



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

June 1, 2018

The Honorable R.D. James  
Assistant Secretary of the Army, Civil Works  
Department of the Army  
108 Army Pentagon  
Washington, D.C. 20310-0108

Dear Assistant Secretary James:

We thank you for your pivotal determination that the South Florida Water Management District's (SFWMD) plan for the Everglades Agricultural Area Storage Reservoir is feasible. We have completed the first step in the federal approval process and now look to the Office of Management and Budget (OMB) for its review. We hope OMB will provide clearance for the Assistant Secretary of the Army (ASA) to submit the project to Congress for authorization. The State of Florida's plan to direct clean water south to America's Everglades has set the bar by being the first plan in the nation to be developed by a non-Federal sponsor and achieve a favorable Section 203 feasibility determination by the ASA.

Although Floridians can be optimistic the ASA and Congress have embraced the State's leadership in furthering the goals of the Comprehensive Everglades Restoration Plan (CERP), we, however, are cautiously optimistic. With the trained eye of restoration veterans –who live in the communities directly affected by Lake Okeechobee discharges and south Florida restoration efforts– the assessment by U.S. Army Corps of Engineers (USACE) staff that accompanies the feasibility determination seemingly undermines the project.

It is imperative to understand that on one hand, you and your team have provided the mechanism for authorization of this important project; on the other hand, USACE Headquarters staff have laid the foundation for delay and avoidance of federal cost share. Despite congressional willingness to cost share with the State of Florida, the review assessment reveals evidence that USACE staff seek opportunities to walk away from 18 years of congressional commitment to restore America's Everglades:

*At present, it is unclear how the Sec. 203 or its Addendum makes a scientifically justified case that the additional flows of water diverted from the Northern Estuaries are essential to the restoration of the Central Everglades. The opinion at Addendum page 35 that such water is "essential" to Everglades restoration because that water is "critically important to the health of the Everglades" is conclusory; it does not provide a technical basis by which to judge the reasonableness for adopting such a conclusion. (Page 75)*

Water wasted to tide in the Northern Estuaries is THE water needed to restore the Quantity, Quality, Timing and Distribution of water within the Everglades system.

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Moreover, SFWMD stands behind the science it used to conclude that the plan achieves water quality standards under the Clean Water Act (CWA). Because USACE staff is intent on continued study, we strongly urge you to expedite the National Environmental Policy Act and U.S. Environmental Protection Agency (US EPA) review.

We are confident that US EPA will find the Section 203 study addressed water quality compliance as did the Florida Department of Environmental Protection.

On this year's first day of USACE discharges from Lake Okeechobee to the Northern Estuaries, we reflect on the significance of this project. We remain concerned the process will take too long to provide relief, especially considering the requirement to complete further validation reports. If not guided carefully by leaders such as yourself, the additional third step of a validation report could paralyze progress.

Florida's economy depends on vibrant and healthy Northern Estuaries, restoration of America's Everglades and a Federal commitment to the same. To that end, the State of Florida will continue to seek that Congress direct the Federal government to cost share this important restoration project.

Sincerely,



Federico E. Fernandez  
Governing Board Chairman  
South Florida Water Management District



Ernie Marks  
Executive Director  
South Florida Water Management District