

SFWMD Water Resources Advisory Commission (WRAC)
Summary: WRAC Issues Workshops on CERP Programmatic Regulations
Guidance Memoranda, and Individually Submitted Comments
January 6, 2005

GM #1 – General Format and Content of Project Implementation Reports

1. Please clarify the term “Objective” and how it relates to “Goals,” “Purposes” and “Targets”.
2. 1-9 line 5-8, not clear about how water will be dedicated and managed for natural system, compared to water reserved or allocated for other uses. Will this be a separate process? Different quantities or the same? *
3. 1-21 line 40-42, discuss the consequences of trade-offs and the relative importance of each goal or objective. Is this a prioritization of goals and objectives? What criteria will be used to determine which goal or objective is more important than another? *

GM #2 – Instructions for Formulation and Evaluation of Alternatives Developed for Project Implementation Reports, Their Costs Effectiveness and Impacts

1. Clarification requested for evaluating Acceler8 as a suite of projects for the next added increment analysis.
2. Flexibility requested in the evaluation of Acceler8 projects. The COE should accept these projects for federal cost share under the CERP, even if they differ from the Selected Alternative Plan, provided they meet project goals and objectives
3. Definitions requested for “Goals,” “Objectives,” and “Targets” to be consistent with Programmatic Regulations definitions.

GM #3 – Identifying if an Elimination or Transfer of Existing Legal Sources of Water Will Occur as a Result of Implementation of the Plan

1. Concerns about pre-CERP baseline modeling and errors, particularly for Lake Worth Drainage District. If errors exist, they could impact “Savings Clause” evaluations for projects.
2. Clarification requested for the term “Comparable”, as used in Section 3.10.4
3. Consider adding information to this GM about the State’s protection of existing users, and project benefits as provided for in the section 373.1501, F.S. (FDEP state approval) process as outlined in the draft Section 373.1501, F.S., CERP Guidance Memorandum.
4. Need to peer review models to find errors or omissions (e.g. South Florida Water Management Model).
5. Natural features should be considered as water users, and as sources.
6. GM should address the problem that 87% of our water is lost because of drainage.
7. Broaden Attachment 3C to cover more non-CERP projects, in the same way the Modified Water Deliveries to Everglades National Park project is covered.

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8. Any structural or operational changes to the Central and Southern Florida Project system, which further the goals of CERP, should be considered covered by the “Savings Clause”.
9. Remove non-“Savings Clause” related discussion and put into a separate GM.
10. 3-29: Need to correct the table to show the full extent of the Miccosukee Reservation in WCA-3.
11. Correct facts about discharge from Water Control Structure S-190.
12. Will excess (non-beneficial) water be stored in an unnatural way in the WCAs?
13. How can you do project-by-project analyses for Next Added Increment and Savings Clause if projects are inter-related?
14. 3-4, 3-22: Why is there a difference in evaluation of intervening non-CERP projects? Natural system project benefits have Savings Clause benefits while water supply project benefits do not.*
15. 3-5: How does “demands met criteria” equate to the quantification of the “amount of water available” under the definition of “existing legal sources”? “Existing legal sources” is the quantity and quality of water available within a water basin (including seepage, surface water, rainfall and groundwater) (3.4 line 19-23, Definition of Existing Legal Sources). *

GM #4 – Identifying the Appropriate Quantity, Quality, Timing, and Distribution of Water to be Dedicated and Managed for the Natural System and for Other Water-Related Needs

1. Request additional discussion of “seepage” in Section 4.5 “Overview of Identification of Water for the Natural System”.
2. Why are “next added increment” and “modified next added increment” to be evaluated?
3. Need to clarify proposed methodology for this evaluation and provide an example.
4. The focus of the GMs should be narrow – remove processes that are purely the State’s responsibility.
5. These Federal documents should not create obligations for the State.
6. In attachment 4D what is the meaning of “written certification”?
7. In attachment 4D clarify meaning of “or any other enforceable means.”
8. Need to ensure that the natural system gets all of the water necessary to meet the original project goals. The plan proposes a minimum level of performance; if that level is not met due to non-CERP actions, such as consumptive use permitting, then the water needs to be provided through some other action. *
9. The idea of “additional water made available” by the project does not appear to be supported by WRDA, 2000 or the Programmatic Regulations. The SFWMD should reserve the total water identified by the project as beneficial to the natural system. *
10. We understand that the intent for the use of the “Modified Next Added Increment” to reserve the initial amount of water from a project. While we’re still not sure if that’s the most appropriate tool, how would you ensure that the future water to be made available would also be reserved? *

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GM #5 – General Content of Operating Manuals

1. No comments received

GM #6 – General Directions for the Conduct of the Assessment Activities of Restoration Coordination Verification (RECOVER)

1. Request for additional discussion to explain Box 3 “Management and Science Integration” in Figure 6-1 “CERP Adaptive Management Framework Overview”.
2. Is there a conflict between RECOVER Basin Evaluation and project-by-project analyses?

Pre-CERP Baseline

1. See Comment 1, GM 3 Re: Concerns about pre-CERP baseline modeling and errors for Lake Worth Drainage District.
2. Table 1, Page 3: How can you reconcile 0% BMP runoff reduction with BMP make-up water?
3. Most water use is based on permitted allocations, except for utilities. Those were based on actual usage – can you reconcile this difference?

General Comments:

1. Is there check and balance to make sure original project goals are achieved even as other changes are being made in the system?
2. How should CERP deal with flood protection in cases where existing levels are not the same as authorized levels; and, will authorized levels be protected?
3. Accepting the 1983 Baseline diminishes flood protection levels of service.
4. Need more discussion on “less-than-fee alternatives” for the acquisition of land.
5. If baselines are established by models, as models change, baselines also change. Should use the same model and version consistently to keep baseline constant.
6. Interim goals and original plan goals should be emphasized more as a means to justify project alternatives, rather than what appears to be a heavy reliance on cost effectiveness.*

* Items submitted separately