

AUDUBON OF FLORIDA · ENVIRONMENTAL AND LAND USE LAW CENTER
THE EVERGLADES FOUNDATION · THE EVERGLADES TRUST
NATIONAL AUDUBON SOCIETY · NATIONAL PARKS CONSERVATION ASSOCIATION
NATIONAL WILDLIFE FEDERATION · NATURAL RESOURCES DEFENSE COUNCIL
THE OCEAN CONSERVANCY · SIERRA CLUB · WORLD WILDLIFE FUND

October 25, 2002

Via e-mail: proregs@usace.army.mil and U.S. Mail
US Army Corps of Engineers
ATTN: CESAJ-DR-R
PO Box 4970
Jacksonville, FL 32232-0019

Re: Supplemental Comments on the *Draft Programmatic Regulations For The Comprehensive Everglades Restoration Plan*

To Whom It May Concern:

Thank you for the opportunity to comment on the draft *Programmatic Regulations for the Comprehensive Everglades Restoration Plan*. We support and endorse the comments already submitted by Audubon of Florida, the Everglades Coalition, The Everglades Trust and The Everglades Foundation, Environmental and Land Use Law Center, Environmental Defense, National Parks Conservation Association, National Wildlife Federation, Natural Resources Defense Council, Sierra Club, and World Wildlife Fund. With this letter, we supplement those previous comments.

We strongly urge you to make the following changes to Subpart C - CERP IMPLEMENTATION PROCESSES:

§385.26 Project Implementation Reports.

(b) Formulation and evaluation.

- (1) In preparing a Project Implementation Report, the Corps of Engineers and the non-Federal sponsor shall formulate and evaluate alternatives to better define and refine project plan components to optimize the project's contributions towards the system-wide goals and purposes of the Plan. ~~In designing individual project components, Project Delivery Teams shall attempt to stay within the funding target for the project established in the "Final Integrated Feasibility Report and Programmatic Environmental Impact Statement," dated April 1, 1999, adjusted for inflation. In cases where it is not feasible to accomplish the project goals and purposes without exceeding this target, or where the project ratio of benefits to costs can be significantly improved by exceeding the target, the PIR shall document~~ deviations from the funding target in the "Final Integrated Feasibility Report and Programmatic Environmental Impact Statement," dated April 1, 1999 are expected, the PIR should document the deviations and explain the

need for such deviations and potential benefits to be achieved from the deviation.

As currently drafted, we believe these provisions conflict with science-driven implementation, directly oppose the principles of adaptive management, and contradict specific commitments to continuous improvement of the plan. Additionally, it is inappropriate to constrain cost estimates to a “conceptual framework,” especially as this artificial constraint has been rejected in the implementation schedule and other aspects of the plan.

We urge you to make these necessary revisions. We appreciate the opportunity to provide these additional comments relative to the Draft CERP Rules, and look forward to continuing to work with you throughout the implementation of CERP.

Sincerely,

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(Signatures withheld to expedite delivery.)