



Florida Department of Environmental Protection

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3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

January 31, 2007

Ms. Carol Ann Wehle
Executive Director
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33416-4680

Dear Executive Director Wehle:

Thank you for your January 3, 2007, request to revise the *Everglades Protection Area Tributary Basins Long-Term Plan for Achieving Water Quality Goals* (Long-Term Plan). The Department appreciates your efforts to implement the adaptive implementation approach envisioned in the Long-Term Plan, which will greatly enhance Florida's efforts to restore and protect the Everglades ecosystem.

The proposed revisions include:

1. Addition of the Everglades Agricultural Area (EAA) Conveyance and Regional Treatment (ECART) Project (Figure 1). The ECART Project has been identified as the preferred alternative from the EAA Regional Feasibility Study, completed in 2005.

The ECART Project consists of the following components:

- Construction of approximately three miles of new canal connecting the West Palm Beach Canal to the Sam Senter Canal.
- Expansion of approximately 37 miles of existing canals, including the Sam Senter, Ocean, Hillsboro, Cross and North New River Canals.
- Construction of two new water control structures: one in the West Palm Beach Canal and one in the Hillsboro Canal.
- Land acquisition.

The schedule is to complete the Basis of Design Report (BODR) in 2007, Final Plans and Specifications in 2008 and construction in 2010. It is understood that the completion date may be revised upon completion of the BODR. The preliminary cost estimate for this project is \$189 million, including design, engineering, land acquisition, construction and construction management.

2. Integration of the L-8 Basin Comprehensive Everglades Restoration Plan (CERP) Project (Figure 2) into the Long-Term Plan. This project is consistent with the intent of the Legislature that "implementation of the Long-Term Plan shall be integrated and consistent with the implementation of the projects and activities in the Congressionally authorized components of the CERP so that unnecessary and duplicative costs will be avoided" (Section 373.4592(3)(c), Florida Statutes). A fundamental assumption of the Everglades Construction Project and EAA Regional Feasibility Study is that L-8 Basin runoff will be diverted away from the Stormwater Treatment Areas to ensure their proper operation. The preferred alternative is to expedite the CERP L-8 Basin Project by using Long-Term Plan funding to assist with the implementation of the inflow structure and/or outflow pumps in FY2007. The conceptual schedule for this project as documented in the Restudy, i.e. the Yellow Book, showed construction starting in approximately 2008. By providing FY2007 Long-Term Plan funding, the L-8 Project can be started earlier than the original schedule. By starting to send L-8 Basin runoff into the reservoir, large runoff events will be attenuated in the reservoir and phosphorus uptake will occur. Although it is difficult to quantify the precise amount of phosphorus that will be removed, some phosphorus reduction benefit can be anticipated. The amount of Long-Term Plan funding to be initially provided in FY2007 is \$1 million, with an additional \$1 million to potentially be provided later in FY2007 if CERP funding is not available and the funds are needed to maintain the expedited L-8 Basin Project schedule.
3. Revisions to the Source Controls Projects in the Non-Everglades Construction Project (Non-ECP) Basins. These include revisions to the strategies, schedules and recommended source control projects in two Non-ECP Basins (North Springs Improvement District and North New River Canal Basin).

The October 2003 Long-Term Plan included strategies, schedules and recommended funding for Source Controls Projects in the non-ECP Basins for FY2004-FY2006, based on the official CERP schedules that were in effect at the time that the Long-Term Plan was developed. Because the official CERP project schedules have been revised since the development of the 2003 Long-Term Plan, the current proposed revisions are set forth in revised sections 3.2 (NSID) and 3.3 (NNRCB) of Part 3 of the Long-Term Plan and are summarized as follows:

Basin

North Springs
Improvement
District

Revision

Divert current NSID releases to WCA-2A, other than necessary for flood control emergencies, to the Hillsboro Canal & CERP Hillsboro Site 1 Project (CERP schedule for completion 2007; currently planned for completion by *Acceler8* in 2009). To offset this change in the schedule, the following additional strategies are being implemented:

- Reinforce source control programs through existing regulatory programs (e.g. Environmental Resource Permitting).
- Assist Broward County in developing a comprehensive pollution prevention plan for the NSID Basin with specific water quality goals and milestones.
- Provide additional funding (described below).
- Rely on diversion by CERP Site 1 project to divert discharges, except as necessary for flood control emergencies, which are projected to be *de minimus* (average annual TP load \approx 7 kg).

North New River
Canal Basin

Discontinue use of G-123, other than necessary for water supply or flood control emergencies, until completion of WCA-2 and WCA-3 Diversion CERP Project (the original CERP Project was scheduled for completion by 2018; current CERP schedule is for completion between 2020-2025). To offset the change in the schedule, the following additional strategies are being implemented:

- Reinforce source control programs through existing regulatory programs (e.g. Environmental Resource Permitting).
- Assist Broward County in developing a comprehensive pollution prevention plan for the NNRC Basin with specific water quality goals and milestones.
- Provide additional funding (described below).
- Rely on diversion by CERP WCA-2 and WCA-3 Diversion Project, except as necessary for flood control emergencies, which are projected to be *de minimus* (average annual TP load \approx 30 kg).

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The original Long-Term Plan recommended funding end in FY2006 for Source Controls projects in the Non-ECP Basins. Therefore, as described in the revised Part 3 of the Long-Term Plan, funding revisions are now proposed to provide \$150,000 (\$50,000 per year in FY2007 through FY 2009) in the Feeder Canal Basin and \$534,000 combined total in FY2007 through FY2010 in the Broward County Basins (C-11W, NNRC and NSID Basins).

4. Provide funding for Manatee Barriers on Lake Okeechobee Outlet Structures as required by the U.S. Army Corps of Engineers Clean Water Act Section 404 Permit for authorization of construction of the STA-5 Flow-way 3. Barriers on the Lake Okeechobee Outlet Structures are more cost effective than multiple barriers on several individual STA structures. Since permit-related costs are intended to be included in the Long-Term Plan, funding for this new expense is being added.

The Department is aware that the proposed revisions were discussed at the October 12, 2006, Long-Term Plan Communications Meeting and approved by the Governing Board at the December 2006 meeting. Our permitting staff is aware of these revisions and will incorporate any modifications necessary to the permits to accommodate these revisions. We will work with District staff to ensure that the required request for permit modification is submitted consistent with the proposed revision. We also believe the proposed revisions are consistent with the adaptive implementation process envisioned under the Everglades Forever Act (Section 373.4592, Florida Statutes).

The Department hereby approves the District's proposed revisions to the Long-Term Plan. A description of these revisions must be included in the 2007 South Florida Environmental Report in lieu of the Everglades Consolidated Report, as required by Section 1.10.4 of the Long-Term Plan.

If you have any questions regarding this approval, please direct them to Frank Nearhoof at (850) 245-8420 or frank.nearhoof@dep.state.fl.us.

Sincerely,



Michael Sole
Secretary

MWS/fln
Enclosure



Figure 2 – Schematic of L-8 CERP Project

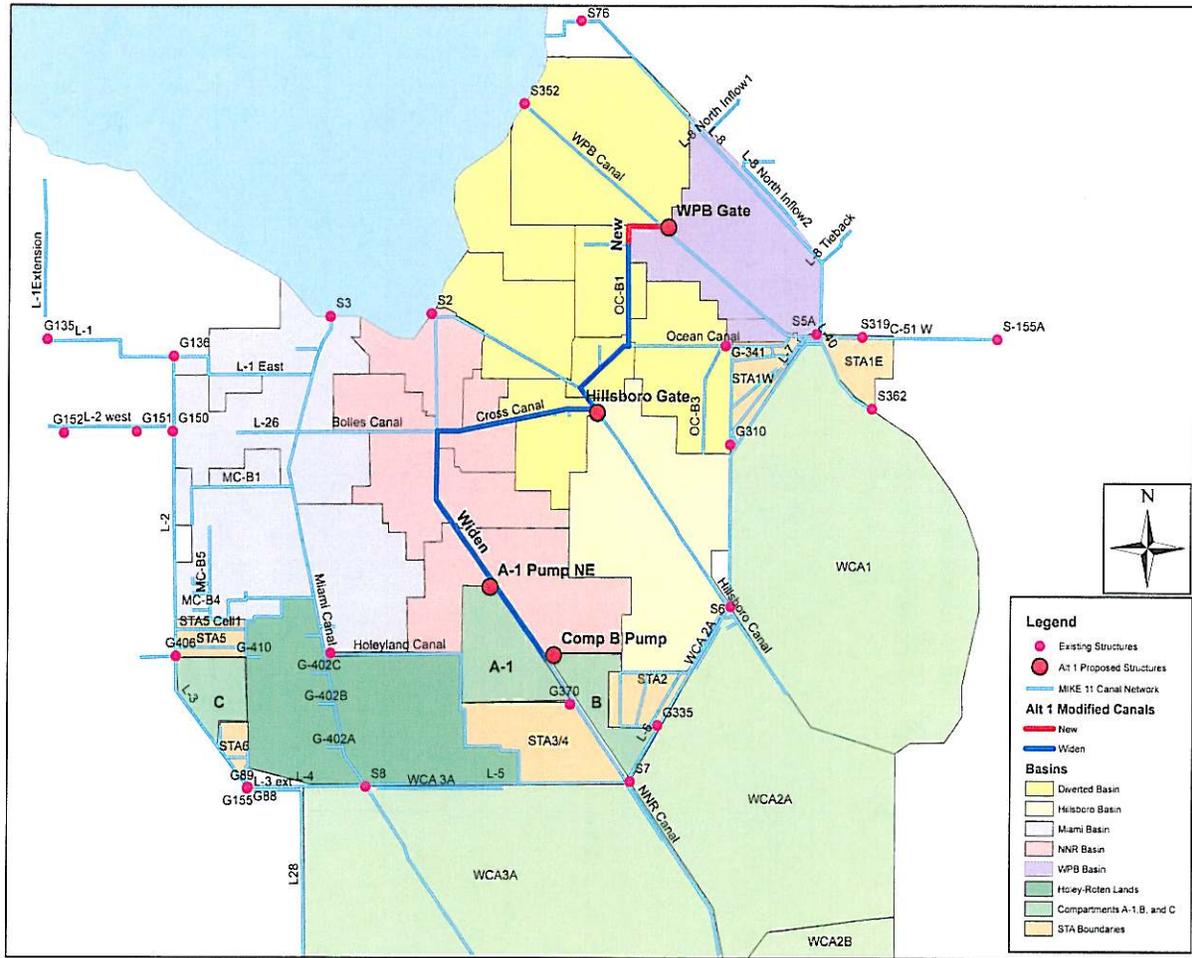


Figure 1. Schematic of ECART Project.