



July 2, 2008

Congressman Tim Mahoney
1541 Longworth Bldg.
Washington, DC 20515

Dear Congressman Mahoney:

Thank you for taking time to speak with us at the June 18, 2008 American Rivers Lobby Days. We greatly appreciated the opportunity to convey our concerns over national and local issues affecting the protection of our water resources. One such issue is that the USACOE and SFWMD have recently reduced the level of detail required to complete the Southwest Florida Feasibility Study (SWFFS) and this reduction may endanger the Congressional approval and funding of the SWFFS and future projects under this study due to inadequate analysis. Pursuant to our discussion regarding the SWFFS plan for western Everglades restoration, we offer the following additional information on this for your consideration and support.

The Southwest Florida Feasibility Study was created as an approved congressionally-authorized extension of the Comprehensive Everglades Restoration Plan to address the restoration of the Western Everglades.

The purpose of the Comprehensive Everglades Restoration Plan is to restore and preserve south Florida's natural ecosystems that have been significantly altered by the Central and Southern Florida Project in the early 20th century for the purpose of flood control. In the later 20th century the U.S. Army Corps of Engineers and local stakeholders began to recognize severe degradation of water quality, diminishing water supply and adverse impacts to wildlife.

The Comprehensive Review Study for the Central & Southern Florida Project submitted to Congress in July 1999 recommended the Southwest Florida Feasibility Study (SWFFS). The SWFFS was then approved and funded by Congress through the Comprehensive Everglades Restoration Plan.

The SWFFS was to be accomplished using a two-phase study process. The first phase, study scoping, was at full Federal expense and quickly identified problems and opportunities and potential solutions in an area. This phase was completed in July 2000.

The second phase, feasibility, has been in progress in partnership with the South Florida Water Management District and is intended to develop the alternative solutions in more detail so that a viable plan can be transmitted to Congress for authorization and implementation funding. The

Everglades Plan can be accessed at: <http://www.evergladesplan.org/pm/studies/swfl.aspx#scope>.

Additionally, in 1999, the South Florida Water Management District and the U.S. Army Corps of Engineers completed the regulatory report South West Florida Environmental Impact Statement that recommended the follow-on study that would later become known as the Southwest Florida Feasibility Study (SWFFS). An excerpt from this EIS explains the purpose of the SWFFS as follows; "...The recommended Comprehensive Plan [Comprehensive Integrated Water Quality Plan] includes a follow-on feasibility study to develop a comprehensive water quality plan to ensure that the Comprehensive Plan leads to ecosystem restoration throughout south Florida. The water quality feasibility study would include evaluating water quality standards and criteria from an ecosystem restoration perspective and recommendations for integrating existing and future water quality restoration targets for south Florida water bodies into future planning, design, and construction activities to facilitate implementation of the recommended Comprehensive Plan."

Terry Rice, Colonel of the USACOE at the time, supported conducting the SWFFS due to concerns in this region that wildlife habitat, water quality and water quantity issues in Southwest Florida were not being addressed by the Comprehensive Everglades Restoration Program, and as a follow-through on the Caloosahatchee Water Management Plan process managed by the SFWMD. The Study is also referenced in the C-43 Project as a potential solution to water quality problems in the Caloosahatchee, and has been repeatedly referenced as the "fix" beyond the "harm standards" for the ongoing implementation of the Clean Water Act process (Total Maximum Daily Loads) for the Caloosahatchee and other Southwest Florida water bodies.

Local stakeholders including government and non-governmental agencies have worked for the last nine years under the assumption that this study would lead to development of a restoration plan to be presented to Congress for funding. The USACOE and SFWMD have recently reduced the level of detail required to complete the study and this reduction in detail may endanger the Congressional approval and funding of the SWFFS and future projects under this study due to inadequate analysis.

The Southwest Florida Feasibility Study has repeatedly been stymied by lack of funding and political will to complete it.

Over the last nine years the USACOE has halted the SWFFS process many times due to lack of funding or commitment from the Colonel of the ACOE and SFWMD management (sometimes as long as eight months), conducted business behind closed doors and without stakeholder approval or input, set unrealistic comment period deadlines, disparaged stakeholders in official study documentation and announced on May 8, 2008 that the entire scope of the study has suddenly changed to only "conceptual" and the benefit being cited as "we don't have to comply with the programmatic regulations" thus reducing expectations for science, detail, time, money, etc. At recent SWFFS project development team meetings ACOE staff announced that they have been directed to not respond to stakeholder comments or questions (May 28, 2008). On the June 25, 2008 teleconference for the SWFFS, USACOE staff from multiple sections including modeling, real estate, design, and costs have indicated a lack of ability to produce quality information with a sufficient level of detail for alternative analysis under the current realistic schedule. It has become apparent through this type of communication that the USACOE's deadlines have

become more important than finishing the intended product and is effectively changing the scope of the study originally approved by Congress.

In order to complete and implement the Study, federal decision-makers need to commit the necessary resources and support.

The stakeholders involved include non-governmental organizations, county and city municipalities who have dedicated a lot of funding, staff time and resources to the Study. The initial work completed by these partners was to develop a detailed data set and performance measures that would be used for hydrologic and water quality simulation modeling and habitat modeling. This local body of expertise, as well as the State and Federal partners, have developed and provided complex models, scientific diagnostic tools and performance measures – all of which have been rendered useless due the decreased scope.

It is obvious to us that the USACOE and their co-sponsor organization, the SFWMD, are still not addressing the needs of Southwest Florida as prescribed in the Comprehensive Everglades Restoration Plan and the Southwest Florida Environmental Impact Statement. In effect they are taking 9 years of work and millions of dollars allocated to the SWFFS and reducing it to the level of a “follow-on” study that lacks the detail required to be considered by Congress for authorization and implementation funding.

Conclusion

We are urging you to direct the U.S. Army Corps of Engineers to complete the Southwest Florida Feasibility Study as it was originally intended; a “design level” of study that will be submitted to Congress for authorization, funding and implementation. Southwest Florida is already facing water supply and demand challenges, water quality degradation and substantial loss of natural resources due to activities largely permitted by the USACOE. To saddle the citizens of Southwest Florida with watershed restoration needs resulting from pressures created by our federal partner poses an unfunded mandate and loss of water resources that we cannot afford. Thank you for your time and consideration of this matter and please feel free to contact Karen Bickford at (239) XXX-XXXX for further information.

Sincerely,

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