

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Kenneth G. Ammon, P.E., Deputy Executive Director,  
Everglades Restoration Resource Area

**DATE:** March 2, 2009

**SUBJECT:** Compartment C Buildout Stormwater Treatment Area Civil Works Project –  
Contract Number 4600001698

### **Background:**

The intent of the District is to design and construct Stormwater Treatment Area (STA) Compartment C Buildout to further assist the existing STAs in improving the quality of water entering the Everglades Protection Area (EPA). The long-term Everglades water quality goal is for all discharges to the EPA to achieve and maintain compliance with water quality standards, including phosphorus, as established in Rule 62-302.540 of the Florida Administrative Code. The Project is a component of the Long-Term Plan (LTP) and will permit the State of Florida and the District to fulfill their obligations under the Everglades Forever Act (EFA, F.S. 373.4592). The project also is intended to achieve compliance with the phosphorous limits and levels established under Florida law, Rule 62-302.540, F.A.C. (the Phosphorous Rule), and the Consent Decree entered in United States v. SFWMD, et al., Case No. 88-1886-CIV-Moreno (S.D. Fla.)

The purpose of this contract is to construct the Compartment C Buildout STA civil works (canals, levees, and water control structures) to be flow capable by the mandated date of December 31, 2010. There will be a separate contract for construction of the inflow pump station within the Compartment C Project.

The District will obtain the U.S. Army Corps of Engineers 404 Clean Water Act Permit and Florida Department of Environmental Protection Everglades Forever Act Permit for construction of the Compartment C Buildout prior to the March Governing Board meeting.

### **How this helps meet the District's 10-Year Strategic Plan:**

Compartment C is a component of the Everglades Protection Area Tributary Basins Long-Term Plan for Achieving Water Quality Goals, Revised Part 2 (LTP), which is included in the 10-Year Strategic Plan and the Annual Work Plan. Compartment C will enable the District to achieve Everglades water quality standards to ensure that all waters discharging into the Everglades Protection Area are in compliance with state water quality standards. Approval of the Compartment C Buildout STA contract will initiate construction in order to meet the mandated flow-capable date of December 31, 2010.

**Funding Source:**

This is an 861-day contract with Harry Pepper & Associates, Inc., the lowest responsive and responsible bidder, for construction of the Compartment C Buildout Stormwater Treatment Area civil works project in an amount not to exceed \$47,541,973 for which dedicated funds (proceeds from Series 2006 Certificates of Participation) in the amount of \$15,300,000 are budgeted, and the remainder is subject to Governing Board approval of the FY10-FY11 budgets.

**This Board item impacts what areas of the District, both resource areas and geography:** The Compartment C Buildout Project location is in the southeast corner of Hendry County at the intersection of Palm Beach, Broward, and Hendry county lines. It is bounded on the north by the Everglades Agricultural Area (EAA), on the east by the Rotenberger Wildlife Management Area, and on the south by the Big Cypress Seminole Indian Reservation.

Staff from the Everglades Restoration Resource Area will manage the construction of the Project. Consulting engineering firms will provide construction management and engineering during construction services. Staff from Watershed Management will provide operation support, and the Clewiston Field Station will be responsible for the maintenance of the STA.

**What concerns could this Board item raise?**

Prior to the start of Compartment C Buildout construction, the U.S. Fish & Wildlife Service (FWS) must provide approval of the interim change of land use of the Talisman lands acquired with the 1996 Farm Bill funding. The approval of this interim land use change will be provided once the 404 permit is issued.

**Why should the Governing Board approve this item?**

The construction contract for civil works must be pursued expeditiously in order to meet the overall Compartment C Project schedule of being flow-capable by December 31, 2010 and achieve the goals of the Long-Term Plan.

Attachments – Resolution, Map  
KGA/ma