

MEMORANDUM

TO: Governing Board Members

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

FROM: Ruth Clements, Department Director,
Land Acquisition and Land Management

DATE: January 8, 2008

SUBJECT: Designate Stormwater Treatment Areas 1 East and 1 West as “Stormwater Treatment Areas” under Rule 40E-7.521(29), Florida Administrative Code

Recommendation: Staff recommends designating Stormwater Treatment Area 1 East (STA-1 East) and Stormwater Treatment Area 1 West (STA-1 West) as “Stormwater Treatment Areas” per Rule 40E-7.521(29), Florida Administrative Code, to provide for the implementation of Chapter 40E-7, Part V, Florida Administrative Code; providing an effective date.

Background: As mandated by the Everglades Forever Act (Section 373.4592, Florida Statutes), the stormwater treatment areas were created to remove phosphorus from urban and agricultural runoff flowing into the Everglades. In addition to this primary purpose, the stormwater treatment areas were also to be evaluated for potential recreational opportunities provided such uses did not compromise the primary purpose of the Stormwater Treatment Areas (STAs). STA-1 East (6,562 acres) and STA-1 West (6,670 acres) are constructed wetlands designed for this purpose.

The Public Use Rule (Chapter 40E-7, Part V, Florida Administrative Code), which became effective July 12, 2006, allows areas designated as “Stormwater Treatment Areas” under the rule to be used for compatible nature-based recreation. The regulations set forth in the Rule specific to Stormwater Treatment Areas were developed to allow for public use consistent with the primary purpose of the project. Officially designating STA-1 East and STA-1 West as Stormwater Treatment Areas under Rule 40E-7.521(29), Florida Administrative Code., will allow for the enforcement of the public use rules specifically dealing with these types of properties as contained in Rule 40E-7.5383, Florida Administrative Code.

How this helps meet the District’s Mission: The establishment of STA-1 East and STA-1 West will expand public use on District lands without compromising the District’s responsibility to protect the resources and improve water quality being discharged to the Everglades, as required by legislative mandates and District policy. Such designation

will provide for the enforcement of rules and regulations specifically adopted to manage and facilitate public use in these areas.

This Board item impacts what areas of the District, both resource areas and geography: This activity will take place in Palm Beach County and will affect STA-1 East and 1 West of the Everglades Program.

What concerns could this Board item raise?

The numerous levees, water control structures and monitoring equipment within STA-1 East and 1 West are critical to the success of the phosphorus control program. Water control structures and monitoring equipment accessible to the public will be fenced for security purposes.

Why should the Governing Board approve this item?

Expanding the allowable recreation activities is consistent with the Everglades Forever Act and District policy. The Governing Board's designation of these areas as "Stormwater Treatment Areas" under Rule 40E-7.521(29), Florida Administrative Code, will allow for the enforcement of public use rules specific to Stormwater Treatment Areas and as defined in Rule 40E-7.5383.