STATE 404 PROGRAM
PUBLIC NOTICE

TO WHOM IT MAY CONCERN: The Department of Environmental Protection has received an application for a State 404 Program permit pursuant to 62-331, Florida Administrative Code, as described below:

APPLICANT: South Florida Water Management District
Nirmala Jeyakumar
3301 Gun Club Road, West Palm Beach, FL 33406
(561) 682-6471

LOCATION: The project is located at the western end of the C-11 Canal in the alignment of Levee 37, adjacent to Griffin Road. The project lies within Section 28, Township 50 South, Range 39 East in Broward County.

APPROXIMATE CENTRAL COORDINATES: Latitude 26.061491° Longitude -80.442614°

LINK TO ATTACHMENTS: https://ftpportal.dep.state.fl.us/public/folder/3A1mlxSTK0ezVKxOgfmeew/0397014-001-SFI
(Password: S9S9A!)

PROJECT PURPOSE: The overall project purpose is trash rake installation and pump station maintenance at the existing S-9 and S-9A water control facilities on the C-11 Canal.

PROPOSED WORK: The applicant seeks authorization to conduct maintenance work at the S-9 and S-9A water control facilities. The applicant proposes to use 767 cubic yards of riprap and associated bedding stone to replace the riprap located between S-9 and S-9A. Additional repairs of the associated seepage and wingwall sheet piles are proposed, 625 cubic yards will be used to level the land behind the sheet piling walls.

The applicant also proposes to install an automated trash removal system. The automated trash removal system will require the design and construction of an upstream bridge with an approximate length of 124 feet and width of 25 feet. The trash rake system will be attached to the bridge. The applicant proposes to dredge 1,520 cubic yards from the C-11 canal to have a flat bottom for the construction of the bridge. The dredge material cannot be reused for the project and will be disposed at an appropriate offsite facility. Trash collected from the C-11 Canal will be hauled to an appropriate offsite waste disposal facility.

The proposed work will not take more than five years to complete.

EXISTING CONDITIONS: The 3.81-acre project site is comprised of Waters of the United States (WOTUS) associated with the C-11 Canal and the adjacent uplands. The upland consists of various access roads and parking area. There is also an existing spillway and pump station on the east edge of the project area known as the S-9 structure and it is currently in operation. The proposed project activity will occur in surface water only.

AVOIDANCE AND MINIMIZATION INFORMATION: Based on information provided by the applicant it is believed that the proposed plan is the least environmentally damaging practicable alternative. Best management practices will be used to eliminate and minimize impacts to wetlands and other surface waters:

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“Effective means of sedimentation and erosion control devices shall be employed during all activities that may create turbidity within the work zone and shall remain in place until the area is stabilized. Turbidity monitoring will be conducted during activities that could result in project generated turbidity levels beyond the work area that have the potential to be discharged to the receiving water body. All construction activities will be scheduled, coordinated and completed to avoid any impacts to State & Federally Threatened and Endangered Species. All construction staff will have Threatened and Endangered Species Training, Qualified Eastern Indigo Snake Training and Ground Nester Training through the SFWMD.”

COMPENSATORY MITIGATION: The project activity will not result in more than minimal individual and cumulative effects which are minor and to surface water only. The proposed work does not result in impacts to special aquatic sites such as wetlands and will not result in a net loss of waters of the US. Therefore, no compensatory mitigation is proposed.

CULTURAL RESOURCES: The Department has requested review from the State Historic Preservation Officer (SHPO) and those federally recognized Tribes with concerns in Florida and the permit area. No comments have been received from the federally recognized Tribes.

On February 10, 2021, SHPO reviewed the project site and determined that the proposed project is unlikely to affect historic properties. However, unexpected finds may occur during ground disturbance activities, and we request that the permit, if used, include the following specific conditions:

1. All ground disturbing project activities, including staging, shall avoid the culturally sensitive areas. If avoidance is not possible, further consultation with SHPO will be necessary.

2. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, F. S.

FEDERALLY AND STATE-LISTED SPECIES: The Department requested review from the Florida Fish and Wildlife Conservation Commission (FWC) and the US Fish and Wildlife Service (USFWS), and comments have been received.

On March 31, 2021, FWC and USFWS reviewed the project and provided the following comments:

1. FWC staff have determined the project will have no reasonable potential to affect federally listed species of fish or wildlife and therefore, no State 404 permit conditions are proposed for federally listed fish or wildlife species.

2. FWC staff also do not have State 404 permit conditions or technical assistance to provide for state-listed species.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the Department’s Office of Water Policy and Ecosystems Restoration at 3900 Commonwealth Blvd., Tallahassee, FL 32399, or by electronic mail at Kristyn.McClure@FloridaDEP.gov, within 30 days from the date of this notice. Written comments will be made part of the record and should reference the above permit application number. Objections must be factual, specific, and fully describe the reasons upon which any objection is founded. Any comments received will be considered by the Department to determine whether to issue, modify, condition, or deny a permit for this proposal. Unless a written request is filed with the Department within the 30-day public comment period, the Department may decide on the application without a public meeting.

EVALUATION: The determination as to whether a permit will be issued, or a public meeting held, will be based on an evaluation of all relevant factors, including the public comments received and the effect of the proposed work on the public

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interest, including, but not limited to, fish, wildlife, historical resources, and pollution. The specific permit decision criteria can be found in Chapter 62-331, Florida Administrative Code.

The Department is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. To make this consideration, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and other public interest factors. Comments are also used to determine the need for a public meeting and to determine the overall public interest of the proposed activity.

FOR FURTHER INFORMATION regarding this application, contact the project manager, Kristyn McClure, in writing at 3900 Commonwealth Blvd., Tallahassee, FL 32399; by electronic mail at Kristyn.McClure@FloridaDEP.gov; or by telephone at (850) 245-2974. Please include the permit application number referenced at the top of this page in any correspondence.

REQUEST FOR PUBLIC MEETING: Any person may request a public meeting. The request must be submitted to Kristyn McClure within the designated comment period of the notice and must state the specific reasons for requesting the public meeting.
NOTE:
1. DRAIN PIPING SHALL BE SCHEDULE 40 PVC PIPE.

NOTE:
DRAINAGE PIPING SHALL BE SCHEDULE 40 PVC PIPE.

NOTE:
MATCH ASPHALT PAVING TO NEW CONCRETE RAMP.

NOTE:
TYPE "A" STONE RIP RAP ASPHALT PAVING.

NOTE:
EXISTING PULL BOX.