

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



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October 7, 2002

Colonel Greg May
U.S. Army Corps of Engineers
Jacksonville District Office
Post Office Box 4970
Jacksonville, FL 32232-0019

RE: Agency comments to CERP Programmatic
Regulations, Federal Register Public
Commenting Period

Dear Colonel May:

Staff of the Florida Fish and Wildlife Conservation Commission (FWC) has reviewed the draft of the Programmatic Regulations for implementation of the Comprehensive Everglades Restoration Plan, required under the Water Resources Development Act 2000, and offers the following comments and suggestions.

Under Section 385.20, the Programmatic Regulations recognize the role that various state/local agencies have had in the RECOVER process. It goes further in recognizing the specific role that the National Marine Fisheries Service and the FWC have played in marine system issues, and in recognizing the roles of the Department of the Interior and FWC as stewards of the natural system. The Programmatic Regulations state that the Army Corps of Engineers and South Florida Water Management District will continue to call on the expertise of a variety of participant agencies to provide leadership to the various technical teams that comprise the RECOVER Program.

Section 385.20 also provides for the membership and role of the RECOVER Leadership Group, and it is this topic that we address here. Currently, the regulations require the membership of the Department of the Interior, the Miccosukee Tribe of Indians of Florida, the Seminole Tribe of Indians, the U.S. Environmental Protection Agency, and the Florida Department of Environmental Protection. The inclusion of other agencies is possible, but is not required under the regulations.

Current practice provides for agencies, other than those identified as required, to have a membership on the RECOVER Leadership Group if these agencies are also co-chairs of one of the RECOVER technical teams. Thus, the FWC is a member of the Leadership Group because

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we co-chair a technical team. If, in the future, we are no longer able to co-chair this team, we would like to maintain our membership on the RECOVER Leadership Group because of our involvement with conservation programs that are directly linked to the responsibilities of RECOVER.

A possible solution would be to change Section 385.20 to specifically guarantee that those natural resource management agencies whose participation in RECOVER has been recognized as important will have membership on the RECOVER Leadership Group, without regard for their ability to co-manage RECOVER sub-teams. If this is not doable because of other legal constraints, we request that this membership be maintained for those agencies currently on the Leadership Group.

Sincerely,



Brian S. Barnett, Interim Director
Office of Environmental Services

BSB/JTW

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cc: Mr. Mark Robson, FWC, West Palm Beach
Mr. Stuart Appelbaum, USACOE, Jacksonville
Mr. John Ogden, SFWMD, West Palm Beach
Ms. Darlene Guinto, USACOE, Jacksonville