

FACT SHEET
EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION
Critical Restoration Projects: Overview
Construction (C)

Congressional Districts: 7, 9, 10, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27

1. DESCRIPTION

The Water Resources Development Act (WRDA) of 1996, Section 528, Everglades and South Florida (E&SF) Ecosystem Restoration, included authorization in 528(b)(3) for implementation of critical restoration projects. These critical projects are defined as providing immediate, independent, and substantial restoration benefits, and to be consistent with the Conceptual Plan of the Governor's Commission for a Sustainable South Florida; having a local sponsor and not being authorized components of the Central and Southern Florida (C&SF) Project. A total of \$75 million was authorized with federal appropriations to be matched by local sponsors. The maximum federal expenditure on any one project was capped at \$25 million. Five projects were cited as examples in the committee language accompanying WRDA 1996; L-28 Modifications, Tamiami Trail Culverts, Keys Carrying Capacity Study, East Coast Canal Structures, and Melaleuca Eradication. Originally, 13 projects considered under this authorization. It was recognized that the total estimated costs for all 13 projects under consideration would exceed the \$75 million federal funding cap. Letter reports were prepared for each project and the various agencies working in concert with the Working Group, Governor's Commission on a Sustainable South Florida, and the Task Force to determine the final nine projects that were to move forward for completion under this authorization. The nine projects included: East Coast Canal Structures (C-4); Florida Keys Carrying Capacity Study, Seminole Big Cypress Water Conservation Plan; Lake Okeechobee Water Retention/Phosphorus Removal Areas; Ten Mile Creek; Western C-11 Water Quality Improvement; Lake Trafford; Southern CREW; and Western Tamiami Trail Culverts. Also, the USACE, Seminole Tribe and South Florida Water Management District (SFWMD) agreed that the Seminole Big Cypress Project would receive 100% of its federal cost share since seven of the remaining projects were sponsored by the SFWMD.

WRDA 2007 authorized the federal funding cap at \$95 million and increased the Seminole Big Cypress project federal cap to \$30 million.

Section 119 of HR3183 (FY 2010 Appropriations) raised the Ten Mile Creek project federal cap to \$28.5 million.

2. **FUNDING**

Estimated Total Cost	\$249,656,000
Estimated Federal Cost	98,500,000
Allocation thru FY16	88,346,619
Carry In to FY17	131,623
Allocation for FY17	0
President's Budget FY18	0

3. **SPONSORS**

South Florida Water Management District (SFWMD)
3301 Gun Club Road
West Palm Beach, Florida 33406

Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Seminole Tribe of Florida
6300 Stirling Road
Hollywood, Florida 33024

4. **STATUS**

Cost estimates for the projects have increased over time due to inflation, unexpected site conditions, design modifications necessary to meet the project goals, and construction bids higher than those originally estimated. According to current U.S. Army Corps of Engineers (USACE) projections, the Critical Projects Program will not have sufficient authority to fund the full federal cost share with the South Florida Water Management District (SFWMD) on Western Tamiami Trail Culverts, Southern CREW, and Lake Trafford projects. The SFWMD has proceeded with work on these projects with its own funding. An increase in the program and per-project caps would allow the USACE to share increased project costs with the sponsor. Further, as work is completed on the Seminole Big Cypress Reservation Water Retention project, if the federal program cap has not been reached, the Corps expects to be able to make remaining funding left in the cap available to apply towards the federal share of the Tamiami Trail Culverts, Southern CREW, and Lake Trafford Projects.

EAST COAST CANAL STRUCTURES (C-4): Project completed. The project provides raised surface and ground water levels to prevent drainage of the Everglades and to reestablish natural hydroperiod patterns.

FLORIDA KEYS CARRYING CAPACITY STUDY (FKCCS): Project completed. The project was completed in January 2003 after official compilation of review comments from the review committee. The purpose of the FKCCS was to develop the tools (e.g.

Carrying capacity Impact Assessment Model, Routine Planning Tool, Dead End Canal Module) to be used by the non-Federal sponsor, the Florida Department of Community Affairs, Monroe county and incorporated municipalities therein, to determine if and how their comprehensive development plans should be revised to ensure that any new development does not exceed the capacity of the county's environment to accommodate additional impacts.

SEMINOLE BIG CYPRESS WATER CONSERVATION PLAN: Seminole Tribe of Florida (STOF) construction of the East Side Conveyance Canal System was completed in July 2003. A USACE contract for construction of the Basin 1 features was awarded in September 2006 and completed in June 2008. Basin 1 was transferred to the sponsor in the second quarter of Fiscal Year 2010 (FY10). Basin 4 construction was completed in January 2013 and was transferred to the sponsor in July 2013. The construction contract for Basin 2 was awarded in September 2013, and construction is scheduled for completion in FY17. Current funding is not adequate to award Basin 3 due to the Federal project funding cap of \$30 million. The USACE and STOF are moving forward with a Project Cooperation Agreement (PCA) Amendment to remove Basin 3 from the Federally-authorized project.

LAKE OKEECHOBEE WATER RETENTION/PHOSPHOROUS REMOVAL AREAS:

Taylor Creek:

The construction contract was complete in April 2006. The interim operational and testing phase was substantially complete in October 2008. Construction of the project including repair of latent defects was completed in August 2010. The project is currently functioning as intended and performing well in reducing the level of phosphorus in effluent waters discharging into the Everglades.

Nubbin Slough:

Construction of the project was physically complete in 2006. Latent defects discovered during the interim operational testing and monitoring phase was repaired in January 2010. Thereafter, the recurrence of extreme low flow conditions in the intake basin halted the system operation. The intake pool was later repaired in Fiscal Year 2012 to remedy the low flow conditions. Additional latent defects were repaired, and the project was transferred to Operation and Maintenance phase in 2015. The project is currently functioning as intended and performing well in reducing the level of phosphorus in effluent waters discharging into the Everglades.

TEN MILE CREEK: Project construction was completed in 2006. The interim operational testing and monitoring period began following construction completion and prior to project transfer to the non-federal sponsor, the South Florida Water Management District (SFWMD). During this period, structural and operational concerns were identified. As a result, efforts to transfer the project to the SFWMD, which would ultimately operate and maintain the project, were halted, and the U.S. Army Corps of Engineers maintained control of the project. The project has remained in a passive operating state since 2009.

From December 2011 to March 2012, temporary limited operational testing of the reservoir was conducted for data collection purposes to support ongoing litigation between the designer-of-record and the Federal government. The testing was conducted to monitor and evaluate the performance of the reservoir. Upon completion of the limited operations, testing confirmed that the reservoir does not retain water due to identified deficiencies. All water was pumped out of the reservoir and back into the Ten Mile Creek and the project was returned to a passive operating state.

The existing Project Cooperation Agreement provides for a federal expenditure limit of \$25 million. The non-federal sponsor does not support further project expenditures. The 2009 Water and Energy Appropriations Act increased the federal funding cap by \$3.5 million to complete a post authorization change report and to fund facility maintenance until 2013; however, no agreement was executed to utilize the extra authorization and appropriations.

The Consolidated Appropriations Act of 2016 directed the Secretary to transfer the project to the SFWMD, and that upon transfer the project would be deauthorized. The Corps and SFWMD completed the agreement and transferred the project to the SFWMD in May 2016.

WESTERN C-11 WATER QUALITY IMPROVEMENT: Construction complete. The project implemented structural and operational modifications to the S-9 pump station and water management system to reduce pollutant loads to the Everglades.

LAKE TRAFFORD: The PCA was signed in January 2000. The Corps-SAJ completed the plans and specifications in 2002, but because of limited Federal funding authority, did not award the construction contract. SFWMD completed the dredging activities in two phases between 2003 and 2011. The SFWMD has completed construction on Lake Trafford. Unless the federal authority for the total of these projects (\$95M) is raised, there will not be sufficient federal authority to cost-share on this project.

SOUTHERN CREW: The PCA for this project was signed in January 2000. The original goal was to acquire approximately 4670 acres of land and reestablish historical sheetflow, hydroperiods and wetland functions on the project lands, as well as enhancing hydroperiods to the larger Southern Corkscrew Regional Watershed (CREW) to the east. Other project benefits include reducing excessive freshwater discharges to Estero Bay, improving water quality to the Imperial River and Estero Bay and improving habitat for fish and wildlife. SFWMD is nearing completion on land acquisition and is continuing design and construction using non-federal funds. According to the SFWMD there is about 6 Million dollars of construction remaining on the Southern Crew Project. Unless the federal authority for the total of these projects (\$95M) is raised, there will not be sufficient federal authority to cost-share on this project.

TAMIAMI TRAIL CULVERTS: The Corps completed plans and specifications and SFWMD has constructed a portion of the culverts. Unless the federal authority for the

total of these projects (\$95 M) is raised, there will not be sufficient federal authority to cost-share on this project.