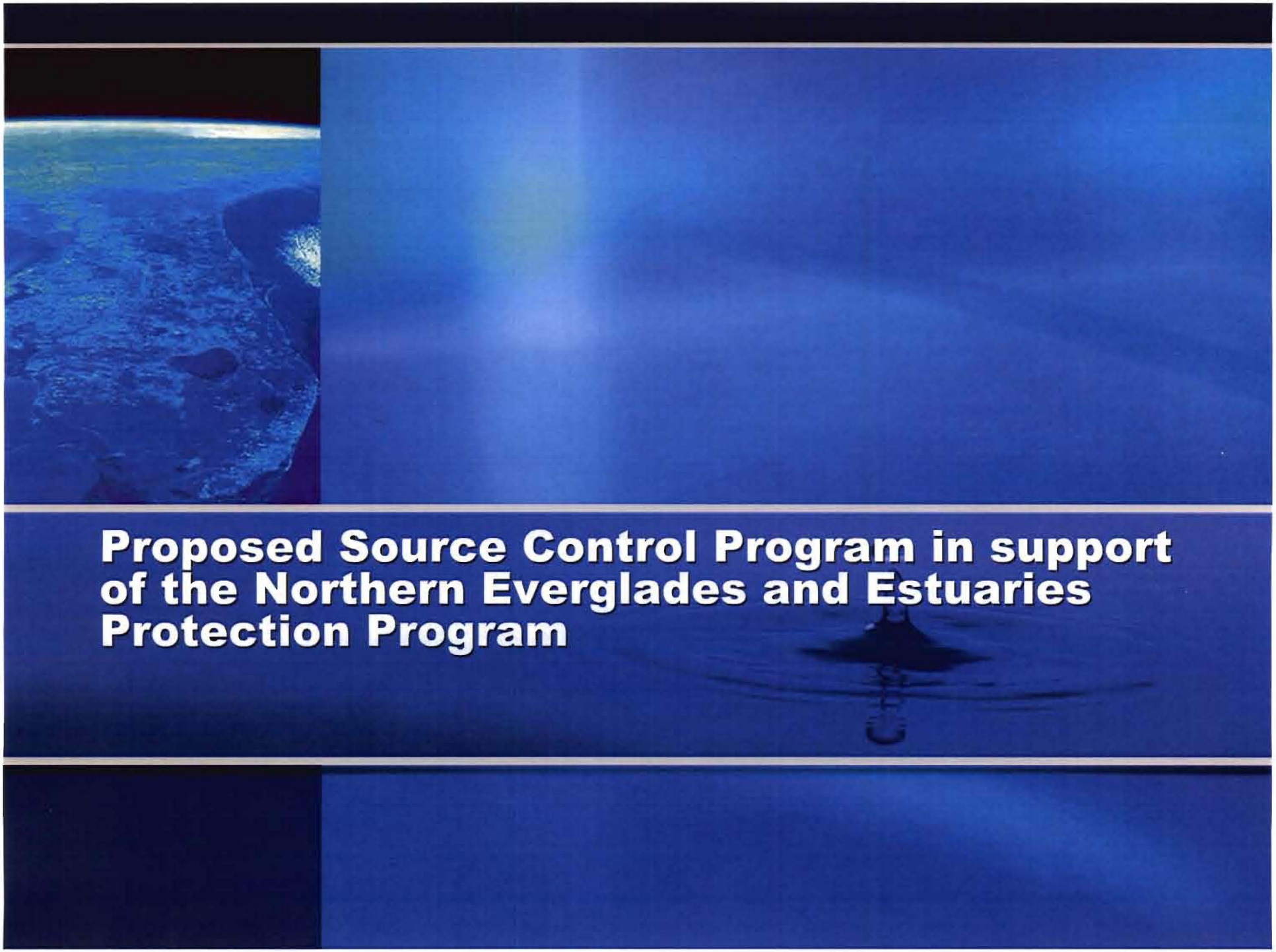
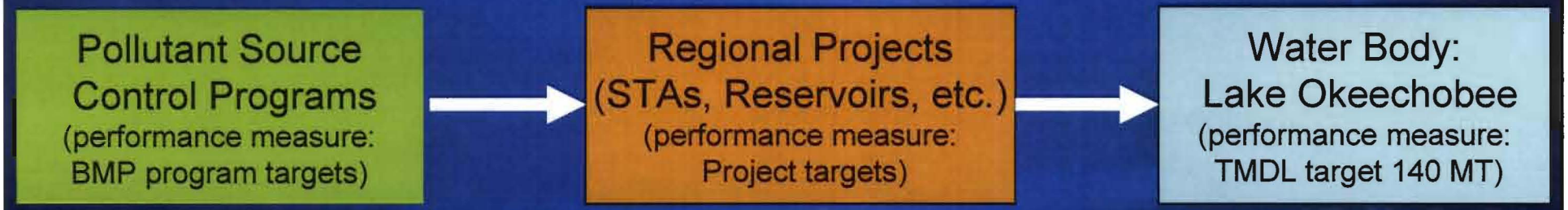


Proposed Source Control Program in support of the Northern Everglades and Estuaries Protection Program

Proposed Pollutant Source Control Program in support of the Northern Everglades and Estuaries Protection Program

- **Objective:**

  To evolve and expand the existing source control program which is a component of the overall Northern Everglades restoration program.



Water Quality Treatment Train

Program History

- Surface Water Improvement and Management (SWIM) Act -1987
  - Chapter 40E-61 – Lake Okeechobee Works of the District (WOD) rule - 1989
- The Lake Okeechobee Protection Act (LOPA) – 2000
- The Northern Everglades and Estuaries Protection Program (NEEPP) - 2007

District Mandates

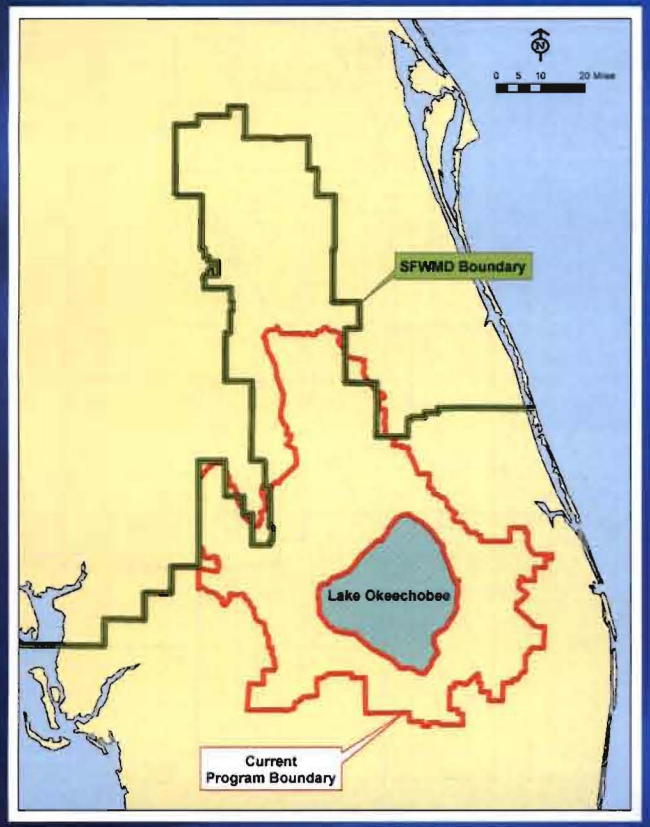
- The Lake Okeechobee Protection Act (LOPA) and the Northern Everglades Legislation
  - Establish relationship of coordinating agencies
  - Expand the jurisdiction of 40E-61
  - Requires the District to Implement the Lake Okeechobee Protection Plan
  - Requires District to meet Total Maximum Daily Load (TMDL) – 1/1/2015
  - Required the District to modify and update the Lake Okeechobee Operating Permit which is regulated by Florida Department of Environmental Protection (FDEP)

FDEP permit requirements

- Implement the Lake Okeechobee Protection Plan (LOPP)
- Assess compliance with TMDL prior to 2015
- Comply with water quality standards to the maximum extent practicable

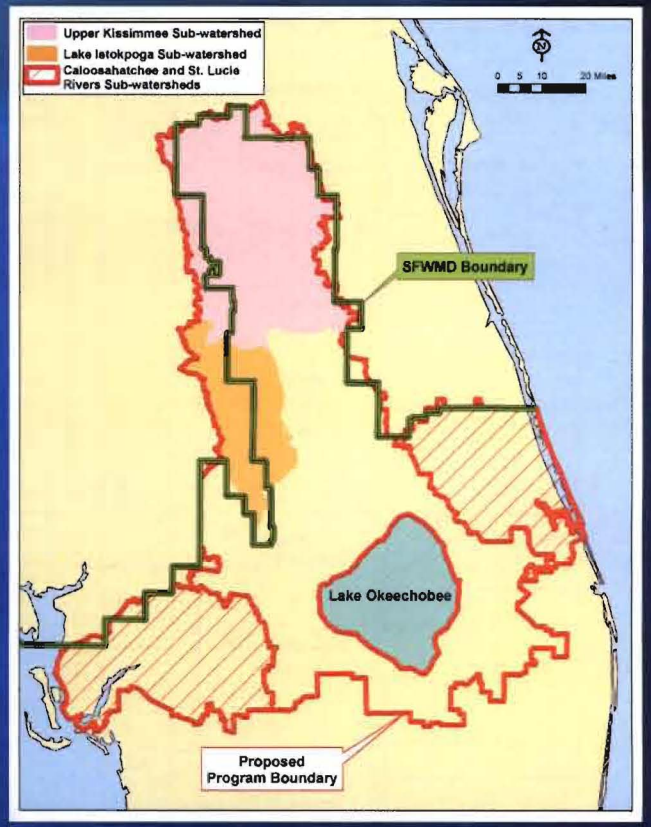
Expanded Program Boundary

Current 40E -61 Boundary



- Upper Kissimmee Sub-watershed
- Lake Istokpoga Sub-watershed
- Caloosahatchee River Sub-watershed
- St. Lucie River Sub-Watershed

Proposed 40E-61 Boundary



Chapter 40E-61 – The Current Program

- Current Rule
  - Performance based on limits set in Technical Publication 81-2. Load target – 397 tons by July 1, 1992
  - Permits required a general phosphorus control plan for urban and ag (so no equity among permittees)
- Selective District monitoring was used to determine parcel level compliance.

The Proposed Program's Role in Achieving Compliance

- Establish a timeline for implementing source control programs by 2010.
- Continue to ensure a program that requires BMPs for Ag and Non-Ag
- Establish incentives for Demonstration Projects
- Establish a plan to verify that permittees are implementing BMPs
- Establish a plan for verifying overall program effectiveness.

Sub-Watershed monitoring network:

- District to monitor collective source control program effectiveness (differs from TMDL) at the sub-watershed level
- Use load-based performance measures for the combined BMP source control programs.
- Optimize the BMP programs if WQ problems are detected.
- Identify priority areas of water quality concern.
- Provide data to enhance performance of downstream treatment facilities.

The permitting and BMP strategy

Agricultural Land Use Permits:

- Greater than or equal to 100 acres
  - Recognizes FDACS BMP participants therefore no permit will be required.
  - OR landowner conducts parcel level load monitoring at their expense to demonstrate compliance that BMPs aren't necessary
- 50 to 99 acres land use of citrus, ornamentals, row crops, or sod.
  - SFWMD BMP program required
  - Optional Parcel Level Monitoring
- < 50 acres and 50 to 100 not mentioned above – No notice permits
  - BMP plan

The permitting and BMP strategy

Non-Agricultural Land Use Permits:

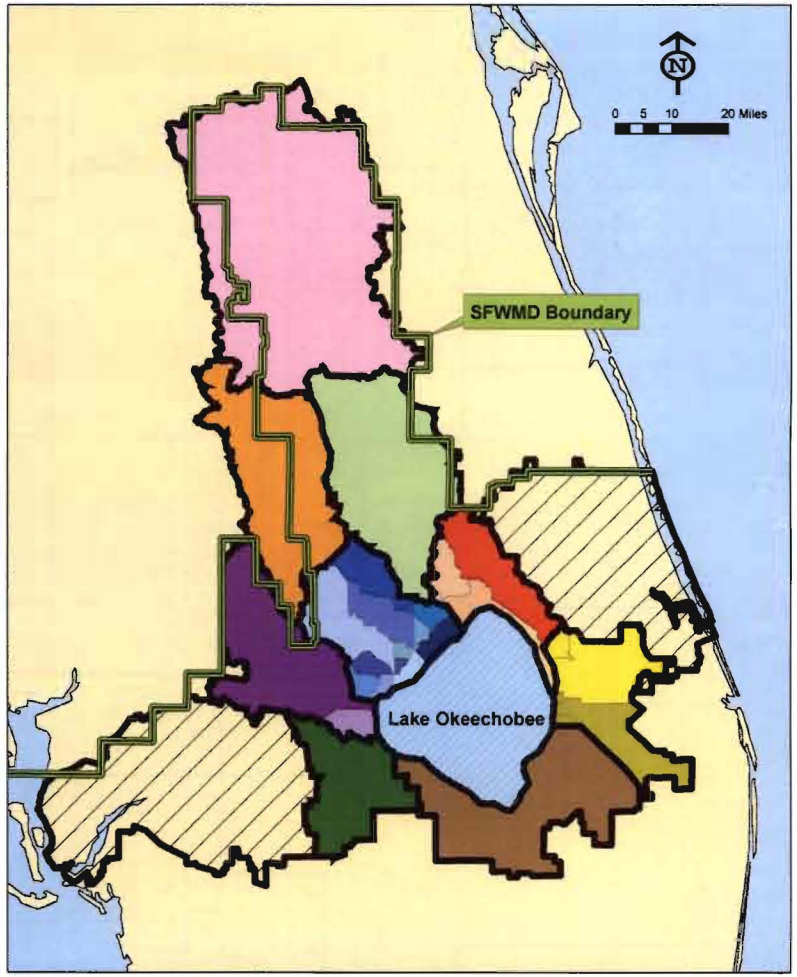
- Water Control Districts
- Municipalities
- Counties
- Golf Courses

Comprehensive BMP Plans required

Measuring Collective Program Performance

- Monitoring by District at sub-watershed or summary basin level to track source control program performance
- Five-Year Rolling Avg
- Effective BMPs
  - Agricultural: 25% reduction of P loads
  - Non-Agricultural: 5% reduction of P loads

LOK WOD Watershed: Sub-watersheds and Summary Basins



South Florida Environmental Report

- South Florida Environmental Report (SFER)
  - Report on program activities and implementation, including coordination efforts with other agencies
  - Report on the number of BMP plans implemented and verified
  - Water quality data and evaluation of the source control program performance

Path to Optimization

- If program optimization is triggered:
  - First Instance
    - More intensive BMP verification
    - Optimize monitoring in the summary basin to pinpoint areas of concern
    - Additional permitting requirements
    - Allow 2 year response time
  - Second Instance
    - BMP optimization required

Chapter 40E-61 Rulemaking Timeline

- 2008 Workshops
  - July 31 – Kissimmee
  - August 1 – Okeechobee
  - August 21 – Okeechobee
  - August 28 –Kissimmee
  - September 3 – Belle Glade
- Complete Rule Process by early 2009

Benefits of Proposed Program

- All Ag landowners will be required to monitor or implement BMPs
- Non-Ag will be required to implement BMPs
- More defined in terms of BMP requirements
- BMP verifications performed over the long-term

Benefits of Proposed Program

- Provides a watershed-based performance approach in concert with Northern Everglades Technical Plan
- Provides a long-term plan for re-evaluation of the BMPs if water quality problems are demonstrated
- Continuous monitoring to identify high phosphorus sources
- Incorporates sources not previously considered (expanded watershed boundary)

Questions?