

Managing Complexity: Implementing an Ecosystem Restoration Program*

- Program Implementation Framework
- Program Management Tools
- Lesson Learned

**How I Stopped Worrying and Learned to Love Change and Uncertainty!*

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The Easy Part. . .



Now what? Implement your program and meet everyone's expectations!

Everglades Program Implementation

I. Legal /Policy Management

- Federal Laws & Rules
- State Laws & Rules
- Agreements
- Policy Guidance
- SOPs

II. Financial Management

- Cost Estimating
- Budgeting
- Funds Mgt/Tracking
- Cost-Share Management

III. Program Management

- Teams & Meetings
- Scheduling
- Outreach & Strategic Communication
- Dispute Resolution

IV. Science & Adaptive Management

- Goals and Targets
- Monitoring
- Assessment
- Modifications

Life Cycle

Planning → Design → Construction → O&M



I. Legal/Policy

- Federal Laws
 - Authorization (WRDAs)
 - Appropriations Acts (*two-year budget cycle*)
 - Regulations
 - CERP Programmatic Regulations (2003)
 - Engineer Regulations (<http://140.194.76.129/publications/eng-regs/>)
 - ER1105-2-100 (“Planning Guidance Notebook”)
 - Executive Orders
 - Policy Decisions
- State Laws (Florida Statutes)
 - Budget (*annual*)
 - Rules
 - Florida Administrative Code
 - Policy Decisions

Authority

- Authorization by Congress/President to do work (spend \$\$)
 - Water Resource Development Acts (*WRDA*)
- Complex; Historical Context
- Everglades Restoration: Study Phase
 - *WRDA* 1986 (50-50 cost-sharing of Feasibility Studies)
 - *WRDA* 1992 (Reconnaissance Phase)
 - *WRDA* 1996 (Feasibility Phase)
- Everglades Restoration: Implementation Phase
 - *WRDA* 2000: “Approved” Comprehensive Everglades Restoration Plan (CERP)
 - Implementation requirements; established 50-50 cost-sharing partnership for design, construction, O&M
 - *WRDA* 2007: Authorized 3 CERP projects; new implementation requirements (Peer Review; PPCAs)

Agreements

- “Contracts” containing details of what was authorized
- Define terms of “Partnership” w State of FL (SFWMD)
 - State Laws can affect terms

Design Agreement (May 2000)

- *Program Management Requirements*

Master Agreement (Aug 2009)

- *Construction, Transfer, O&M*
- *Program-level financial management*

Project Partnership Agreements

- *Four agreements executed so far. . .*
- *Project-specific requirements*

Think about approval requirements & timelines!

CERP Design Agreement

DESIGN AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
SOUTH FLORIDA WATER MANAGEMENT DISTRICT
FOR THE DESIGN OF ELEMENTS OF THE
COMPREHENSIVE PLAN FOR THE EVERGLADES AND SOUTH FLORIDA
ECOSYSTEM RESTORATION PROJECT

ORIGINAL

THIS AGREEMENT entered into this 12th day of May, 2000, by and between the Department of the Army (hereinafter the "Government") represented by the Assistant Secretary of the Army (Civil Works) and South Florida Water Management District (hereinafter the "Non-Federal Sponsor") represented by the Chairman of its Governing Board.

WITNESSETH, THAT:

WHEREAS, the Energy and Water Development Appropriations Act for Fiscal Year 2000, Public Law 106-50, included funds for the Government to initiate design (as defined in Article I.B. of this Agreement) of elements of the Comprehensive Plan for the Everglades and South Florida Ecosystem Restoration Project (hereinafter the "Program" as defined in Article I.A. of this Agreement) at South Florida;

WHEREAS, Section 105(c) of Public Law 99-662 (33 U.S.C. Section 2215), provides that the costs of design of a water resources project shall be cost shared in the same percentage as the purposes of the Program; and

WHEREAS, Section 528(e) of the Water Resources Development Act of 1996, Public Law 104-303, and Government policy requires that the Non-Federal Sponsor cost share shall be 50 percent for the Program; and

WHEREAS, Section 208(d) of the Water Resources Development Act of 1999, Public Law 106-53, provides that the Secretary of the Army shall afford credit for work performed by Non-Federal interests at the request of the Secretary of the Army in furtherance of the design of Program features; and

WHEREAS, the Government and the Non-Federal Sponsor agree that the Non-Federal Sponsor shall contribute 50 percent of the financial obligations for design of the Program; and

WHEREAS, the Government and Non-Federal Sponsor have the full authority and capability to perform as hereinafter set forth and intend to cooperate in contributing to the design in accordance with the terms of this Agreement.

Executed May 2000

- **Article II: Obligations of the Government and Non-Federal Sponsor**
- **Article III: Design Coordination Team**
- **Article V: Dispute Resolution**

Prior to WRDA 2000!

CERP Master Agreement

August 2009

MASTER AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
SOUTH FLORIDA WATER MANAGEMENT DISTRICT
FOR COOPERATION IN
CONSTRUCTING AND OPERATING, MAINTAINING, REPAIRING,
REPLACING, AND REHABILITATING
PROJECTS AUTHORIZED TO BE UNDERTAKEN PURSUANT TO THE
COMPREHENSIVE EVERGLADES RESTORATION PLAN

THIS AGREEMENT is entered into this 13th day of August, 2009, by and between the DEPARTMENT OF THE ARMY (hereinafter the "Government"), represented by the Principal Deputy Assistant Secretary of the Army (Civil Works) and SOUTH FLORIDA WATER MANAGEMENT DISTRICT (hereinafter the "Non-Federal Sponsor"), represented by the Chair of its Governing Board.

WITNESSETH, THAT:

WHEREAS, construction of the Central and Southern Florida Project for Flood Control and Other Purposes (hereinafter "C&SF Project") was authorized by Section 203 of the Flood Control Act of 1948 (62 Stat. 1176), as amended;

WHEREAS, the Comprehensive Everglades Restoration Plan (hereinafter the "CERP") contained in the Final Integrated Feasibility Report and Programmatic Environmental Impact Statement, dated April 1, 1999, was approved with certain changes by the Congress of the United States (hereinafter the "Congress") in Section 601 of the Water Resources Development Act (hereinafter "WRDA") of 2000, Public Law 106-541, as a framework for modifications and operational changes to the C&SF Project that are needed to restore, preserve, and protect the South Florida ecosystem while providing for other water-related needs of the region, including water supply and flood protection;

WHEREAS, Section 601 of WRDA 2000, Public Law 106-541, as amended by Section 6003 of WRDA 2007, Public Law 110-114, specifies that Section 902 of WRDA 1986, Public Law 99-662, as amended (33 U.S.C. 2280), which establishes the maximum costs of projects shall apply to each project undertaken pursuant to Sections 601(b) and 601(d) and also shall apply to the individual project funding limits in Section 601(c)(3)(A) and the aggregate cost limits in Section 601(c)(3)(B);

WHEREAS, the Government and the Non-Federal Sponsor (hereinafter the "Parties") have already entered into a Design Agreement for CERP, dated May 12, 2000 (hereinafter the "Design Agreement");

Article V: Coordination

- Reiterates parties responsibilities per CERP Design Agreement
- Defines role of Project Managers
- Establishes "Quality Assurance Coordination Team" for construction

Article VIII: Dispute Avoidance and Resolution

- References 2002 Dispute Resolution Agreement

Project Partnership Agreement

PROJECT PARTNERSHIP AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
SOUTH FLORIDA WATER MANAGEMENT DISTRICT
FOR CONSTRUCTING AND OPERATING, MAINTAINING, REPAIRING,
REPLACING, AND REHABILITATING
PHASE 1 OF THE
SITE 1 IMPOUNDMENT PROJECT

THIS AGREEMENT is entered into this 10th day of June, 2010, by and between the DEPARTMENT OF THE ARMY (hereinafter the "Government"), represented by the District Engineer, U.S. Army Engineer District, Jacksonville, and the SOUTH FLORIDA WATER MANAGEMENT DISTRICT (hereinafter the "Non-Federal Sponsor"), represented by the Chairman of its Governing Board.

WITNESSETH, THAT:

WHEREAS, the Government and the Non-Federal Sponsor (hereinafter the "Parties") entered into an agreement on August 13, 2009 (hereinafter the "Master Agreement") that sets forth the terms of participation for the construction, operation, maintenance, repair, replacement and rehabilitation of projects implemented under the Comprehensive Everglades Restoration Plan (hereinafter "CERP") so as to promote uniformity of terms, ease of administration, and efficiency in execution of such projects;

WHEREAS, construction of the Site 1 Impoundment Project at Palm Beach County, Florida was authorized by Section 1001(16) of the Water Resources Development Act of 2007, Public Law 110-114;

WHEREAS, on May 12, 2010, the Assistant Secretary of the Army (Civil Works) approved constructing the Site 1 Impoundment Project in two phases using two separate project partnership agreements;

WHEREAS, the Government and the Non-Federal Sponsor desire to enter into a Project Partnership Agreement (hereinafter the "PPA" as defined in Article I.C. of the Master Agreement) for construction of Phase 1 of the Site 1 Impoundment Project (hereinafter the "authorized CERP Project", as defined in Article 2.1. of this PPA) and the Parties acknowledge that construction of Phase 2 of the Site 1 Impoundment Project is not covered by this PPA and that construction of Phase 2 would be the subject of a future project partnership agreement to be entered into by the Parties;

Project Specific "Contract"

- Must be executed before construction contract awarded
- Based on Master Agreement
- Based on Authorization
- Project Implementation Report

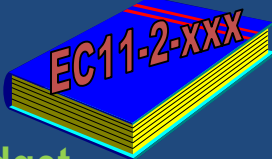
II. Financial Management

- Based on Legal & Policy Requirements
- Budgeting (Feds: two-year cycle; annual funding)
 - Preparation
 - Defense (Justification)
 - Updated Economic Information
 - *Costs, Remaining Benefits*
 - Review (negotiation!)
- Appropriations
 - Specific requirements
 - Incremental Funding
- Funds Management
- Accounting & Cost-Share Management
 - Credit
 - Work-in-Kind
 - Real Estate

Need systems in place to manage!



HQ Provides Budget Guidance (Mar)



HQ Review & Approval (May -Jun)



Field Offices Develop Program Requirements (Mar - Apr)



Budget Presented to Sec. Army (Jul - Aug)

OMB Provides Budget Guidance (Jan)

Funding Alloc. To Field Offices (Oct - Dec)



Budget Submitted to OMB (Sep)



OMB Passback (Nov)

President's Budget to Congress (Feb)



Cong. Hearings (Mar - Apr)



Budget Resolutions

Appropriations Bills (Jul - Sep)



President Signs Approp. Bill (Sep - Oct)



III. Program & Project Management

- Project Implementation
 - Project Delivery Team
 - Project-Management
- Scope, Schedules, Budget
- Issue Identification
- Strategic Communication
- Engagement
- Issue Management
- Formal Dispute Resolution

AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY,
THE STATE OF FLORIDA
AND
THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT
FOR
RESOLVING DISPUTES
UNDER THE
COMPREHENSIVE EVERGLADES RESTORATION PLAN

THIS AGREEMENT is entered into this 9th day of September, 2002, by and among the Department of the Army (hereinafter the "Army"), represented by the Assistant Secretary of the Army (Civil Works), the Director of Civil Works of the U.S. Army Corps of Engineers, the Division Engineer of the South Atlantic Division of the U.S. Army Corps of Engineers, and the District Engineer of the Jacksonville District, U.S. Army Corps of Engineers, and the State of Florida (hereinafter the "State"), represented by its Governor, the Secretary of the Department of Environmental Protection, and the South Florida Water Management District represented by the Chair of its Governing Board and by its Executive Director, hereinafter collectively referred to as the "parties."

WHEREAS, the Water Resources Development Act of 2000 (P.L. 106-541), Title VI, Comprehensive Everglades Restoration, Section 601(i) *Dispute Resolution*, provides that the Secretary of the Army and the Governor shall, within 180 days from the date of enactment of this Act, develop an agreement for resolving disputes between the U.S. Army Corps of Engineers (hereinafter "USACE") and the State associated with the implementation of the Comprehensive Everglades Restoration Plan (hereinafter the "Plan"), including establishing in this Agreement:

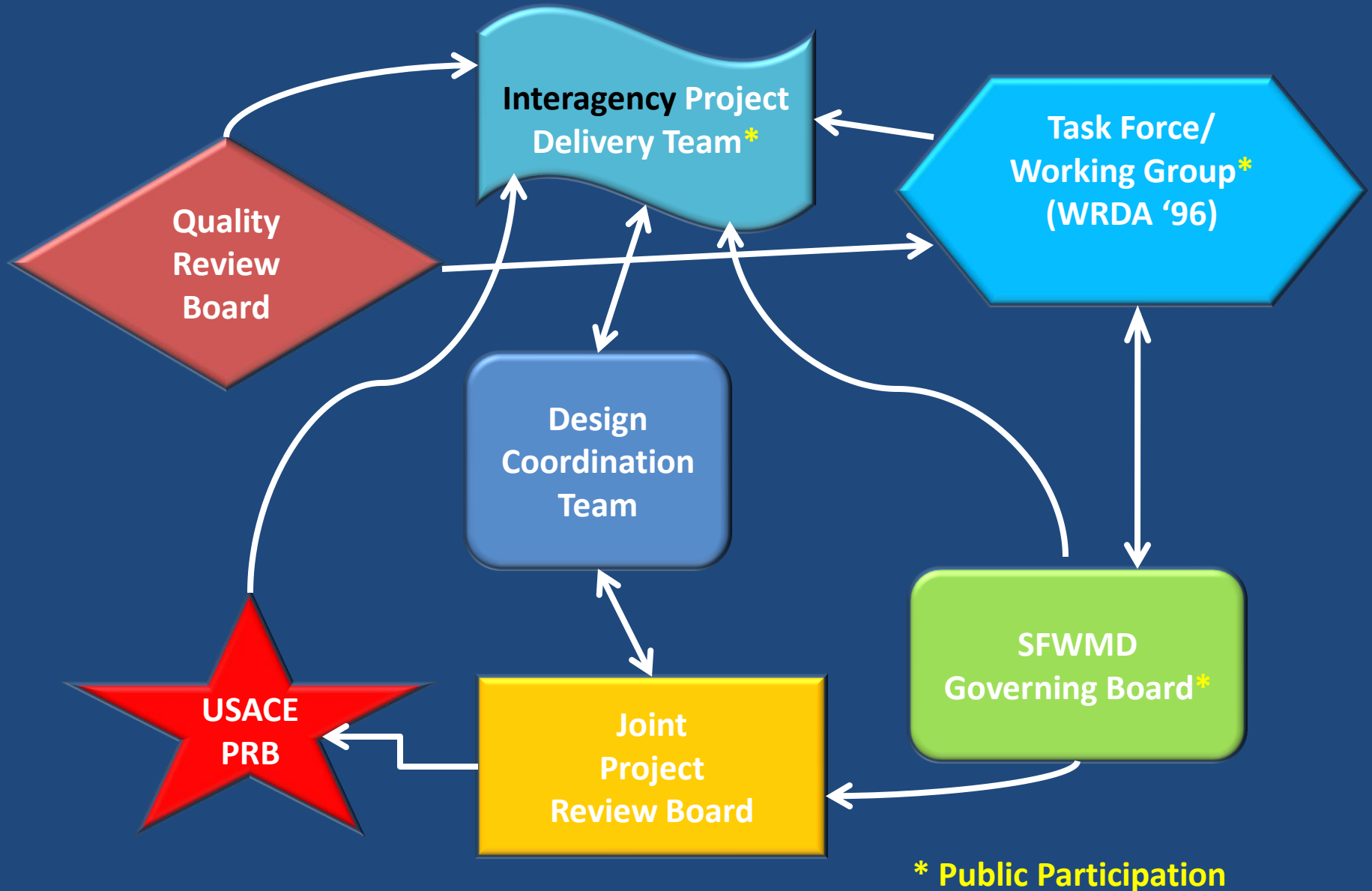
(A) a preference for the resolution of disputes between the Jacksonville District of USACE and the South Florida Water Management District;

(B) a mechanism for the Jacksonville District of USACE or the South Florida Water Management District to initiate the dispute resolution process for unresolved issues;

CERP Design Coordination Team (DCT)

- Established by Design Agreement
- Led by Program Managers from Partner Agencies (USACE, SFWMD)
- Forum for:
 - PDTs to identify issues affecting implementation
 - Agencies to share views/concerns
- Program/Project-Specific Guidance
- Forcing Function: keeps visibility on:
 - Schedules
 - Need for timely issue elevation & resolution

Everglades Program Management Framework



Functions of DCT

- Co-chaired by Program Managers
- *Oversee (from Design Agreement):*
 - Schedules and budgets
 - Plans and specifications
 - Updates to Master Program Management Plan
 - Real Estate requirements
 - Contract scopes-of-work, modifications, and contract costs
 - Program/Project costs and projections
 - O&M needs
 - Science & Adaptive Management (RECOVER)
 - Funding/Work-in-Kind

DCT Program Management Tools

- CERP Guidance Memoranda
 - 38 CGMs issued to date
 - <http://www.evergladesplan.org/programs>
 - Design Criteria Memoranda (DCMs)

11/7/2002

CERP Guidance Memorandum

South Florida Water Management District – Jacksonville District, U.S. Army Corps Of Engineers

3/20/2009

CERP Guidance Memorandum

South Florida Water Management District – Jacksonville District, U.S. Army Corps Of Engineers

CGM NUMBER-REVI
EFFECTIVE DATE: 1
CATEGORY: General

SUBJECT: Project Change Control

DESCRIPTION:

This memorandum provides guidance to Army Corps of Engineers (USACE), (SFWMD), and members of the Project control and processing of changes to Agreement executed between the South Secretary of the Army for the implementation Restoration Plan (CERP).

As part of the CERP implementation, the developing a project management information data set for the analysis, performance reporting of program and project management as the CERP Project Management Information

The Program Controls Division of the Management Branch of the USACE, report Controls" function. For the purpose of this the joint function of these organizations.

A disciplined program and project management quality products and services. The USAF project management business process as (Master Program Management Plan, Aug Project Management Business Process (wide program and project level processes learned and best business practice experience make it easier to meet strategic goals. Engineer Regulation (ER) 5-1-11, USAC

This document provides working level guidance to assist Project Delivery Teams in the implementation of the Comprehensive Everglades Restoration Plan (CERP) program executed between the South Florida Water Management District and the U.S. Army Corps of Engineers. The guidance does not constitute policy for any agency member carrying out their duties. Guidance reflecting agency policy on subjects listed in the guidance memorandum section of the programmatic regulations for CERP will be issued when the final programmatic regulations process stated in the regulations.

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4/11/2002

CERP Guidance Memorandum

South Florida Water Management District – Jacksonville District, U.S. Army Corps Of Engineers

1/7/2009

CERP Guidance Memorandum

South Florida Water Management District – Jacksonville District, U.S. Army Corps Of Engineers

CGM NUMBER-REVISION: 011
EFFECTIVE DATE: 1/07/03
CATEGORY: Reports

SUBJECT: Management Regions

DESCRIPTION:

This memorandum provides Project Managers a definition of project management regions for the

GUIDANCE:

To assist in the effective and efficient management Restoration Plan (CERP), the project being implemented by the U.S. Army Corps of Engineers (USACE) and District (SFWMD) will be geographically categorized

APPLICATION:

Effective the date of this memorandum, all projects will be assigned to one of the nine South Florida PM depicted on Figure 1. Table 1 reflects the assignment under this program to one of the South Florida PM

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CERP Guidance Memorandum

South Florida Water Management District – Jacksonville District, U.S. Army Corps Of Engineers

CGM NUMBER-REVISION: 029.00
EFFECTIVE DATE: November 19, 2003
CATEGORY: Outreach

SUBJECT: Project-Level Public Outreach

DESCRIPTION:

The goal of public involvement and coordination is to open and maintain channels of communication with the public to give full consideration to public views and information in the planning process. The objectives of public involvement are to 1) provide information on proposed activities to the public; 2) make the public's desires, needs, and concerns known to decision-makers; 3) provide for consultation with the public before decisions are reached; and 4) consider the public's views in reaching decision.

Public input is a crucial part of CERP implementation. Knowing when and how to engage the public and obtain this input effectively is one of the keys to successful public involvement. This guidance document outlines several options for obtaining public input and the requirements associated with each option. The Corps and SFWMD both strive to provide equal, nondiscriminatory access to the public for all aspects of involvement.

GUIDANCE:

It is necessary to have a clear understanding of the purpose of the engagement activity prior to hosting any event where public participation is actively sought. The decision to organize and hold an engagement activity should be made based on the underlying principle of providing timely and adequate opportunities for participation.

The schedule and design of public engagement activities depend on the:

1. Project type and schedule;
2. Information the public is likely to need;
3. Time during the project life cycle at which the information is needed;
4. Role the public desires to play; and
5. Type of input sought by staff.

The public should never be engaged in an activity unless Corps and SFWMD staff have a clear understanding of the purpose and format of the activity. Once the purpose of the engagement activity is determined, the type of meeting and its level of formality are

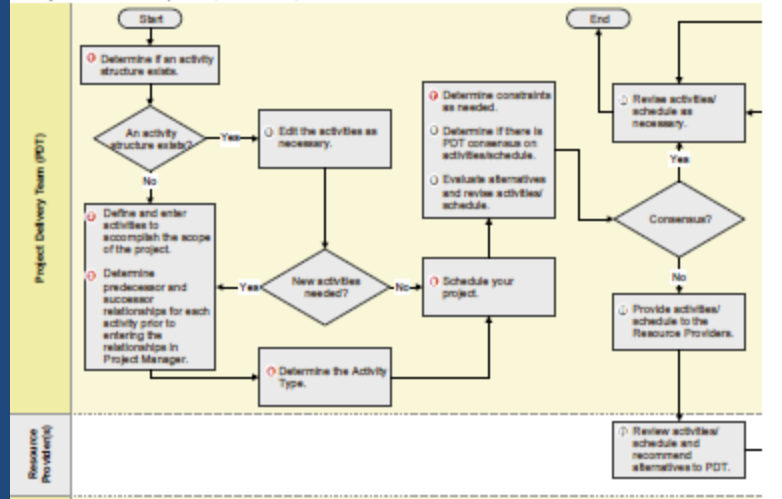
This document provides working level guidance to assist Project Delivery Teams in the implementation of the Comprehensive Everglades Restoration Plan (CERP) program executed between the South Florida Water Management District and the U.S. Army Corps of Engineers. The guidance does not constitute policy for any agency member carrying out their duties. Guidance reflecting agency policy on subjects listed in the guidance memorandum section of the programmatic regulations for CERP will be issued when the final programmatic regulations process stated in the regulations.

Page 1 of 10

Project Schedules

- Project Schedule is controlling management tool
- “P2” is USACE Scheduling Tool
- Activities and Resources scheduled for project lifecycle
- **Critical for Budgeting**

Activity/Schedule Development [PROC 2030]



		P2 Milestone Variance Report				Printed: 30-Jun-09			
Activity ID	Activity Name	RD Works	Civil Works	Construction	1101 BC Finish Date	C/A BC Finish Date	Forecast Finish Date	Variance 2101- Forecast	Variance C/A- Forecast
ROGALSKI, MICHAEL B					30-Apr-13	20-Sep-17	20-Sep-17	-1103.00	0.00
Project: 114527 Herbert Hoover Dike					30-Apr-13	20-Sep-17	20-Sep-17	-1103.00	0.00
512-9970	Real Estate Maps to RE (Reach 1C)				01-May-09	01-Jul-09	01-Jul-09	-42.00	0.00
512-2430	Project USACE Audits Complete (Reach 1A)	SAJ - CW - 472			04-Jun-09	02-Jul-09	02-Jul-09	-20.00	0.00
512-2440	Project Sponsor Audits Complete (Reach 1A)	SAJ - CW - 474			04-Jun-09	02-Jul-09	02-Jul-09	-20.00	0.00
512-11910	P&S Footprint for RE & NEPA (Reach 1A)		CW310		18-Jun-09	17-Jul-09	17-Jul-09	-20.00	0.00
512-10765	Quarry Fill Award (Reach 1)			CC800	11-Aug-09	14-Aug-09	14-Aug-09	-3.00	0.00
512-10775	Quarry Fill NTP (Reach 1)		CW440		01-Sep-09	14-Sep-09	14-Sep-09	-8.00	0.00
512-11110	Cut Off Wall TO #5 BCOE (Reach 1)		CW320		15-Sep-09	14-Oct-09	14-Oct-09	-20.00	0.00
512-11145	Cut Off Wall TO #5 Award (Reach 1)			CC800	14-Oct-09	12-Nov-09	12-Nov-09	-20.00	0.00
512-4690	Construction Contract Acquisition Plan Complete (Reach 2)	SAJ - CW - 397			30-Sep-09	27-Nov-09	27-Nov-09	-39.00	0.00
512-11155	Cut Off Wall TO #5 NTP (Reach 1)		CW440		29-Oct-09	30-Nov-09	30-Nov-09	-20.00	0.00
512-11750	Revised EA/SEIS Complete (Reach 1A)		CW210		22-Dec-09	22-Jan-10	22-Jan-10	-20.00	0.00
512-11815	Revised EA FONSI/SEIS ROD (Reach 1A)		CW230		22-Jan-10	22-Feb-10	22-Feb-10	-20.00	0.00
512-4700	Construction Contract Acquisition Plan Complete (Reach 3)	SAJ - CW - 397			09-Mar-10	03-May-10	03-May-10	-39.00	0.00
512-6080	Ready To Advertise CW MATOC (Reach 3CW)		CW400		16-Mar-10	10-May-10	10-May-10	-39.00	0.00
512-2720	Submit Final MRR to SAD (MRR Reach 2 & 3)		CW160		15-Apr-10	13-May-10	13-May-10	-20.00	0.00

Why Schedules

- Accountability
 - Public, Congress, M
- Reliable Management
 - Expectation Management
 - Reality vs. Hope
- Change Management
 - Require buy-in at a

11/7/2002

CERP Guidance Memorandum

South Florida Water Management District – Jacksonville District, U.S. Army Corps Of Engineers

CGM NUMBER-REVISION: 007.00

EFFECTIVE DATE: 01/01/2003

CATEGORY: Program Controls

SUBJECT: Project Change Control

DESCRIPTION:

This memorandum provides guidance to the staffs of both Jacksonville District, U.S. Army Corps of Engineers (USACE), South Florida Water Management District (SFWMD), and members of the Project Delivery Teams (PDT's) in general for the control and processing of changes to projects being pursued under the Design Agreement executed between the South Florida Water Management District and the Secretary of the Army for the implementation of the Comprehensive Everglades Restoration Plan (CERP).

As part of the CERP implementation, the SFWMD and the USACE is in the process of developing a project management information system to provide a joint and common data set for the analysis, performance measurement, and for certain non-proprietary reporting of program and project management information. This system is referred to as the CERP Project Management Information System (PMIS).

The Program Controls Division of the SFWMD and the Restoration Program Management Branch of the USACE, represent the implementing agencies' "Program Controls" function. For the purpose of this document, the term Program Controls refers to the joint function of these organizations.

A disciplined program and project management process is essential in order to deliver quality products and services. The USACE and the SFWMD have agreed to utilize a project management business process as the framework to jointly implement CERP (Master Program Management Plan, August 2000). The USACE has an established Project Management Business Process (PMBP), which provides a common USACE-wide program and project level processes. The USACE's PMBP incorporates lessons learned and best business practice experience to create a working environment that will make it easier to meet strategic goals. This core business standard is provided in Engineer Regulation (ER) 5-1-11, *USACE Business Process*, and establishes the

This document provides working level guidance to assist Project Delivery Teams in the implementation of the Comprehensive Everglades Restoration Plan (CERP) program executed between the South Florida Water Management District and the U.S. Army Corps of Engineers. The guidance does not constitute policy for either agency nor does it create authority beyond that granted to any agency member carrying out their duties. Guidance reflecting agency policy on subjects listed in the guidance memoranda section of the programmatic regulations for CERP will be issued when the final programmatic regulations are adopted, using the process stated in the regulations.

When Program Implementation fails to meet expectations

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 88-1886-CIV-MORENO

UNITED STATES OF AMERICA,
Plaintiff,

vs.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT *et al.*,
Defendants

REPORT OF THE SPECIAL MASTER (AUGUST 30, 2010)

By its "Order Granting Motion to Adopt the Special Master's Report, Motion Seeking Declaration of Violations, and Motion for Declaration of Breach of Commitments" dated March 31, 2010 ("March 31 Order"), the Court referred a number of issues to the Special Master. This Report addresses one of those issues: the construction of the Everglades Agricultural Area (EAA) A-1 Reservoir. In the March 31 Order, the Court ordered the A-1 Reservoir to be constructed in the absence of an amendment to the Consent Decree "to deal with changed circumstances and opportunities" (March 31 Order, p. 19-20).¹

¹ The remaining tasks are (1) to recommend realistic mutually-agreeable deadlines, as necessary, for the projects listed on Appendix A to the Special Master's July 5, 2006 Report to the Court and, if appropriate, to evaluate the effectiveness of past projects that may no longer be effective remedies; (2) to hold an evidentiary hearing to address these five questions (a) compliance with the Consent Decree's Load Reduction Requirements; (b) whether the phosphorus exceedances in the EPA constitute a violation of Appendix A of the Consent Decree; (c) whether the State Parties are violating the Consent Decree by not employing PSTA technology as a viable tool to prevent future violations; (d) whether discharges into the Western Basin constitute a violation of the Consent Decree; and (e) whether the Consent Decree requires that phosphorus discharges be "Everglades-wide," "as opposed to the 17 ppb goal"; and (3) to hold a remedial

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 88-1886-CIV-MORENO

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
1886-CIV-MORENO

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UNITED STATES OF AMERICA,
Plaintiff,

v.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT *et al.*,
Defendants.

INITIALS

I. Eric Busby

District

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WESTERN BASIN PHOSPHORUS CORPS OF ENGINEERS

Division of the Jacksonville
Engineers ("Corps") since
worked for the Florida
Commission to the Corps for
("V") from 1997-2000.
ion Team, and co-
the water quality
1995-1996, my
its issued by
sued to the
operation

Questions?

