

Water Resource Protection Strategies for Implementation of CERP under Federal and State Law

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sfwmd.gov

Inter-agency and Public Involvement

- **Water Reservations Evaluation Team**
- **Original White Paper - June 25, 2002;
revised December 12, 2002**
- **March 2002 Governing Board Workshop**
- **Presentations to WRAC, Task Force and
Working Group, regional and
environmental interest groups over one
year period**

List of Water Resource Protection Strategies

- Tool 1: Pre-CERP Baseline
- Tool 2: Existing Condition PIR Baseline
- Tool 3: PIR Tentatively Selected Plan
- Tool 4: CERP Reservations
- Tool 5: Initial Reservation
- Tool 6: Regional Water Availability

Purposes and Intent of Water Resource Protection Strategies

December 2000 Pre-CERP Baseline

- Identification and quantification of existing legal sources & levels of service for flood protection
- Indicator of 12/2000 system performance

Existing Condition PIR Baseline

- Identification and quantification of existing legal users, existing levels of flood protection, & existing water quality through time
- Indicator of the present system performance at the time of PIR initiation

PIR Tentatively Selected Plan

- Protection of December 2000 existing legal sources, levels of service for flood protection existing as of 12/2000, and existing water quality
- Protection of existing legal users and levels flood protection through time

Draft PIR

- Identification and quantification of additional water made available for the natural system
- Identification and quantification of additional water made available for other uses

CERP Reservations

- Protection of additional water made available for the natural system

CUP Allocations

- Allocation of additional water made available for consumptive uses

Tool 1: Pre-CERP Baseline

(WRDA 2000 Requirement)

- **Identifies Existing Legal Sources as of December 2000**
 - **“Savings Clause” - elimination or transfer of source, quantity, and quality**
- **Identifies levels of service for flood protection existing as of December 2000**
- **Applies to actions that implement CERP only**
- **Reflects systemwide conditions as 12/00**

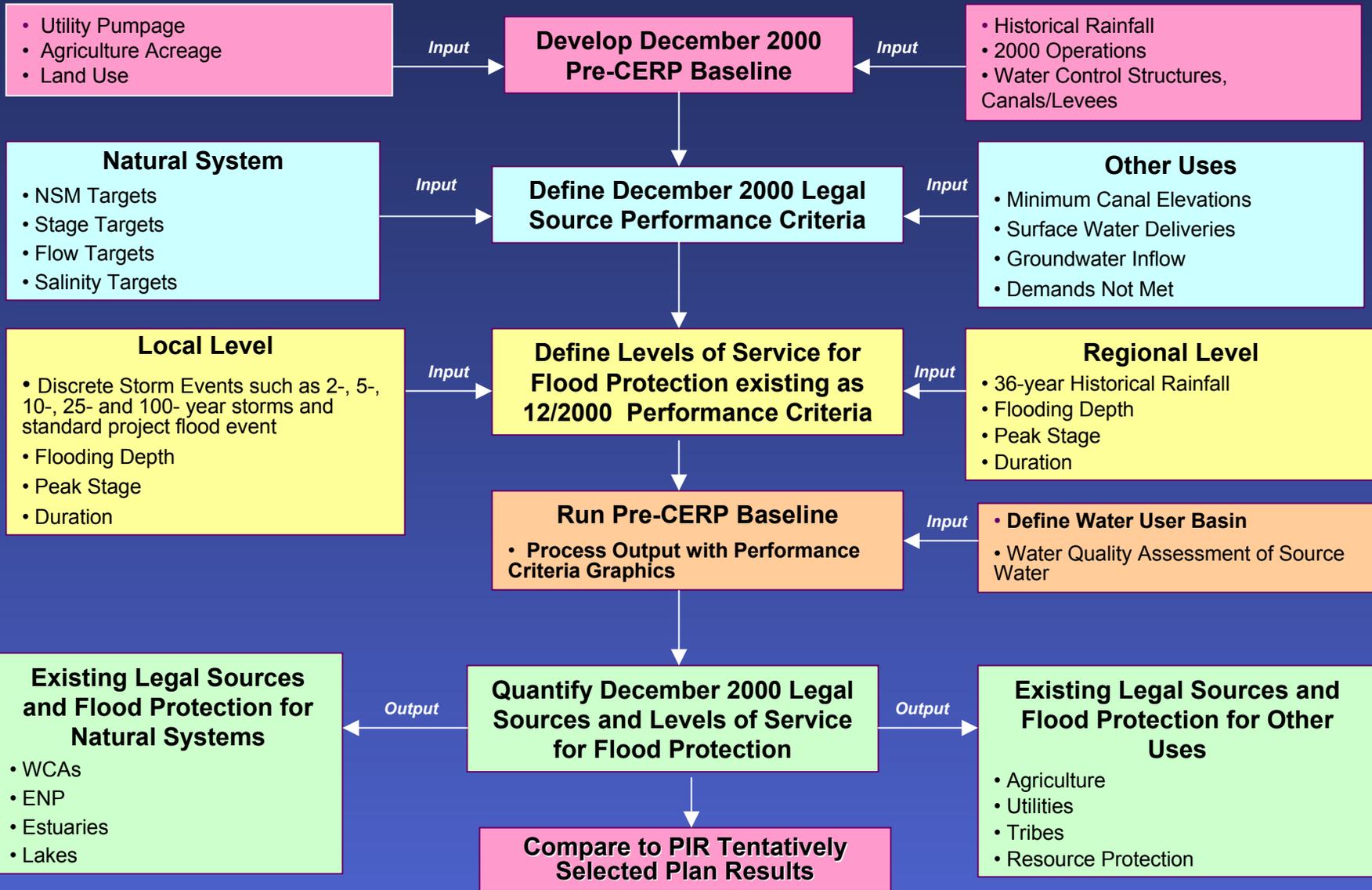
Proposed Existing Legal Source Definition

“Existing Legal Sources” are the sources of water available to a water user basin within the South Florida ecosystem from all locations (including seepage, surface water, and groundwater) used as a water supply, including the water necessary for protection of the source of supply, as of December 11, 2000, consistent with Federal and State law, for:

Proposed Existing Legal Source Definition (cont.)

- (1) an agricultural or urban water supply;**
- (2) allocation or entitlement to the Seminole Tribe of Florida under section 7 of the Seminole Indian Lands Claims Settlement Act of 1987 (25 U.S.C. 1772e);**
- (3) the Miccosukee Tribe of Indians of Florida;**
- (4) water supply for Everglades National Park; or**
- (5) water supply for fish and wildlife.**

Identification and Quantification of Existing Legal Sources of Water and Levels of Service of Flood Protection Existing As of December 2000 Through the Development of the Pre-CERP Baseline



Tool 2: Existing Condition PIR Baseline

(WRDA, Section 373.1501)

- **Identifies existing legal users**
 - **CUPs issued at the time of PIR formulation**
- **Identifies existing levels of flood protection**
- **Reflects current condition at time of PIR formulation**
- **Reference point for determining planning objectives of CERP project design**
- **Changes through time**

Tool 2: Existing Condition PIR Baseline

(WRDA, Section 373.1501) (cont.)

- **Will include:**
 - **Constructed non-CERP projects with an approved water control plan at the time of formulation**
 - **Previously constructed PIRs**
 - **Other non-CERP structural or operational changes**

Tool 3: PIR Tentatively Selected Plan

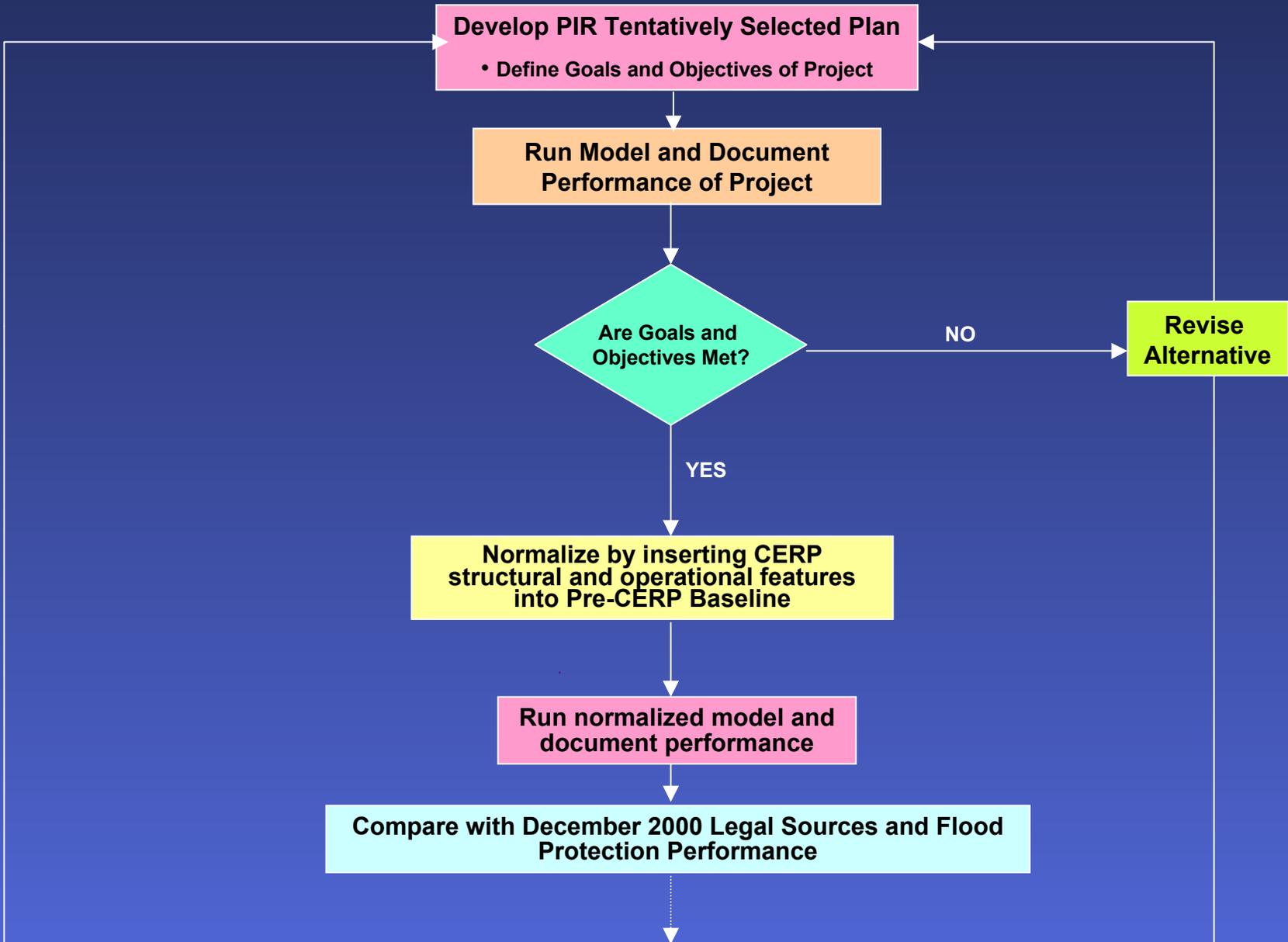
- A single alternative plan selected for recommendation
- Includes future land use, future demands, previously approved CERP and non-CERP projects, plus new project
- Protection of existing legal sources as of December 2000 and protection of levels of service for flood protection existing as of December 2000
 - Compare to Pre-CERP Baseline (Tool 1)

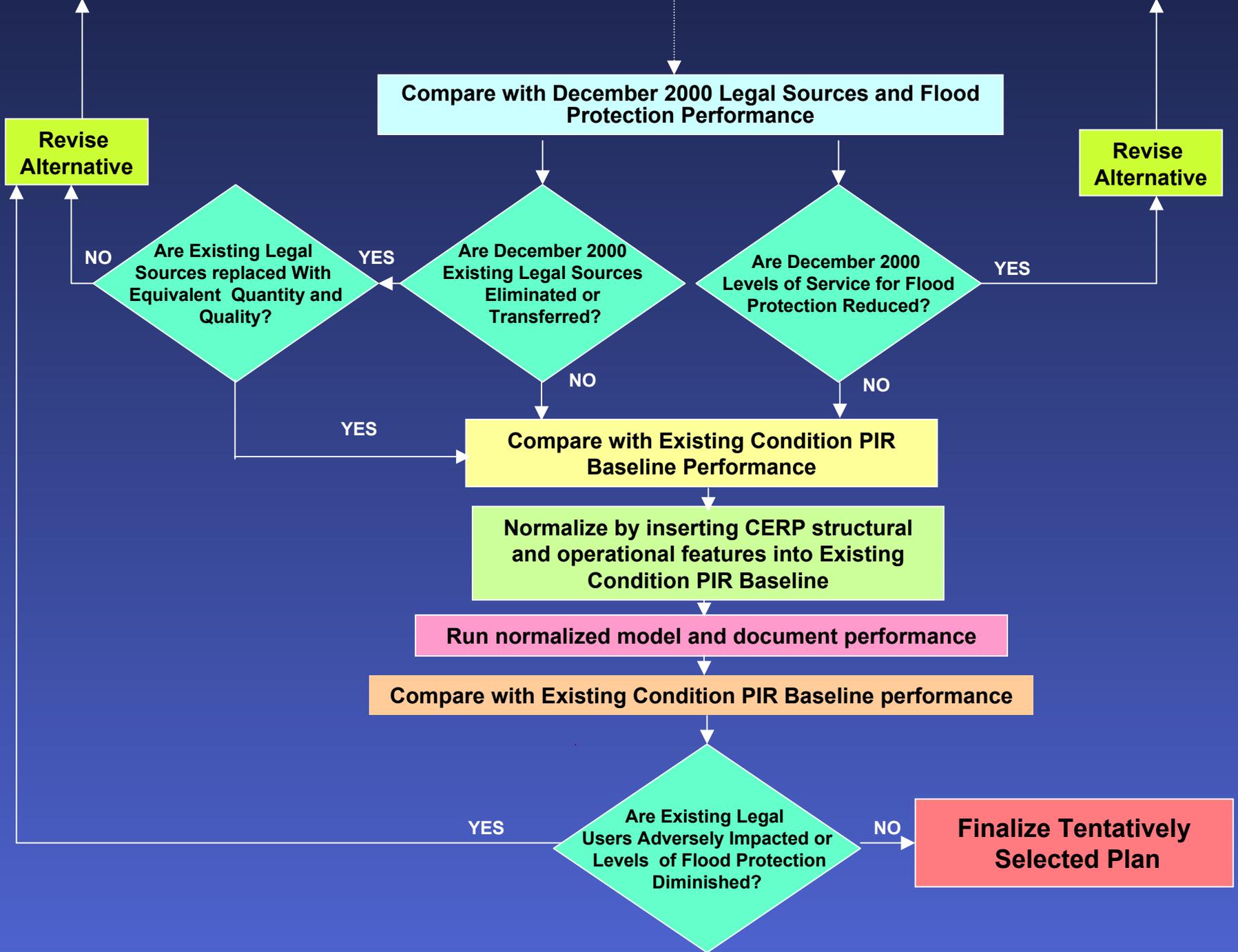
Tool 3: PIR Tentatively Selected Plan

(cont.)

- **Protection of existing legal users and protection of levels of service for flood protection**
 - **Compare to the Existing Condition PIR Baseline (Tool 2)**
- **Quantification of additional water made available**
 - **Natural System**
 - **Other Uses**

Protection of Existing Legal Sources and Levels of Flood Protection as December 2000; and Protection of Existing Legal Users and Existing Levels of Service of Flood Protection Through Time by Development of the PIR Tentatively Selected Plan





Tool 4: CERP Reservations

(WRDA 2000, Section 373.1501)

- Implemented under state law, Chapter 373.F.S.
- Water made available by CERP projects for the natural system
- Identified for each CERP project
- Add to initial reservation (Tool 5)
- Reserved from allocation by CUP
 - Prior to PCA

Tool 5: Initial Reservation

(2005)

(LECRWSP recommendation - not a WRDA requirement)

- Reserved under state law, Chapter 373.F.S.
- Used for initial protection of fish and wildlife for current environmental conditions
- Protects existing beneficial water to the natural system from allocation
- Will protect CUPs issued at the time of reservation adoption consistent with state law
- CERP reservations will build upon initial reservations

Tool 5: Initial Reservation

(2005) (cont.)

- **Proposed to be developed for:**
 - **Everglades National Park**
 - **Water Conservation Areas**
 - **Estuaries: St. Lucie, Caloosahatchee, Biscayne Bay, Florida Bay, Loxahatchee River**
 - **Big Cypress National Preserve**
 - **Lake Okeechobee**
 - **Holey Land Wildlife Management Area**
 - **Rotenberger Wildlife Management Area**

Tool 6: Regional Water Availability (2005)

(LECRWSP recommendation - not a WRDA requirement)

- **Identifies current regional water available for CUP allocation**
- **Consistent with initial reservations**
- **Amended through time based on changes in availability of regional water supplies for consumptive uses by CERP and Non-CERP projects**
 - **After projects are constructed and operated**

State Water Resource Protection Strategies

Minimum Flows and Levels (On-going)

- Limiting direct and indirect withdrawals for priority water bodies in recovery

Permit Duration Rule (2003)

- Identification of conditions under which 20-yr. permits can be obtained and under which shorter term permits would be required for new uses from sources of limited availability

Interim CUP Permitting Program

Initial Regional Water Availability (2005)
1:10 drought conditions

Initial Reservations (2005)

- Protection of existing water for fish and wildlife

PIR Tentatively Selected Plan

- Identification of Additional Water Made Available for the Natural System
- Identification of Additional Water Made Available for Other Uses

Revised Regional Water Availability

- Protection of Additional Water Made Available for Other Uses
- After Project Construction

CERP Reservations

- Protection of additional water made available for natural systems
- Prior to PCA

Incorporate into CUP Permitting Program and Operations as Necessary

What's Next

- Paper will be presented at the Governing Board Workshop on May 14, 2003 in West Palm Beach
- Acceptance of the paper by Governing Board resolution will be sought at the June 2003 Governing Board meeting in West Palm Beach
- Concepts presented in paper are expected to be further defined by the U.S. Army Corps of Engineers and the District CERP Guidance Memoranda

**Thank You
Questions ?**

South Florida
Water Management
District Boundaries

