

Chapter 1: Introduction to Volume III

Stuart Van Horn and Nirmala Jeyakumar

INTRODUCTION

The *2013 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 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 by 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 are organized according to governing state statutes, 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, a more detailed annual report with monitoring information is provided as a separate appendix. Otherwise, a project status update is presented in the associated chapter. The reporting periods covered by the annual permit reports and status updates are consistent with permit requirements, and include Water Year 2012 (WY2012) (May 1, 2011–April 30, 2012), Calendar Year 2011 (CY2011) (January 1, 2011–December 31, 2011), or Fiscal Year 2012 (FY2012) (October 1, 2011–September 30, 2012).

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, as projects are implemented, the cumulative regional environmental benefits will improve the quantity, quality, timing, and distribution of water.

BACKGROUND – PERMITS

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.)] to provide 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 facing the Everglades ecosystem, including water quality, water quantity, hydroperiod, and invasion of exotic species.

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.

ANNUAL REPORTS OVERVIEW

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 listing where related information is reported in the 2013 SFER.

Table 1-1. Summary of permit information and annual reporting status for projects included in the *2013 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 2013 SFER
Chapter 2: Comprehensive Everglades Restoration Plan Regulation Act Projects								
Biscayne Bay Coastal Wetland Project – Deering Estate Flow-Way	FDEP	CERPRA	0271729-002	Active	Construction/ Post Construction	Construction Update	5/1/2011 - 4/30/2012	Vol. III, Ch. 2
	USACE	Sec 404 CWA	SAJ-2007-39 (IP-AAZ)					
Biscayne Bay Coastal Wetland Project – Phase I, L-31E Culverts	FDEP	CERPRA	0271729-002	Active	Operational	Yes	5/1/2011 - 4/30/2012	Vol. III, App. 2-3
	USACE	Sec 404 CWA	SAJ-1994-1327 (IP-TRW)	Active	Operational	Yes		
C-111 Spreader Canal, Phase 1 Project	FDEP	CERPRA	0293559-001	Active	Construction/ Post Construction	Construction Update	5/1/2011 - 4/30/2012	Vol. III, Ch. 2
C-111 Spreader Canal Phase 1 (Western) Project	USACE	Sec 404 CWA	SAJ-2005-9856 (IP-AAZ)					
C-44 Reservoir / Constructed Wetland Buffer Project: Troup Indiantown Water Control District	FDEP	CERPRA	0254895-004-GL	Active	Post Construction	Construction Update	5/1/2011 - 4/30/2012	Vol. III, Ch. 2
Caloosahatchee River (C-43) West Basin Storage Reservoir Project	FDEP	CERPRA	0255243-002-GL	Inactive	Construction: On Hold	Yes	5/1/2011 - 4/30/2012	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	5/1/2011 - 4/30/2012	Vol. III, Ch. 2
Loxahatchee River Watershed Restoration Project, L-8 Reservoir	FDEP	CERPRA	0188365-012-EM	Active	Operational	Yes	5/1/2011 - 4/30/2012	Vol. III, App. 2-2
Picayune Strand Restoration Project, Phase 1 – Prairie Canal Backfill	FDEP	CERPRA	0221670-008-EM	Active	Post Construction	Yes	5/1/2011 - 4/30/2012	Vol. III, App. 2-1
	USACE	Sec 404 CWA	SAJ-2003-08480 (IP HWB)					
Picayune Strand Restoration Project, Phase 1 – Road Removal	FDEP	CERPRA	0221670-008-EM	Active	Post Construction	Yes	5/1/2011 - 4/30/2012	Vol. III, App. 2-1
Picayune Strand Restoration Project, Phase 1 – Road Removal	USACE	Sec 404 CWA	SAJ-2005-6598 (IP TKW)					
Southern Crew, Phase 1 Project - Billy Don Grant Parcel	FDEP	CERPRA	0279719-001	Active	Post Construction	Yes	5/1/2011 - 4/30/2012	Vol. III, Ch. 2
	USACE	Sec 404 CWA	SAJ-2007-4361 (NW-AAZ)					
Ten Mile Creek Water Preserve Area	FDEP	CERPRA	0192879-002	Inactive	Post construction, Still not operational	Yes	5/1/2011-4/30/2012	Vol. III, Ch. 2

Table 1-1. Continued.

Region, Project and Phase	Issuing Agency	Permit Type	Permit Number	Permit Status	Project Status / Phase	Annual Reporting Requirement	Reporting Period	Location In 2013 SFER
Chapter 3: Everglades Forever Act Projects								
Everglades Construction Project Stormwater Treatment Area 1E & 1W								
STA-1E	FDEP	AO	AO-009-EV	In effect	Stabilization	N/A	5/1/2011 - 4/30/2012	Vol. I, Ch. 5; Vol. III, App. 3-1
		EFA	0279499-001-EM	Active	Stabilization	Yes		
		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	5/1/2011 - 4/30/2012	Vol. I, Ch. 5; Vol. III, App. 3-2
		EFA	0279499-001-EM	Active	Stabilization	Yes		
		NPDES	FL0177962-001	Active (administratively extended, pending renewal)	Stabilization	Yes		
	USACE	Sec 404 CWA	SAJ-1994-4532 (IP TKW)	Active	Stabilization	No		
Everglades Construction Project Stormwater Treatment Area 2								
STA-2	FDEP	AO	AO-010-EV	In effect	Stabilization	N/A	5/1/2011 - 4/30/2012	Vol. I, Ch. 5; Vol. III, App. 3-1
		EFA	0126704-008-EM	Active (administratively extended, pending renewal)	Stabilization	Yes		
		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 G-434/436 Pump Stations	FDEP	EFA	0126704-008-EM	Active	Construction	Yes	5/1/2011 - 4/30/2012	Vol. I, Ch. 5; Vol. III, App. 3-1; Vol. III, Ch. 3
STA-2 Compartment B G-435 Pump Station								
STA-2 Compartment B Build-Out	USACE	Sec 404 CWA	SAJ-2008-3462 (IP AAZ)	Active	Construction	Yes	5/1/2011 - 4/30/2012	Vol. I, Ch. 5; Vol. III, App. 3-1; Vol. III, Ch. 3
STA-2 Compartment B North Build-Out	FDEP	EFA	0126704-013-EM	Active	Flow-Through Capable	Yes	5/1/2011 - 4/30/2012	Vol. I, Ch. 5; Vol. III, App. 3-1; Vol. III, Ch. 3
STA-2 Compartment B South Build-Out								

Table 1-1. Continued.

Region, Project and Phase	Issuing Agency	Permit Type	Permit Number	Permit Status	Project Status / Phase	Annual Reporting Requirement	Reporting Period	Location In 2013 SFER
Chapter 3: Everglades Forever Act Projects (continued)								
Everglades Construction Project Stormwater Treatment Area 3/4								
STA-3/4	FDEP	AO	AO-008-EV	In effect	Post-Stabilization/ Operational	N/A	5/1/2011 - 4/30/2012	Vol. I, Ch. 5; Vol. III, App. 3-1
		EFA	192895	Active (administratively extended, pending renewal)	Post-Stabilization/ Operational	Yes		
		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		
Everglades Construction Project Stormwater Treatment Area 5 & 6								
STA-5	FDEP	AO	AO-0112-EV	In effect	Stabilization	N/A	5/1/2011 - 4/30/2012	Vol. I, Ch. 5; Vol. III, App. 3-1
		EFA	0131842-009-EM	Active (administratively extended, pending renewal)	Stabilization	Yes		
		NPDES	FL0177954	Active (administratively extended, pending renewal)	Stabilization	Yes		
	USACE	Sec 404 CWA	SAJ-1994-4532 (IP TKW)	Active	Stabilization	No		
STA-6	FDEP	AO	AO-0112-EV	In effect	Stabilization	N/A	5/1/2011 - 4/30/2012	Vol. I, Ch. 5; Vol. III, App. 3-1
		EFA	0131842-009-EM	Active (administratively extended, pending renewal)	Stabilization	Yes		
		NPDES	FL0473804-001	Active	Stabilization	Yes		
	USACE	Sec 404 CWA	SAJ-1994-4532 (IP TKW)	Active	Stabilization	No		
STA-5/6 Compartment C Build-Out	FDEP	EFA	0131842-009-EM	Active	Construction	Yes	5/1/2011 - 4/30/2012	Vol. I, Ch. 5; Vol. III, App. 3-1; Vol. III, Ch. 3
	USACE	Sec 404 CWA	SAJ-2008-3461 (IP AAZ)					
Non-Everglades Construction Project	FDEP	EFA	06, 502590709 (Mod: 0237803-010)	Active (administratively extended, pending renewal)	Operational	Yes	5/1/2011 - 4/30/2012	Vol. III, App. 3-2

Table 1-1. Continued.

Region, Project and Phase	Issuing Agency	Permit Type	Permit Number	Permit Status	Project Status / Phase	Annual Reporting Requirement	Reporting Period	Location In 2013 SFER
Chapter 4: Northern Everglades and Estuaries Protection Program Projects								
Grassy Island Hybrid Wetland Treatment Technology Project	FDEP	NEEPA	0259591-002	Active	Operational	Yes	3/1/2011 - 3/1/2012	Vol. III, Ch. 4
Lake Okeechobee Water Control Structures Operation	FDEP	NEEPA	0174552-007-EM	Active	Operational	Yes	5/1/2011 - 4/30/2012	Vol. III, App. 4-1
Lakeside Ranch Stormwater Treatment Area – Phase 1	FDEP	NEEPA	0287326-001-GL	Active	Construction	Yes	5/1/2011 - 4/30/2012	Vol. III, Ch. 4
	USACE	Sec 404 CWA	SAJ-2008-2003 (IP-AAZ)					
Lemkin Creek Hybrid Wetland Treatment Technology Project	FDEP	NEEPA	47-0254574-003 GL	Active	Operational	Yes	3/1/2011 - 3/1/2012	Vol. III, Ch. 4
Nubbin Slough Stormwater Treatment Area	FDEP	NEEPA	0194483-005-GL	Inactive	Construction: Refinements Underway	Yes	5/1/2011 - 4/30/2012	Vol. III, Ch. 4
Taylor Creek Stormwater Treatment Area	FDEP	NEEPA	0194485-002-GL	Active	Operational	Yes	5/1/2011 - 4/30/2012	Vol. III, App. 4-2
Chapter 5: Environmental Resource Permitting Projects and Emergency Orders								
8.5 Square Mile Area Mitigation Project Revised Phase I	FDEP	ERP	EI 0297691-001	Active	Pre-Construction	Yes	5/1/2011 - 4/30/2012	Vol. III, Ch. 5
	USACE	Sec 404 CWA	SAJ-2010-01184 (NW-LAO)					
Buttermilk/Packingham Slough Restoration and Flood Protection	FDEP	ERP	0267164-004	Active	Pre-construction	Yes	5/1/2011 - 4/30/2012	Vol. III, Ch. 5
	USACE	Sec 404 CWA	SAJ-2006-04466 (NW-AAZ)	Active	Pre-construction	Yes		
C-4 Emergency Detention Basin	FDEP	ERP	EI 13-0192729-011	Active	Operational	Yes	5/1/2009 - 4/30/2011	Vol. III, App. 5-3
	USACE	Sec 404 CWA	2001-07154 (IP RK)					
C-44 Reservoir - C-132/C-133 Canal Maintenance	FDEP	ERP	EI-43-0276735-001	Active	Construction	Yes	5/1/2011 - 4/30/2012	Vol. III, Ch. 5
Culpepper Ranch Wetland Restoration Project	FDEP	ERP/ Noticed General Permit	43-0300341-002-EG	Active	Operational	No	5/1/2011 - 4/30/2012	Vol. III, Ch. 5
Cypress Creek Restoration	FDEP	ERP	0300341-001-EI	Active	Pre-Construction	Yes	5/1/2011 - 4/30/2012	Vol. III, Ch. 5
East Coast Protection Levee Rehabilitation Project	FDEP	ERP	0305403-001	Active	Construction	Yes	5/1/2011 - 4/30/2012	Vol. III, Ch. 5
	USACE	Sec 404 CWA	SAJ-2009-00971 (NW-AAZ)	Active	Construction	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
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

Table 1-1. Continued.

Region, Project and Phase	Issuing Agency	Permit Type	Permit Number	Permit Status	Project Status / Phase	Annual Reporting Requirement	Reporting Period	Location In 2013 SFER
Chapter 5: Environmental Resource Permitting Projects and Emergency Orders (continued)								
Loxahatchee River Watershed Restoration Project, G-160 Component	FDEP	ERP	EI 50-0128848-004	Active	Operational	Yes	1/1/2010 - 12/31/2010	Vol. III, App. 5-1
	USACE	Sec 404 CWA	SAJ- 2001-00551 (IP TKW)					
Loxahatchee River Watershed Restoration Project, G-161 Component	FDEP	ERP	EI-026854-001	Active	Operational	Yes		
	USACE	Sec 404 CWA	SAJ-2205-4004 (IP TKW)					
S-197 Structure Replacement Project	FDEP	ERP	0306639-001	Active	Construction	Yes	5/1/2011 - 4/30/2012	Vol. III, Ch. 5
	USACE	Sec 404 CWA	SAJ-2011-00614	Active	Construction	No		

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