Biscayne Bay Coastal Wetlands Phase I Final Integrated PIR/EIS is contained in Section 601(d) of the Water Resources Development Act of 2000. The Biscayne Bay Coastal Wetlands Phase I Project is currently listed on the Integrated Delivery Schedule with a 2010 construction start by the SFWMD, and expedited construction on several project components has begun. We are pleased to have completed the Final Integrated PIR/EIS phase of the project and look forward to full project implementation.

This letter, while not legally binding on the SFWMD, voices our support for the Biscayne Bay Coastal Wetlands Phase I Final Integrated PIR/EIS, and affirms our financial capability to satisfy the obligations of the non-federal sponsor described in the PIR/EIS, should a Project Partnership Agreement be executed by the parties.

We are proud to share a partnership with the U.S. Army Corps of Engineers on this vital project.

Sincerely,

Melissa L. Meeker
Executive Director

MLM/pv

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov



Department of Interior

Shannon Estenoz

Director, Everglades Restoration Initiatives
United States Department of the Interior



National Park Service Biscayne National Park

Mark Lewis
Superintendent, BNP



Agency Technical Review

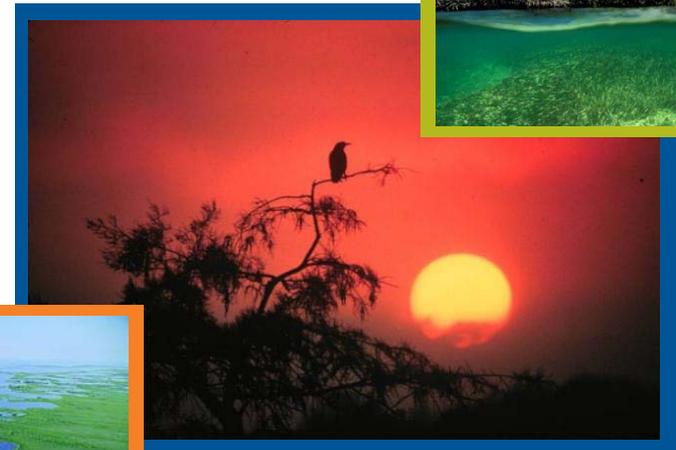
Scott Miner
ATR Lead, Sacramento District

Agency Technical Review



- ATR managed by Eco-PCX
- 3 reviews:
 - AFB Document – completed September 2007
 - Draft PIR – May 2009
 - Final PIR – August 2010
- 201 comments from 12 reviewers
- Prominent review concerns:
 - Ecosystem model certification/metrics/outputs (elevated at AFB)
 - Concise statements of problems, opportunities and objectives (AFB)
 - Real estate needed to ensure project benefits/real estate maps (DPIR)
 - Compliance with NEPA/other environmental directives (DPIR)
 - Correct and consistent presentation of project costs in report (DPIR/FPIR)
 - Consistent description of recommended plan (FPIR)
 - All comments resolved

Independent External Peer Review (IEPR) – Biscayne Bay Coastal Wetlands



Battelle

Karen Johnson-Young, Program Manager
Corey Wisneski, Project Manager

IEPR – Biscayne Bay

- The IEPR was conducted in 2009.
- Five Experts on IEPR Panel
 - Hydraulic Engineering – *Brian Bledsoe, Ph.D., P.E.*
 - Design and Construction Cost Engineering – *Charles Glagola, Ph.D., P.E.*
 - Economics – *Joe Mantey*
 - Coastal/Estuarine Ecology – *Ed Proffitt, Ph.D.*
 - Civil Works Planning – *Barton Rogers*

IEPR – Biscayne Bay (continued)

- Final IEPR Report Submitted on December 1, 2009
- IEPR Results: 19 Final Panel Comments: 2 high significance; 15 medium significance; 2 low significance
- Comment/Response Results Documented on February 5, 2010
- USACE response to Final Panel Comments: 19 concurs, 0 non-concurs.
- Panel's response to USACE: 19 concurs (including 3 concurs with comment), 0 non-concurs

IEPR – Biscayne Bay (continued)

- **Overall Comment:** There were 3 ‘concur with comment’ BackCheck responses from the Panel. The Panel recognizes that the Project Delivery Team stated during the DrChecks process that “the ecological monitoring plan will be expanded, as needed, to better measure changes and trends over time in mangrove communities and adjacent wetlands.” The Panel wants to underscore the importance of this expanded monitoring plan being fully coordinated with an adaptive management plan to ensure the success of the BBCW.
- Environmental analyses were complete. All issues identified in the Final Panel Comments were adequately addressed.
- Hydraulic engineering studies were complete. All issues identified in the Final Panel Comments were adequately addressed.
- Planning studies were complete. All issues identified in the Final Panel Comments were adequately addressed.
- Economic analyses were complete. All issues identified in the Final Panel Comments were adequately addressed.
- Design and construction cost engineering studies were complete. All issues identified in the Final Panel Comments were adequately addressed.



Civil Works Review Board

HQUSACE POLICY & LEGAL REVIEW CONCERNS

CERP, Biscayne Bay Coastal Wetlands Project Phase I

Jeanette Gallihugh
Office of Water Project Review
Planning and Policy Division

Washington, DC – 27 September 2011



CERP, Biscayne Bay Coastal Wetlands Project, Phase I

HQUSACE Team Reviews:

- AFB was held December 2007.
- Draft PIR/EIS review complete November 2009.
- Revised Draft PIR/EIS review complete February 2010.
- Final PIR/EIS: current review being completed by HQUSACE team.



CERP, Biscayne Bay Coastal Wetlands Project, Phase I

Policy Concerns from AFB and Draft PIR Reviews.

- Objectives and Constraints.
- Future Without Project Conditions.
- Regulatory Environment.
- Management Measures, Screening of Alternatives.
- Creation of Alternative O and Alternative O Phase I.
- Benefit outputs.
- Description of Models and Assumptions.
- HTRW and Residual Agricultural Chemicals on project lands.
- Monitoring and Adaptive Management.
- Peer Reviews.
- Sea-Level Rise.
- Environmental Coordination and Compliance.
- Real Estate considerations (LERR costs).
- Legal Clarifications/Language.



CERP, Biscayne Bay Coastal Wetlands Project, Phase I

Areas of Significant Policy Concern:

- Formulation of Alternative O Phase I
- Remediation of Soils with Ag Chemicals



CERP, Biscayne Bay Coastal Wetlands Project, Phase I

Formulation of Alternative O Phase I

CONCERN: The Final PIR still does not present the formulation of the final alternatives and the NER plan (Alt O Phase I) in a comprehensible manner.

REASON: The formulation of the NER plan is complex, and the phasing of the project was decided after an initial NER plan was developed. It is important for the report itself to clearly explain the formulation process and analyses, including the rationale for features included in Phase I, so that decision makers and other interested parties do not consider the Corps decision arbitrary.

RESOLUTION: The Final PIR needs to be revised to present the reasoning behind alternative formulation screenings and analyses, including the split of Alternative O and the rationale for features in Phase I, in a logical and comprehensive manner.

RESOLUTION IMPACT: Upon HQUSACE satisfactory review of the revised PIR the concern will be resolved. This should occur prior to release for S&A review.



CERP, Biscayne Bay Coastal Wetlands Project, Phase I

Residual Agricultural Chemicals

CONCERN: Final PIR was not written in accordance with new guidance from ASA(CW).

REASON: On 14 September 2011, ASA(CW) issued CERP - Residual Agricultural Chemicals guidance. In such a case, the NFS requests that the Corps include a section in PIR that discusses: ag chems in study area, regulatory documentation, any RCRA hazardous waste, cost comparisons, engineering and other risks, and a clear statement that NFS is responsible for 100% of cost of all actions taken due to the presence of residual agricultural chemicals.

RESOLUTION: The district is coordinating with the NFS to obtain all necessary information and data to revise the PIR in accordance with requirements of the ASA(CW) guidance. HQUSACE is reviewing the new guidance for proper implementation and will need to review and approve revised sections of the PIR.

RESOLUTION IMPACT: Concern will be resolved upon revision of the PIR and HQUSACE satisfactory review. S&A review should occur after resolution of this issue.



CERP, Biscayne Bay Coastal Wetlands Project, Phase I

HQUSACE Policy and Legal Compliance Review Team Recommendation

Approve release the PIR/EIS for S&A Review contingent upon HQUSACE review of revised final PIR in regards to discussion of Alternative O Phase I formulation and residual agricultural chemicals remediation per the ASA(CW) policy.