

# Chapter 1: Introduction to Volume III

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## INTRODUCTION

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The *2012 South Florida Environmental Report (SFER) – Volume I* provides an annual update on various environmental restoration projects and initiatives associated with the Everglades, Lake Okeechobee, Kissimmee Basin, and coastal systems. Expanding on this information, detailed permit-related annual reports and information pertaining to these regional restoration projects are presented in *Volume III, Annual Permit Reports*. These reports are prepared annually to comply with various permit-related reporting conditions required by permits issued by the U.S. Army Corps of Engineers (USACE) under the federal Clean Water Act (Section 404), or by the Florida Department of Environmental Protection (FDEP) under the Comprehensive Everglades Restoration Plan Regulation Act (CERPRA), Everglades Forever Act (EFA), Northern Everglades and Estuaries Protection Program (NEEPP), and Environmental Resource Permitting (ERP) state statutes, as well as FDEP Emergency Orders in place during the reporting year.

Volume III consists of five chapters along with supporting appendices. In this volume, Chapter 1 provides an introduction to federal and state statutes that govern the permits issued to the South Florida Water Management District (SFWMD or District) by the USACE and the FDEP, respectively, to construct and operate the regional restoration projects. This chapter also presents an overview of the annual permit reports included in this year's volume. Chapters 2 through 5 of this volume provide specific permit details, and this reporting is organized according to governing state statutes. These four chapters are entitled as follows:

- Chapter 2: Permitted Conditions Annual Reports for the Comprehensive Everglades Restoration Plan Regulation Act Projects
- Chapter 3: Permitted Conditions Annual Reports for the Everglades Forever Act Projects
- Chapter 4: Permitted Conditions Annual Reports for the Northern Everglades and Estuaries Protection Program Projects
- Chapter 5: Permitted Conditions Annual Reports for the Environmental Resource Permitting Projects and Emergency Orders

If a specific project is operational, then a more detailed annual report with monitoring information is provided as a separate appendix. Otherwise, a project status update is presented in the relevant chapter. The reporting period covered by the annual permit reports and status updates are consistent with permit requirements, and includes Water Year 2011 (WY2011) (May 1, 2010–April 30, 2011), Calendar Year 2011 (CY2011) (January 1, 2011–December 31, 2011), or Fiscal Year 2011 (FY2011) (October 1, 2010–September 30, 2011).

The projects and programs described are designed to work together to benefit the ecosystem restoration projects, striving toward increased spatial extent of natural areas, enhanced habitat and functional quality, and improved native plant and animal species abundance and diversity. Most of the projects are multipurpose with objectives such as increased water storage, reduced seepage

from natural areas, and improved water quality. While no single project will significantly improve a regional ecosystem by itself, the cumulative regional environmental benefits as projects are implemented will improve the quantity, quality, timing, and distribution of water.

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## **BACKGROUND – PERMITS**

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### **SECTION 404, CLEAN WATER ACT PERMITS**

The Federal Water Pollution Control Act Amendments of 1972 established the Section 404 Regulatory Program. Under this Act it is unlawful to discharge dredged or fill material into waters of the United States without first receiving authorization, usually a permit, from the U.S. Army Corps of Engineers, unless the discharge is covered under an exemption. The term “waters of the United States” defines the extent of geographic jurisdiction of the Section 404 program. The term includes such waters as rivers, lakes, streams, tidal waters, and most wetlands. A discharge of dredged or fill material involves the physical placement of soil, sand, gravel, dredged material, or other such materials into the waters of the United States.

### **CHAPTER 373.1502, FLORIDA STATUTES, PERMITS**

The Comprehensive Everglades Restoration Plan Regulation Act was enacted by the Florida legislature [Chapter 373.1502, Florida Statutes (F.S.)] for the purpose of providing efficient and effective permitting of Comprehensive Everglades Restoration Plan (CERP) project components. CERPRA permits are in lieu of all other permits required in Chapters 373 and 403, F.S., except for permits that are under any delegated authority.

### **CHAPTER 373.4595, FLORIDA STATUTES, PERMITS**

The Northern Everglades and Estuaries Protection Program was enacted by the Florida legislature (Chapter 373.4595, F.S.) to protect and restore surface water resources and achieve and maintain compliance with water quality standards in the Lake Okeechobee, St. Lucie River, and Caloosahatchee River Watersheds. Permits obtained pursuant to this section are in lieu of all other permits under this chapter or Chapter 403, except those issued under Section 403.0885, F.S.

### **CHAPTER 373.4592, FLORIDA STATUTES, PERMITS**

The Everglades Forever Act was enacted by the Florida legislature (Chapter 373.4592, F.S.) to promote Everglades restoration and protection and to provide guidance for comprehensive and innovative solutions to issues of water quality, water quantity, hydroperiod, and invasion of exotic species which face the Everglades ecosystem.

### **CHAPTER 373, PART IV, FLORIDA STATUTES, AND TITLE 62, FLORIDA ADMINISTRATIVE CODE, PERMITS**

The Environmental Resource Permit Program [Chapter 62-330, Florida Administrative Code (F.A.C.)] regulates activities involving the alteration of surface water flows. This includes new activities in uplands that generate stormwater runoff from upland construction, as well as dredging and filling in wetlands and other surface waters. ERP applications, and emergency orders, are processed by either the FDEP or one of the state's water management districts, in accordance with the division of responsibilities specified in operating agreements between the FDEP and the water management districts. The ERP Program is in effect throughout the state.

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## ANNUAL REPORTS OVERVIEW

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### REPORTING

Annually, the South Florida Water Management District is required to submit reports to the Florida Department of Environmental Protection regarding:

- Discussion of project status
- Conclusions regarding project success
- Problems encountered during the reporting period
- Actions taken to address the problems encountered

Chapters 2 through 5 of this volume present the annual permit reports and status updates required by the USACE permits (Section 404) and the FDEP permits (CERPRA, NEEPP, EFA, and ERP). **Table 1-1** provides an overview of permit information for projects covered during this reporting period and cross-references on where related information is reported in the 2012 SFER.

**Table 1-1.** Summary of permit information and annual reporting status for projects included in the *2012 South Florida Environmental Report*.

Region, Project and Phase	Issuing Agency	Permit Type	Permit Number	Permit Status	Project Status/Phase	Annual Reporting Requirement	Reporting Period	Location In 2012 SFER
<b>Chapter 2: Comprehensive Everglades Restoration Plan Regulation Act Projects</b>								
Biscayne Bay Coastal Wetland Project - Phase I, L-31E Culverts	FDEP	CERPRA	0271729-002	Active	Operational	Yes	6/1/2010-4/30/2011	Vol. III, App. 2-3
	USACE	Sec 404 CWA	SAJ-1994-1327 (IP-TRW)	Active	Operational	Yes	Baseline report, 8/2010	
Biscayne Bay Coastal Wetland Project – Deering Estate Flow-Way	FDEP	CERPRA	0271729-002	Active	Construction	Construction Update	5/1/2010 - 4/30/2011	Vol. III, Ch. 2
	USACE	Sec 404 CWA	SAJ-2007-39 (IP-AAZ)	Active	Construction	Construction Update		
C-111 Spreader Canal, Phase 1 Project	FDEP	CERPRA	0293559-001	Active	Construction	Construction Update	5/1/2010 - 4/30/2012	Vol. III, Ch. 3
	USACE	Sec 404 CWA	SAJ-2005-9856 (IP-AAZ)	Active	Construction	Construction Update		
C-44 Reservoir / Constructed Wetland Buffer Project: Troup Indiantown Water Control District	FDEP	CERPRA	0254895-004-GL	Active	Construction	Construction Update	5/1/2010 - 4/30/2012	Vol. III, Ch. 3
Caloosahatchee River (C-43) West Basin Storage Reservoir Project	FDEP	CERPRA	0255243-002-GL	Inactive	Construction: On Hold	Yes	5/1/2010 - 4/30/2011	Vol. III, Ch. 2
	USACE	Sec 404 CWA	SAJ-2005-5958 (IP-TKW)	Active	Construction: On Hold	Yes (caracara monitoring only)		
Everglades Agricultural Area A-1 Reservoir	FDEP	CERPRA	0242172-003-EM	Inactive	Construction: On Hold	Construction Update: On Hold	5/1/2010 - 4/30/2011	Vol. III, Ch. 2
North Palm Beach County Project – Part 1 L-8 Reservoir	FDEP	CERPRA	0188365-012-EM	Active	Operational	Yes	5/1/2010 - 4/30/2011	Vol. III, App. 2-2
Picayune Strand Restoration Project, Phase 1 – Prairie Canal Backfill	FDEP	CERPRA	0221670-008-EM	Active	Post Construction	Yes	5/1/2010 - 4/30/2011	Vol. III, App. 2-1
Picayune Strand Restoration Project, Phase 1 – Prairie Canal Backfill	USACE	Sec 404 CWA	SAJ-2003-08480 (IP HWB)	Active	Post Construction	Yes		
Picayune Strand Restoration Project, Phase 1 – Road Removal	FDEP	CERPRA	0221670-008-EM	Active	Post Construction	Yes		
	USACE	Sec 404 CWA	SAJ-2005-6598 (IP TKW)	Active	Post Construction	Yes		

Region, Project and Phase	Issuing Agency	Permit Type	Permit Number	Permit Status	Project Status/Phase	Annual Reporting Requirement	Reporting Period	Location In 2012 SFER
Southern Crew, Phase 1 Project - Billy Don Grant Parcel	FDEP	CERPRA	0279719-001	Active	Post Construction	Yes	5/1/2010 - 4/30/2011	Vol. III, Ch. 2
	USACE	Sec 404 CWA	SAJ-2007-4361(NW-AAZ)	Active	Post Construction	Yes		
Ten Mile Creek Water Preserve Area	FDEP	CERPRA	0192879-002	Inactive	Construction: Interim Operations	Yes	5/1/2010 - 4/30/2011	Vol. III, Ch. 2
<b>Chapter 3: Everglades Forever Act Projects</b>								
<b>Everglades Construction Project Stormwater Treatment Area 1E &amp; 1W</b>								
STA-1E	FDEP	AO	AO-009-EV	In effect	Stabilization	N/A	5/1/2010 - 4/30/2011	Vol. I, Ch. 5; Vol. III, App. 3-1
	FDEP	EFA	0279499-001-EM	Active	Stabilization	Yes		
	FDEP	NPDES	FL0304549	Active (administratively extended, pending renewal)	Stabilization	Yes		
	USACE	Sec 404 CWA	SAJ-1994-4532 (IP TKW)	Active	Stabilization	No		
STA-1W	FDEP	AO	AO-001-EV	N/A	Stabilization	N/A	5/1/2010 - 4/30/2012	Vol. I, Ch. 5; Vol. III, App. 3-2
	FDEP	EFA	0279499-001-EM	Active	Stabilization	Yes		
	FDEP	NPDES	FL0177962-001	Active (administratively extended, pending renewal)	Stabilization	Yes		
	USACE	Sec 404 CWA	SAJ-1994-4532 (IP TKW)	Active	Stabilization	No		

Region, Project and Phase	Issuing Agency	Permit Type	Permit Number	Permit Status	Project Status/Phase	Annual Reporting Requirement	Reporting Period	Location In 2012 SFER
<b>Everglades Construction Project Stormwater Treatment Area 2</b>								
STA-2	FDEP	AO	AO-010-EV	In effect	Stabilization	N/A	5/1/2010 - 4/30/2011	Vol. I, Ch. 5; Vol. III, App. 3-1
	FDEP	EFA	0126704-008-EM	Active (administratively extended, pending renewal)	Stabilization	Yes		
	FDEP	NPDES	FL0177946	Active (administratively extended, pending renewal)	Stabilization	Yes		
	USACE	Sec 404 CWA	SAJ-1994-4532 (IP TKW)	Active	Stabilization	No		
STA-2 Compartment B	USACE	Sec 404 CWA	SAJ-2008-3462 (IP AAZ)	Active	Construction	Yes	5/1/2010 - 4/30/2011	Vol. I, Ch. 5; Vol. III, App. 3-1, Vol. III, Ch. 3
STA-2 Compartment B G-435 Pump Station	FDEP	EFA	0126704-008-EM	Active	Construction	Yes		
STA-2 Compartment B G-434/436 Pump Stations	FDEP	EFA	0126704-008-EM	Active	Construction	Yes		
STA-2 Compartment B North Build-Out	FDEP	EFA	0126704-013-EM	Active	Flow-Through Capable	Yes		
STA-2 Compartment B South Build-Out	FDEP	EFA	0126704-013-EM	Active	Flow-Through Capable	Yes		

Region, Project and Phase	Issuing Agency	Permit Type	Permit Number	Permit Status	Project Status/Phase	Annual Reporting Requirement	Reporting Period	Location In 2012 SFER
<b>Everglades Construction Project Stormwater Treatment Area 3/4</b>								
STA-3/4	FDEP	AO	AO-008-EV	In effect	Post-Stabilization / Operational	N/A	5/1/2010 - 4/30/2011	Vol. I, Ch. 5; Vol. III, App. 3-1
	FDEP	EFA	192895	Active (administratively extended, pending renewal)	Post-Stabilization / Operational	Yes		
	FDEP	NPDES	FL0300195	Active (administratively extended, pending renewal)	Post-Stabilization / Operational	Yes		
	USACE	Sec 404 CWA	SAJ-1994-4532 (IP TKW)	Active	Post-Stabilization / Operational	No		
<b>Everglades Construction Project Stormwater Treatment Area 5 &amp; 6</b>								
STA-5	FDEP	AO	AO-0112-EV	In effect	Stabilization	N/A	5/1/2010 - 4/30/2011	Vol. I, Ch. 5; Vol. III, App. 3-1
	FDEP	EFA	0131842-009-EM	Active (administratively extended, pending renewal)	Stabilization	Yes		
	FDEP	NPDES	FL0177954	Active (administratively extended, pending renewal)	Stabilization	Yes		
	USACE	Sec 404 CWA	SAJ-1994-4532 (IP TKW)	Active	Stabilization	No		

Region, Project and Phase	Issuing Agency	Permit Type	Permit Number	Permit Status	Project Status/Phase	Annual Reporting Requirement	Reporting Period	Location In 2012 SFER
STA-6	FDEP	AO	AO-0112-EV	In effect	Stabilization	N/A	5/1/2010 - 4/30/2012	Vol. I, Ch. 5; Vol. III, App. 3-1
	FDEP	EFA	0131842-009-EM	Active (administratively extended, pending renewal)	Stabilization	Yes		
	FDEP	NPDES	FL0473804-001	Active	Stabilization	Yes		
	USACE	Sec 404 CWA	SAJ-1994-4532 (IP TKW)	Active	Stabilization	No		
STA-5/6 Compartment C	USACE	Sec 404 CWA	SAJ-2008-3461 (IP AAZ)	Active	Construction	Yes	5/1/2010 - 4/30/2011	Vol. I, Ch. 5; Vol. III, App. 3-1; Vol. III, Ch. 3
STA-5/6 Compartment C Build-Out	FDEP	EFA	0131842-009-EM	Active	Construction	Yes		
Non-Everglades Construction Project	FDEP	EFA	06, 502590709 (Mod: 0237803-010)	Active (administratively extended, pending renewal)	Operational	Yes	5/1/2010 - 4/30/2011	Vol. III, App. 3-2
<b>Chapter 4: Northern Everglades and Estuaries Protection Program Projects</b>								
Grassy Island Hybrid Wetland Treatment Technology Project	FDEP	NEEPA	0259591-002	Active	Operational	Yes	3/1/2010 - 3/1/2011	Vol. III, Ch. 4
Lake Okeechobee Water Control Structures Operation	FDEP	NEEPA	0174552-007-EM	Active	Operational	Yes	5/1/2010 - 4/30/2011	Vol. III, App. 4-1
Lakeside Ranch Stormwater Treatment Area – Phase 1	FDEP	NEEPA	0287326-001-GL	Active	Construction	Yes	5/1/2010 - 4/30/2011	Vol. III, Ch. 4
	USACE	Sec 404 CWA	SAJ-2008-2003 (IP-AAZ)	Active	Construction	Yes		
Lemkin Creek Hybrid Wetland Treatment Technology Project	FDEP	NEEPA	47-0254574-003 GL	Active	Operational	Yes	3/1/2010 - 3/1/2011	Vol. III, Ch. 4
Nubbin Slough Stormwater Treatment Area	FDEP	NEEPA	0194483-005-GL	Inactive	Construction: refinements underway	Yes	5/1/2010 - 4/30/2011	Vol. III, Ch. 4
Taylor Creek Stormwater Treatment Area	FDEP	NEEPA	0194485-002-GL	Active	Operational	Yes	5/1/2010 - 4/30/2011	Vol. III, App. 4-2



Region, Project and Phase	Issuing Agency	Permit Type	Permit Number	Permit Status	Project Status/Phase	Annual Reporting Requirement	Reporting Period	Location In 2012 SFER
<b>Chapter 5: Environmental Resource Permitting Projects and Emergency Orders</b>								
North Palm Beach County - Part 1 Project, G-160 Component	FDEP	ERP	EI 50-0128848-004	Active	Operational	Yes	1/1/2010 - 12/31/2010	Vol. III, App. 5-1
North Palm Beach County - Part 1 Project, G-160 Component	USACE	Sec 404 CWA	SAJ- 2001-00551 (IP TKW)	Active	Operational	Yes		
North Palm Beach County - Part 1 Project, G-161 Component	FDEP	ERP	EI-026854-001	Active	Operational	Yes		
North Palm Beach County - Part 1 Project, G-161 Component	USACE	Sec 404 CWA	SAJ-2205-4004 (IP TKW)	Active	Operational	Yes		
Interim Operational Plan for Protection of the Cape Sable Seaside Sparrow	FDEP	EO	9th Amended EOGC Case #'s: 00-0889 and 9-2242	Active	Operational	Yes	1/1/2004 - 4/30/2011	Vol. III, App. 5-2
C-4 Emergency Detention Basin	FDEP	ERP	EI 13-0192729-011	Active	Operational	Yes; biennial	5/1/2009 - 4/30/2011	Vol. III, App. 5-3
C-4 Emergency Detention Basin	USACE	Sec 404 CWA	2001-07154 (IP RK)	Active	Operational	No		
Holey Land Wildlife Management Area	FDEP	ERP	06-500809209, 06-501191549	Expired	Operational	Yes	10/1/2009 - 9/30/2010	Vol. III, App. 5-4
8.5 Square Mile Area Mitigation Project Revised Phase I	FDEP	ERP	EI 0297691-001	Active	Pre-Construction	Yes	5/1/2010 - 4/30/2011	Vol. III, Ch. 5
	USACE	Sec 404 CWA	SAJ-2010-01184 (NW-LAO)	Active	Pre-Construction	Yes		
C-44 Reservoir - C-132/C-133 Canal Maintenance	FDEP	ERP	EI-43-0276735-001	Active	Construction	Yes	5/1/2010 - 4/30/2011	Vol. III, Ch. 5
Culpepper Ranch Wetland Restoration Project	FDEP	ERP/Noticed General Permit	43-0300341-002-EG	Active	Operational	No	5/1/2010 - 4/30/2011	Vol. III, Ch. 5
Cypress Creek Restoration	FDEP	ERP	0300341-001-EI	Active	Pre-Construction	Yes	5/1/2010 - 4/30/2012	Vol. III, Ch. 5
Lake Trafford Dredging Project	FDEP	ERP	11-029089-004	Expired	Complete	No	5/1/2010 - 4/30/2013	Vol. III, Ch. 5
Lake Trafford Dredging Project	USACE	Sec 404 CWA	SAJ-1997-3123 (IP HWB)	Expired	Complete	No	5/1/2010 - 4/30/2013	Vol. III, Ch. 5

CERPRA – Comprehensive Everglades Restoration Plan Regulation Act  
 CWA – Clean Water Act  
 ERP – Environmental Resource Permitting  
 FDEP – Florida Department of Environmental Protection  
 LOPA – Lake Okeechobee Protection Act  
 NEEPP – Northern Everglades and Estuaries Protection Program  
 NPDES – National Pollutant Discharge Elimination System  
 USACE – U.S. Army Corps of Engineers  
 N/A – Not Applicable