

# CENTRAL EVERGLADES PLANNING PROJECT



*Restoring the Heart  
of the Everglades*

ITEM 31  
Resolution No.  
2013-0815

Ernie Barnett  
Interim Executive  
Director

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# KEY POLICY ISSUES

- Cost Share OMRR&R
- Savings Clause and Project Assurances
- Phased Implementation and Construction Sequencing
- Water Quality
- Cost

# COST SHARE OMRR&R STATE INFRASTRUCTURE

- Cost share for the use of State infrastructure and water quality treatment features to deliver new CEPP water
- Headquarters currently reviewing cost share proposal
- Governing Board approval of Final Project Implementation report and Letter of Support contingent on cost share provisions in Final Project Implementation Report

# SAVINGS CLAUSE AND PROJECT ASSURANCES

## ■ Savings Clause

- No elimination of existing legal sources of water to agricultural, urban, Tribes or fish and wildlife
- Transfer of a small portion of the existing source (Lake Okeechobee) for EAA to C-44 project
- No reduction in level of service for flood protection

## ■ Project Assurances

- New water made available for;
  - Natural system - ~210k average annual ac-ft
  - Service Area 2 – 12 MGD
  - Service Area 3 – 5 MGD

# PHASED IMPLEMENTATION AND CONSTRUCTION SEQUENCING

- CEPP implementation will involve a number of incremental phases over a number of years
- Project elements cannot proceed unless/until it is determined that construction and/or operation of the feature:
  1. Will not cause or contribute to a violation of water quality standards; and
  2. Will not cause or contribute to a violation of the permit(s) discharge limits or specific conditions\*; and
  3. Reasonable assurances exist that demonstrate adverse impacts on flora and fauna in the area influenced by the project element will not occur.

\* Compliance with the WQBEL shall be determined based on the conditions contained within the NPDES permit (FL0778451), EFA permit (0311207), NPDES Consent Order (12-1148), and EFA Consent Order (12-1149).

# WATER QUALITY RESTORATION STRATEGIES COMPLIANCE

- State's Restoration Strategies program must be completed and meet State water quality standards prior to initiating construction of most CEPP project features

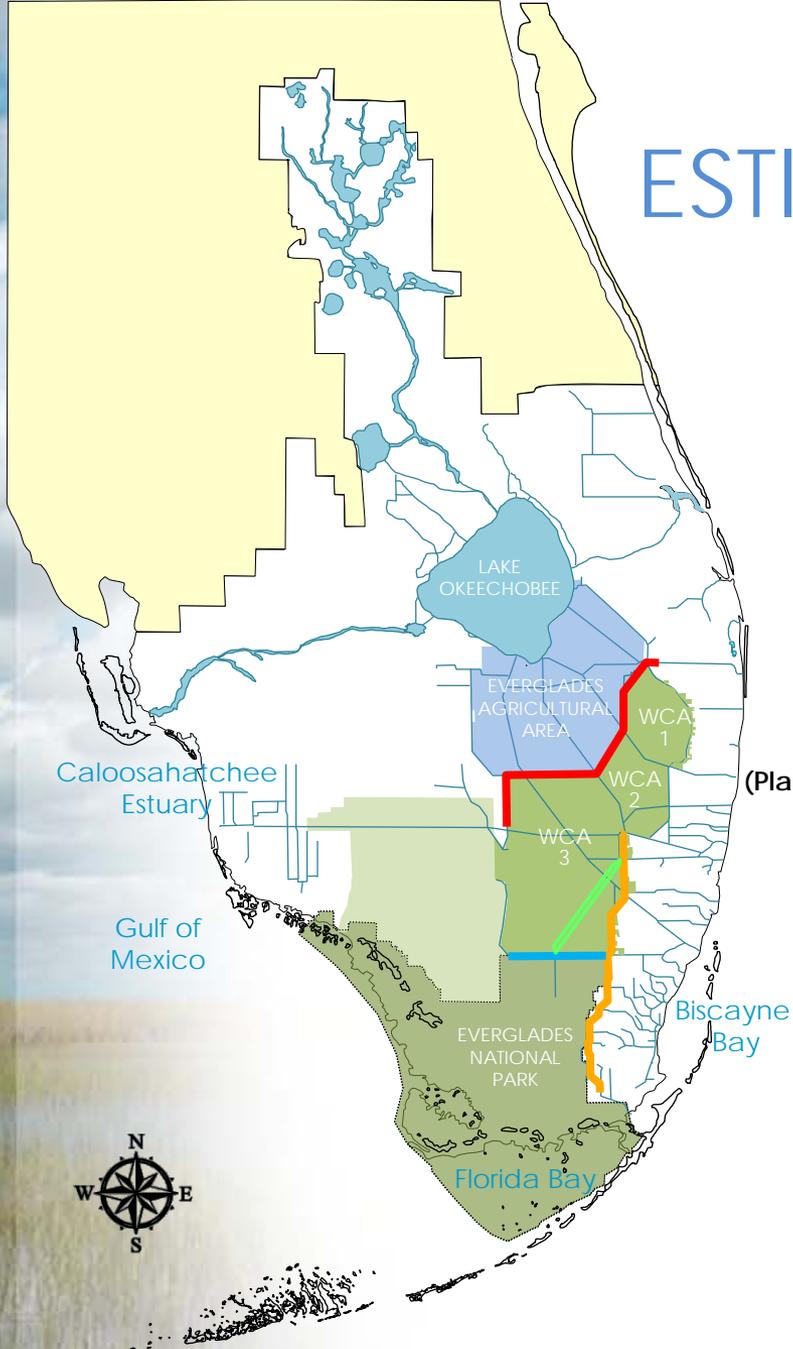
# WATER QUALITY CONSENT DECREE

- Water quality language negotiated by the Florida Department of Environmental Protection and Assistant Secretary of the Army Civil Works
- Consent Decree not modified, instead:
  - Acknowledgement that Appendix A needs to be modified
  - Language establishes a process and scope for making revisions to the Appendix A Compliance Methodology
  - Failure to develop a mutually agreed upon and scientifically supportable revised compliance methodology will impact the State's ability to implement CEPP

# WATER QUALITY CONSENT DECREE (Cont'd)

- Appendix A Exceedances by CEPP
  - If additional water quality measures are necessary for water quality compliance, State and Federal agencies agree to discuss what “joint measures should be undertaken as a matter of shared responsibility” and the discussions shall include whether it is appropriate to exercise any applicable cost share authority.
  - Failure to develop mutually agreed upon measures and cost share for these measures may impact the State’s ability to operate the Federal project features

# PROJECT COST ESTIMATES BREAKDOWN



PROJECT FIRST COST

**\$1.8 Billion**

CONSTRUCTION

**\$900 Million**

NON-CONSTRUCTION

(Planning Engineering Design, Lands, Supervision & Administration, Engineering During Construction)

**\$400 Million**

CONTINGENCY

**\$500 Million**

ANNUAL OMRRR

**\$4.5 Million (CEPP Features Only)**



# NEXT STEPS

- SFWMD Governing Board Action
- Release Draft Report
  - Public and Agency Review 45 – 60 days
- SFWMD Governing Board Action Final PIR
  - Letter of Support
  - Letter of Financial Capability
- Civil Works Review Board
- Chief's Report

# GOVERNING BOARD RESOLUTION

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT SUPPORTING THE RELEASE FOR PUBLIC AND AGENCY REVIEW OF THE CENTRAL AND SOUTHERN FLORIDA, CENTRAL EVERGLADES PLANNING PROJECT, DRAFT INTEGRATED PROJECT IMPLEMENTATION REPORT AND ENVIRONMENTAL IMPACT STATEMENT, DATED AUGUST 2013 BY THE U.S. ARMY CORPS OF ENGINEERS; PROVIDING AN EFFECTIVE DATE

- The Governing Board of the South Florida Water Management District hereby supports release of the CEPP Draft PIR/EIS by the U.S. Army Corps of Engineers for public and agency review.
- The U.S. Army Corps of Engineers' cost-share of operation, maintenance, repair, replacement, and rehabilitation of State-owned and operated facilities to be used by CEPP will need to be resolved in a manner favorable to the South Florida Water Management District and such cost-share responsibility included in the CEPP Final PIR/EIS.

# GOVERNING BOARD RESOLUTION (Cont'd)

- The Governing Board acknowledges that water quality issues need to be resolved prior to implementing CEPP projects. Issues include the need to revise Appendix A of the Consent Decree and also to reach agreement on joint measures which may be needed in the event of an exceedance of Appendix A resulting from a change in operation of a federal project. Failure to develop a mutually agreed upon revised compliance methodology or mutually agreed upon joint measures may impact the State's ability to implement, approve, or operate CEPP projects.
- The Governing Board acknowledges that project elements cannot proceed unless/until it is determined that construction and/or operation of the feature: will not cause or contribute to a violation of water quality standards; and will not cause or contribute to a violation of the permit(s) discharge limits or specific conditions; and reasonable assurances exist that demonstrate adverse impacts on flora and fauna in the area influenced by the project element will not occur.
- The Governing Board acknowledges that the CEPP Draft PIR/EIS is subject to further review by the public, State and Federal agencies as well as Army Corps of Engineers headquarters and Department of Army. Any substantive changes will require the review and approval of the Governing Board of the Final CEPP PIR/EIS.