
PROJECT DEFINITION REPORT

KISSIMMEE BASIN WATER RESERVATION RULE-2015

PS ID 100910

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Approvals


The signatures in this section of the project definition report should be revised to represent the various areas providing significant resources to the project.



Susan Gray, Bureau Chief, Applied Sciences

6/18/14

Date



Douglas MacLaughlin, Practice Leader, Regulatory & Everglades

6/20/14

Date



Maria Clemente, Bureau Chief, Water Use Permitting & Compliance

6/20/14

Date



Dean Powell, Bureau Chief, Water Supply

6/20/14

Date



Debra Azeredo, Bureau Chief, Water Quality

6/20/14

Date

Document prepared by: Toni Edwards, Coastal Ecosystems Section, Extension: 6387
Don Medellin, Coastal Ecosystems Section, Extension: 6340

Project Location

Include a map showing the project location with key identifiers (roads, structures, water bodies, north arrow and scale) on the map. If specific project locations are not known, provide a map of the region the project will be located or indicate that the project will be District wide if applicable.

The location of the Kissimmee Basin Water Reservation Rule project is shown in Figures 1 and 2 below. For the purposes of this project, the Kissimmee Basin includes the Kissimmee Chain of Lakes (Upper Chain of Lakes and Headwater Lakes including Lakes Kissimmee, Cypress, Hatchineha, Tohopekaliga, East Lake Tohopekaliga, Fell's Cove, Ajay, Hart, Mary Jane, Myrtle, Joel, Preston, Alligator, Brick, Lizzie, Coon, Center, Trout, and Gentry), and the Kissimmee River and floodplain, which are located in portions of Orange, Osceola, Polk, and Highlands Counties.

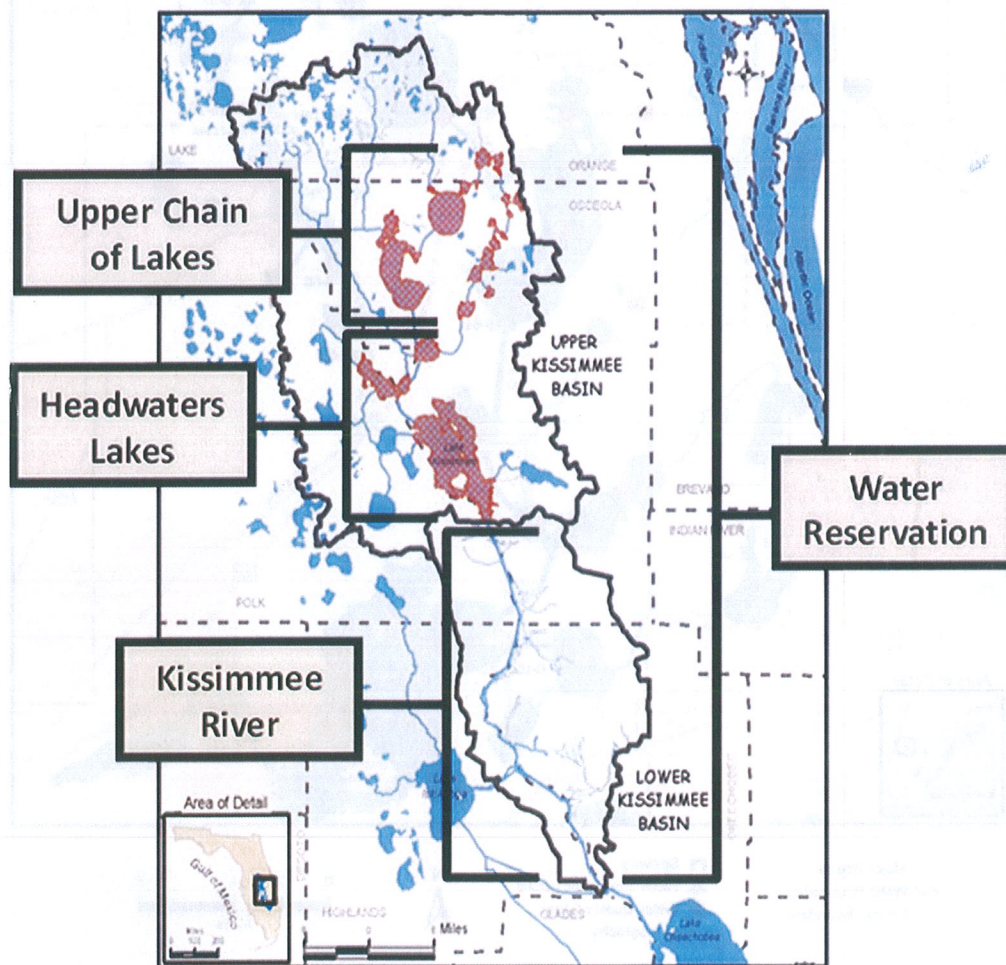


Figure 1. Location and components of the Kissimmee Basin Water Reservation Rule Project.

Project Description

Provide the description of the project. Why is the project necessary? Provide a summary of the work required. This description should be written for insertion into GB Memos and other high level documents. Describe benefits of the project to the District.

The purpose of this project is to develop and adopt a water reservation rule to reserve water for the protection of fish and wildlife in the Kissimmee Basin, in accordance with subsection 373.223(4), Florida Statutes (F.S.), and the 2014 Priority Water Body List and Schedule approved by the Governing Board on October 10, 2013. The project is necessary to ensure adequate water to sustain healthy fish and wildlife populations in the Kissimmee Basin and to protect them from the effects of consumptive use. The water reservation project benefits the District by providing support for a District strategic priority; restoration of the ecological integrity of the Kissimmee River and its floodplain. This strategic priority is being addressed through implementation of the Kissimmee River Restoration Project, a non-CERP project being carried out under a Project Cooperation Agreement between the United States Department of the Army and the District dated March 22, 1994 (Section 373.1501, F.S.). The Kissimmee River Restoration Project will restore more than 40 square miles of river-floodplain ecosystem, including almost 25,000 acres of wetlands and approximately 44 miles of historic river channel. An integral part of the restoration project is protection of water for fish and wildlife, which can be accomplished through adoption of a water reservation rule. The water reservation rule will enable the District to partially fulfill the State's mandates for the planning and protection of water resources through Parts I and II of Chapter 373, Florida Statutes. It is appropriate to protect the water for the fish and wildlife of the Kissimmee Basin in light of the Florida Legislature's declaration that the Kissimmee River Restoration Project is in the public interest, for a public purpose and necessary for the public health and welfare (Section 373.1501, F.S.). Broad categories of work required to complete this project include the following:

- Identification of the District and resource needs that will be addressed by development and adoption of the rule
- Identification of key technical and policy issues to be addressed prior to rule development
- Analysis and characterization of the resources to be protected under the rule
- Quantification of the water to be reserved for fish and wildlife under the rule
- Quantification of the any excess water for water supply
- Estimation of regulatory costs
- Development of rule criteria and language
- Stakeholder outreach
- Rule adoption

Project Scope

Provide a basic scope of the items that are in need of repair, replacement, or new items. Describe project components such as bridges, stormwater treatment areas, levees, structures. Identify potential design requirements and disciplines that may need to be considered (modeling, structural, civil, etc.)? Consider if doing demolition of buildings/structures if asbestos or lead paint are involved as they require additional coordination and may add time to project schedules.

The scope of this project is water reservation rule development and adoption. The water reservation rule will include the quantities of water in the water bodies of the Kissimmee Basin that are necessary to sustain healthy fish and wildlife populations, as identified through technical analyses. Quantities of water above and beyond that which is reserved for fish and wildlife may be available for allocation to consumptive uses as determined and certified by the Governing Board. This project is necessary to ensure the quantity of water needed for fish and wildlife are reserved for the natural system.

The following project specific work is needed to complete this water reservation rule development project:

- Technical analysis of the Kissimmee Basin, including analysis of its hydrology by modeling or other means, ecological components and their water needs, and identification, characterization and quantification of key variables effecting these factors
- Quantification of the water, by location in the basin, to be dedicated and protected for fish and wildlife based upon the technical analysis
- Development of a detailed technical document in support of rule development, including a summary of pertinent issues, basis for quantifying water to be dedicated and protected for fish and wildlife, identification of reservation water bodies, results of technical analysis, and the quantity of water to be reserved
- Independent scientific peer review of the technical analysis and resulting document (as needed)
- Development of a current Statement of Estimated Regulatory Costs (SERC)
- Development of rule criteria and language
- Public workshops for review of ongoing development activities and draft rule language prior to notices of proposed rule and rule adoption
- Preparation of rule adoption materials and presentations on the rule to the Water Resources Advisory Commission and Governing Board
- Post rule adoption activities required by law.

The following entities will be responsible for completing the work:

- The Coastal Ecosystems Section will be responsible for project management and coordination of related activities, and development of the reservation rule language and updates.

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- The Lake and River Ecosystems Section will be responsible for providing scientific expertise in support of the project by drafting the technical document and addendums, presenting the document for additional peer review if necessary, and finalizing the document.
 - The Water Use Bureau will provide regulatory guidance and support related to the regulatory process and assist in the SERC evaluation process.
 - The Water Supply Bureau will provide modeling and planning support to ensure consistency with the water supply plans and the regional water supply plan for Central Florida Water Initiative (CFWI).
 - The Office of Counsel will provide legal guidance throughout the rule development process and refinements of rule language for the water reservation rule.

Background

Provide the background of the project. What events led to the project initiation? Describe how this project was originated and how it fits in or contributes to the C&SF system.

This project was initiated to ensure protection of future water supplies in the Kissimmee Basin in support of the Kissimmee River Restoration Project, a non-CERP project to which the District has made a significant investment for restoration of the Kissimmee River and floodplain. The Central and Southern Florida (C&SF) Project was created by the U.S. Congress in 1948 to address naturally occurring hydrologic extremes in central and south Florida which posed a threat to fish and wildlife and public health and safety. As part of its statutory obligations, the District is responsible for the operation of the C&SF Project, as well as regional water supply and water quality protection, and ecosystem restoration. The Kissimmee Basin water reservation will provide a buffer from hydrologic extremes for fish and wildlife in the Kissimmee Basin and contribute to ongoing ecosystem restoration efforts being implemented as part of the Kissimmee River Restoration Project.

Permitting

What permits are required prior to construction? Does this project alter or change the C&SF project? What permits are needed for the contractor to obtain prior to construction? Will this require upfront negotiations prior to contractor obtaining the permit? Is the project covered by any existing Environmental Resource or Consumptive Use permits? Does the project impact the remaining permitted area if any or Works of the District (40E-61 or 40E-63, F.A.C.) permits? Do the permits need to be modified or ownership transferred? Are there impacts to the existing drainage patterns and how would they be resolved? What permits may be needed for the project? Identify the entity who's responsibility it is to obtain the permit.

No impacts to existing drainage patterns are anticipated as the result of this project. No permits are required for the project, nor is this project covered by any Environmental Resource or Consumptive Use permits. This project is not anticipated to result in alterations to the C&SF project. No permits need to

be modified or ownership transferred as the result of this project. Water reservation rules are subject to periodic review and revision in light of changed conditions. However, all presently existing legal uses of water at the time of water reservation rule adoption are protected so long as those uses are not contrary to the public interest.

Right of Way

What R/W permits are associated with the project? Are there conflicts with permits? If it's an Agricultural permit, what are the permit requirements such as flow and timeframes? Meet with local FS R/W representative for information. Are any utilities involved that affect the project or require relocations?

No right of way (ROW) permits or permit conflicts are associated with this project. No utilities are involved that affect the project or require relocations.

Real Estate

Does the District own the project lands (obtain certification from real estate)? Are there any land purchases necessary to move the project forward? Are zoning or land use changes required prior to construction? If other government agencies own part of the project lands, do we need to gain their approvals or swap lands? Do we need ROW or drainage easements? Do they need to be vacated prior to construction?

No land purchases are necessary to move this reservation rulemaking project forward. Lands within the lakes involved in this project are sovereign submerged lands owned by the State of Florida. The District is in the final stages of making land purchases for related future and ongoing restoration projects (Kissimmee River Headwaters Revitalization Project and Kissimmee River Restoration Project). No zoning or land use changes are required prior to completion of the project. No other government agencies own part of the lands affected by this project. No ROW or drainage easements are required, nor need vacation, for the project.

Public Use

Any public use associated with this project? Will public access need to be coordinated? County/State/Federal coordination required?

No public use or public access requirements are associated with this project. Coordination with county/state/federal agencies on the project is only related to gaining general agreement on the basis and specifics of water reservation development and rule adoption, but not public use.

Stakeholder Considerations

Who are the stakeholders for this project? Are there any stakeholder considerations, legal or regulatory mandates?

Stakeholders associated with this project are all interested parties in the Kissimmee Basin. It is a District priority to gain consensus from stakeholders on the necessity and basis of the water reservation, however this is not a legal or regulatory mandate.

Public Outreach

Are there any public outreach requirements? Will the project require negotiations, meetings, presentations, fact sheets, mailers or door to door communication for completing project tasks? Which service center area would support the outreach efforts?

Public outreach about ongoing project activities will be accomplished through appropriate means (public workshops, one-on-one communications with stakeholders as needed, presentations at WRAC and Governing Board meetings, District websites and web boards, etc.). Once the Governing Board approves publication of the Notice of Proposed Rule, the District is required to mail notice to all persons named in the proposed rule, to those who have requested notice, and to those particular classes of persons to whom the intended action is directed prior to rule adoption. The notification contains the draft rule language. Outreach efforts would be supported by the West Palm Beach Service Center.

Operations

Coordinate with operations to identify operational constraints that may need to be considered during design and construction. How do the operations of the modified or new project affect the basin? Would any additional modifications be needed? Are there any adjacent structures or facilities that may be impacted? If so, how will the impacts be resolved?

No construction components, anticipated operational constraints, or design or construction considerations are associated with this project. Water reservation rule criteria are anticipated to be met through existing regulatory schedules and the operation flexibility afforded within existing systems operation manuals.

Operations and Maintenance

Which Field Station oversees this project? What past major maintenance or construction has occurred? Has the project been coordinated with the Field Station? Does the Field Station have the resources, manpower and equipment to provide operations and maintenance once the project is online?

No field stations oversee this project, and the implementation of the water reservation will be conducted under existing operations and field station resources. Management of the water reservation will be directed from the West Palm Beach Service Center.

SCADA, Instrumentation, Telemetry

Is SCADA, instrumentation or telemetry required for the project? If so, are all existing features functional or in need of repair or upgrade? Is power required for the structure and equipment? Is the project within a tower service area? If so, which one? Does the nearest tower have available capacity to monitor a new site or are upgrades required?

No new or additional SCADA, instrumentation or telemetry use are required for this project, as it will be implemented under existing operations.

Security

Is Security required for the project? Is it a pump station, gate, tower, sampling area or another type of facility that needs to be protected or secured? If so, will security be passive, such as bollards, lighting, or fencing or will it be electronic? Is power and/or conduits required for the project security equipment? Does the security include a connection to emergency services? Project location may determine the type of security system required – areas of concern, Urban vs. Rural, EAA vs. Miami-Dade, etc. Discuss any special project needs or requirements.

No new or additional security measures are required for this project, as it will be implemented under existing operations and security.

Information Technology

Any IT repairs, replacements or new installations needed? Has coordination been done with IT?

No new or additional IT resources are required for this project, as it will be implemented under existing operations and with existing IT resources.

Environmental

Does the project include or impact any existing wetlands or sensitive areas? How will these areas be impacted by the project? Is coordination with SHPPO or other archaeological agencies required? Is the project in known Tribal Lands? Are there threatened and endangered species present? Is an avian protection plan required? Is the project consistent with FDEP Total Maximum Daily Load (TMDL) program goals or requirements? Is coordination with the District's TMDL coordinator required? Are there any special concerns that must be dealt with such as asbestos or lead paint?

This project includes and is anticipated to positively impact existing wetlands and sensitive areas in the lakes, river and floodplain of the Kissimmee Basin (see Project Location section above). Impacts include regulation of surface water flows and levels through the reservation of water. No archaeological resources, Tribal Lands, threatened or endangered species, or birds (avian) are anticipated to be negatively impacted by the project, however coordination with groups and stakeholders on these issues will be included in the public outreach phase of the project. Water quality impacts are not anticipated as the result of this project. However, if water quality issues are encountered during the rule development process that may affect ongoing or established TMDL development processes, appropriate coordination with FDEP on such issues will be conducted. There are no asbestos or lead paint concerns associated with the project.

Monitoring

Are there any monitoring requirements for the project during and post construction (i.e. water quality, environmental, groundwater, turbidity, manatee, T&E, avian protection plan, etc.)?

No new monitoring is to be conducted for this project. Technical analyses will be performed with existing data.

Commissioning

Is commissioning required to bring project online and at what level? Is a commissioning plan required? What technical areas of expertise are needed? What tests are required to commission the work? Provide seasonal considerations for commissioning. Will the project be transferred to the District?

Not applicable.

Lessons Learned

Lessons learned on other similar projects that can be implemented on this project.

From previous water reservation rule development projects, the District has learned the value of following actions, which can also be implemented on this project:

- Strong project management and coordination efforts to ensure the timely meeting of project milestones
- Accessing best available information and expertise both internal and external to the District to provide scientific defensibility of the project
- Early and regular internal and external communications about the objectives and progress of the project, especially among stakeholders, to gain consensus on the District's rule development approach and the necessity and benefits of the rule.

Conceptual Alternative Options

Identify potential conceptual alternatives to be considered for repair, replacement, or new items.

Not applicable.

Cost Estimates

Provide costs estimates for conceptual alternatives.

Not applicable.

Recommendations

Discuss conceptual alternatives and provide recommendations for a preferred alternative. This preferred recommendation should be provided so as to not to be prescriptive and prevent further detailed alternatives analysis.

Not applicable.

Project Milestones

- **Key timeframes for design and construction**
- **Any legal or regulatory mandates driving the project to a certain date**

Per the 2014 Priority List and Schedule, adoption of the Kissimmee Basin water reservation rule is due by December 2015. Milestones shown in Table 1 are tentative pending further evaluation.

Table 1. Tentative schedule for the Kissimmee Basin Water Reservation Rule Project.

Year	FY2014												FY2015											
	Q1			Q2			Q3			Q4			Q1			Q2			Q3			Q4		
Month	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
GB Meeting - Notice of Rule Development						■																		
Public kick-off meeting							■																	
Technical analysis							■	■	■	■	■	■												
Rule criteria development												■	■	■	■									
Produce 1st draft of technical document													■	■	■	■								
Scientific peer review																■	■	■	■					
Produce 2nd draft of technical document																	■	■	■	■				
Stakeholder review and comment on technical document																		■	■	■	■			
Produce final technical document																			■	■	■	■		
Rule development																				■	■	■	■	
Public workshop																					■	■	■	■
WRAC and GB Meetings - Notice of Proposed Rule & comment period																							■	■
WRAC and GB Meetings - Notice of Rule Adoption																								■

Resource Requirements

Table 2. Resource requirement for the Kissimmee Basin Water Reservation Rule Project.

Functions	Skill of Functional Employees	Identify Employees	Total Hours and FTEs Required for Complete Project			
			FY2014		FY2015	
			Hours	FTE	Hours	FTE
Project Management	See Table 3	See Table 3	175	0.084	175	0.084
Technical Support	See Table 3	See Table 3	328	0.157	328	0.157
Policy Review	See Table 3	See Table 3	37.5	0.018	37.5	0.018
Legal Support	See Table 3	See Table 3	125	0.060	125	0.060
Permitting Support	See Table 3	See Table 3	130	0.063	130	0.063
Modeling Support	See Table 3	See Table 3	145	0.070	145	0.070
SERC Development	See Table 3	See Table 3	40	0.019	40	0.019
Lake Okeechobee Coordination	See Table 3	See Table 3	25	0.012	25	0.012
Technical Editing	See Table 3	See Table 3	25	0.012	25	0.012
Total Resource Requirements			1030	0.495	1030	0.495

Table 3. Staffing requirements for the Kissimmee Basin Water Reservation Rule Project.

Name	Title	Work Group / Project Role	Phone Number/ Extension	Activity/ Network Codes	FY2014 Hours*	FY2015 Hours *
Don Medellin	Principal Scientist	Coastal Ecosystems/ Project Manager	6340		150	150
Toni Edwards	Senior Scientist	Coastal Ecosystems/ Co-project Manager & Technical Support	6387		50	50
Susan Gray	Bureau Chief	Applied Sciences Bureau/Lake Okeechobee Coordination	6919		25	25
Peter Doering	Section Administrator	Coastal Ecosystems/ Technical Support	2772		25	25
Scott Burns	Chief Scientist	Applied Sciences/ Policy Review & Technical Support	6544		75	75
Melody Hunt	Lead Envir. Scientist	Coastal Ecosystems/ Technical Support	2736		25	25
Beth Ross	Senior Specialist Attorney	Office of Counsel/ Legal Support	6257		75	75
Jennifer Bokankowitz	Attorney	Office of Counsel/ Legal Support	2258		50	50
Steven Memberg	WU Policy Principal Scientist	Water Use Bureau/ Permitting Support	2133		50	50
Nicholas Vitani	Science Supervisor	Orlando Service Center/Water Use Permitting/ Permitting Support	3816		40	40
Louis Bustamante	Scientist 3	Orlando Service Center/Water Use Permitting/ Permitting Support	3827		40	40
Lawrence Glenn	Section Administrator	Lake & River Ecosystems/ Technical Support	6499		75	75
Chris Carlson	Senior Supervising Geographer	Lake & River Ecosystems/ Technical Support	6143		50	50
David Anderson	Lead Envir. Scientist	Lake & River Ecosystems/ Technical Support	6717		50	50
Zach Welch	Senior Scientist	Lake & River Ecosystems/ Technical Support	2824		40	40

Name	Title	Work Group / Project Role	Phone Number/ Extension	Activity/ Network Codes	FY2014 Hours*	FY2015 Hours *
Akin Owosina	Section Administrator	Hydrologic & Environmental Systems Modeling/ Modeling Support	2924		40	40
Ken Konyha	Principal Hydrologic Modeler	Water Resources Modeling/Modeling Support	2024		75	75
Rama Rani	Section Leader	Groundwater Modeling/Modeling Support	6354		30	30
Ian Miller	Lead Economist	Water Supply Coordination/SERC	2057		40	40
Ken Chen	Technical Editor	Technical Resources/Technical Editing	6329	Cost Center: 1681	25	25

* Hours are estimated.

Project Deliverable and Schedule

Table 4. Staffing requirements for the Kissimmee Basin Water Reservation Rule Project.

Fiscal Year	Deliverable	Schedule
NA	Survey	
NA	Geotechnical	
NA	Design	
NA	R/W Coordination	
NA	Land Coordination	
NA	Public Outreach	
NA	Permitting	
NA	Bid Process	GB Month
NA	Notice to Proceed	
June FY14	Rule Development	Start - GB Approval
June FY16	Rule Adoption	Complete – GB Approval

Project Funding Sources

Provide funding source(s) for project.

Funds (\$55,000) for the Statement of Estimated Regulatory Costs (SERC) are included in the Coastal Ecosystems Section FY-15 Budget.

References

What references are available and found during research of this project? Provide the Documentum path to the information.

References and the path to Documentum will be available at a later time.

Photographs

Project Schematic Diagram

Appendix A - Cost Estimate
