



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

October 16, 2020

Noah Valenstein, Secretary
Florida Department of Environmental Protection
3900 Commonwealth Blvd, MS 49
Marjory Stoneman Douglas Building
Tallahassee, FL 32399-3000

Subject: 2020 Priority Water Body List and Schedule

Dear Secretary Valenstein:

On behalf of the Governing Board, I am pleased to submit the 2020 Priority Water Body List and Schedule for the establishment of Minimum Flows and Levels (MFLs) and Water Reservations. The list and schedule were approved by our Governing Board on October 8, 2020 (see enclosures). The 2020 Priority Water Body List demonstrates the Board's continuing commitment to utilize sound science to protect our water resources.

We are proud to have recently adopted an update to the Caloosahatchee River MFL after nearly a decade of scientific exploration. The science surrounding this important resource was technically solid, withstood a legal challenge, and became effective on December 9, 2019.

Consistent with Governor DeSantis' Executive Order 19-12, which instructed the District to advance key Everglades Restoration projects, the Everglades Agricultural Area (EAA) Reservoir Project was added to last year's Priority List. The District is expediting the construction schedule for the Stormwater Treatment Area (STA) component of the EAA Reservoir Project. A water reservation was selected as the appropriate mechanism to protect water resources needed for this project in the future.

A water reservation for the Kissimmee River, its floodplain, and the Chain of Lakes is being developed to protect water resources needed for the Kissimmee River Restoration project, a regionally significant restoration project. The reservation will protect approximately 172,500 acres of river, floodplain and lake habitat. A large portion of this reservation waterbody is within the Central Florida Water Initiative (CFWI) Planning Area.

The District made significant progress on both important water reservation efforts in 2020. Staff held multiple rule development workshops and addressed stakeholders' concerns by revising the draft rules and technical documents. Both water reservations are expected to be adopted before December 2020.

Changes to the Priority List:

The Florida Bay and Northwest Fork of the Loxahatchee River MFL waterbodies have been added to the 2020 list to comply with the guidance received from the Joint Administrative Procedures Committee to clarify the MFL as a flow rather than measure of salinity.

Cross-boundary Impacts:

There are no cross-boundary impacts associated with these priority waterbodies.

We look forward to the Department's review of this year's Priority Water Body List. If you have any questions, please contact Lawrence Glenn, Water Resources Division Director at (561) 682-6499.

Sincerely,



Drew Bartlett
Executive Director

DB/dm

Enclosures:

Attachment A
Governing Board Resolution
Priority List Spreadsheet

c: Christina Coger, DEP
Ed Smith, DEP
Pam Flores, DEP

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bc: Jennifer Brown
Mark Elsner
Jennifer Leeds
Toni Edwards
Lawrence Glenn
Jessica Frost
Don Medellin
Laura Scala-Olympio
Simon Sunderland

**South Florida Water Management District
2020 Priority Water Body List and Schedule
Minimum Flows and Levels and Reservations**

2020 - Reservations:

2020-2021 – Water Reservation for the Everglades Agricultural Area (EAA) Reservoir

- Develop a water reservation for the EAA Reservoir for new water to the Central Everglades
- Peer review completed in 2020
- Completed draft technical document and draft reservation rules
- Adopt rule in late 2020

2020-2021 – Water Reservation for the Kissimmee River and Chain of Lakes

- Reservation water bodies include:

Lakes Myrtle–Preston–Joel

Lakes Hart–Mary Jane

East Lake Tohopekaliga

Lake Tohopekaliga

Alligator Chain of Lakes (Alligator, Brick, Lizzie, Coon, Center and Trout)

Lake Gentry

Headwaters Revitalization Lakes (Lakes Kissimmee, Cypress and Hatchineha)

Kissimmee River and Floodplain

- Peer reviews completed in 2009 and 2020
- Completed revised technical document and revised draft reservation rules
- Incorporate technical information into rulemaking process
- Adopt rule in late 2020

2021 – 2024 Water Control Plan for the C-43 Reservoir

- Initiate Project Operations Manual (a/k/a Water Control Plan for the C-43 Reservoir) in coordination with federal and state partners
- Rulemaking is not required

2020 Minimum Flows and Levels:

2021 – Revise Minimum Flows and Levels Criteria for the Northwest Fork of the Loxahatchee River and Florida Bay to address comments received from the Joint Administrative Procedures Committee to clarify the MFL as a flow rather than measure of salinity.

Include all MFLs adopted since the previous priority list submittal.

Waterbody Name or Compliance Point ¹	System ²	Waterbody Type ³	County(s)	Year Adopted	Rule Number	Most Recent Re-Evaluation ⁴	MFL Status ⁵	RPS Title ⁶	Latitude ⁷	Longitude ⁷	Comments
Caloosahatchee River		Estuary	Lee	2019	40E-8.221(2)	2003	Recovery 3	C-43 Reservoir	26° 43' 20.58"	81° 41' 34.96"	Final Order Ruling in Favor of the District.

Include all Reservations adopted since the previous priority list submittal.

Waterbody Name	Waterbody Type ³	County(s)	Year Adopted
None			

¹ A spring with one vent should be labeled as "Example Spring." A spring with multiple associated vents should be labeled as "Example Springs." Multiple springs grouped together in a system should be labeled as "Example Spring Group." (Please refer to Florida Spring Classification System and Spring Glossary, Special Publication No. 52, for more details.) Include on individual lines, with specific names, if it is known at this time that there will be multiple waterbodies or compliance points (such as springs or multiple river gages) associated with the MFL.

² Include a system name if the waterbody (or compliance point) is a part of a larger system (i.e. river and spring waterbodies belong to one overall system, multiple priority springs represent individual MFLs but belong to one system). If not, then the Waterbody Name and System should be the same.

³ Aquifer, Estuary, Lake, River, River-Estuary, Spring-1, Spring-2, Spring-3, Wetland

⁴ Provide the most recent re-evaluation year. If there are older evaluations note in the comments "Prior re-evaluations in YYYY, YYYY ..."

⁵ See guidance on MFL Grades associated with the CAR. The options are: Meeting, Prevention, Recovery 1, Recovery 2, or Recovery 3.

⁶ Include the name of the Recovery or Prevention Strategy, or indicate if there is none. The options are: "Under Development" if currently working on the strategy, "MFL Scheduled for Reevaluation" if MFL is on priority list for reevaluation and no strategy is being drafted at this time as a result, "N/A" if MFL was determined to be meeting at time of MFL adoption.

⁷ For rivers, use the coordinates for the most upstream gage used to measure flow. For lakes, use the lake's center point. For springs, use the coordinates for the gage used to measure flow unless the gage is not located on the spring/spring run, in which case, use the spring's vent. For aquifers, wetlands, and estuaries, use the coordinates for the wells or gauge used to measure the water source's level. Please use Decimal Degrees (DD) formatting.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Resolution No. 2020 - 1011

A Resolution of the Governing Board of the South Florida Water Management District to authorize submission of the proposed 2020 Priority Water Body List and Schedule for Minimum Flows and Levels and Water Reservations to the Florida Department of Environmental Protection for review and approval pursuant to Section 373.042(3), Florida Statutes; Providing an effective date.

WHEREAS, the South Florida Water Management District (District) is required by Section 373.042(3), Florida Statutes (F.S.), to submit an annual update of the Priority Water Body List for Minimum Flows and Levels and Water Reservations that reflects the District's water resource management priorities, the importance of the waters to the region, and the existence of, or potential for, significant harm to the water resources;

WHEREAS, the water management districts are required to forward the Priority Water Body List and Schedule to the Florida Department of Environmental Protection for its review and approval; and,

WHEREAS, the proposed 2020 Priority Water Body List and Schedule for Minimum Flows and Levels and Water Reservations considers the differing resource issues addressed by minimum flows and levels and water reservations based on staffing and technical resources to ensure successful completion of rulemaking.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

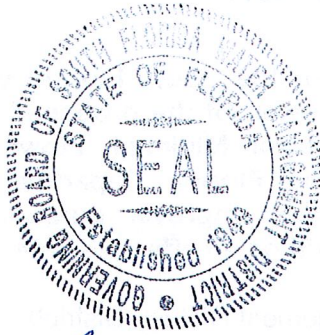
Section 1. The District's Governing Board hereby approves transmittal of the 2020 Reservations to the Florida Department of Environmental Protection for review and approval pursuant to Section 373.042(3), F.S.

Section 2. The 2020 Priority Water Body List and Schedule for Minimum Flows and Levels and Water Reservations is attached hereto and made a part hereof.

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Resolution No. 2020 - 1011

PASSED and ADOPTED this 8th day of October, 2020.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD
By:

A handwritten signature in blue ink, appearing to read "Chauncey P. Goss, II".

Chauncey P. Goss, II
Chairman

Attest:

A handwritten signature in blue ink, appearing to read "Katie Boyd".

District Clerk/Secretary

Legal form approved:

By:

A handwritten signature in blue ink, appearing to be initials.

Office of Counsel

Print name:

Jennifer Brown