



Everglades Coalition

1000 Friends of Florida
Arthur R. Marshall Foundation
Audubon of Florida
Audubon Society of the Everglades
Broward County Audubon Society
Caloosahatchee River Citizens
Association
Clean Water Action
Clean Water Network
Collier County Audubon Society
Conservancy of Southwest Florida
Defenders of Wildlife
Ding Darling Wildlife Society
Earthjustice
Environment Florida
The Environmental Coalition
Everglades Coordinating Council
Everglades Foundation
Everglades Law Center
Florida Defenders of the
Environment
Florida Keys Environmental Fund
The Florida Native Plant Society
Florida Oceanographic Society
Florida Sierra Club
Florida Wildlife Federation
Friends of Arthur R. Marshall
Loxahatchee Wildlife Refuge
Friends of the Everglades
Izaak Walton League
Florida Keys Chapter
Florida Division
Izaak Walton League of America
Mangrove Chapter
Last Stand
League of Women
Voters of Florida
Loxahatchee River Coalition
Martin County
Conservation Alliance
National Audubon Society
National Parks
Conservation Association
National Wildlife Federation
Natural Resources
Defense Council
The Ocean Conservancy
The Pegasus Foundation
Samuel-Captiva
Conservation Foundation
Save It Now, Glades!
Sierra Club
Sierra Club Broward Group
Sierra Club Central Florida Group
Sierra Club Loxahatchee Group
Sierra Club Miami Group
Tropical Audubon Society
The Urban Environment League
World Wildlife Fund

Carol Wehle
Executive Director
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

January 8, 2009

Re: Biscayne Bay Coastal Wetland ERP Policy Update

Dear Director Wehle,

We recognize that there are 68 projects to implement within the Comprehensive Everglades Restoration Plan, but of these, Biscayne Bay Coastal Wetlands (BBCW) and C-111 Phase two, are the only projects that can deliver water to Biscayne National Park. This underlines the importance of land acquisition in the BBCW footprint.

In 2007 the Governing Board established a policy to deny all Environmental Resource Permits that seek to develop land within the critical footprint of BBCW. The rationale behind this decision was that the South Florida Water Management District would seek to acquire these lands for BBCW and restoration efforts. We thank the District for your visionary recognition that these lands are sensitive wetlands that are vital for restoration of Biscayne Bay. However, to date, many of the coastal properties needed for future restoration benefits for this area have not been purchased.

At the most recent Governing Board meeting in December of 2008, the Board opted to rescind that previous policy to deny all ERP Permits in the sensitive area around BBCW, and consequently allow permit applications to be examined on a case by case basis. We are alarmed and disappointed by the Board's decision to rescind this policy. We urge the District to proceed with acquiring these highly sensitive properties as originally intended, including Cutler Properties. We recognize that the South Florida Water Management District has limited funds and must prioritize these funds accordingly, and thus not all of the District's endeavors can be fully realized concurrently. In this light, we ask that the BBCW project be given attention to the extent practicable and urge the District to continue to explore all options available to acquire sensitive wetlands and improve the health of Biscayne Bay. If this is not feasible, we urge the District to examine each ERP application with exceptional rigor and detail, to, among other things, ensure that as much land as possible can be set aside for restoration efforts.

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We are concerned that this policy discussion was not adequately portrayed to stakeholders of Biscayne Bay. We were not aware that this specific policy would be discussed at the most recent Governing Board meeting, as the only mention of Biscayne Bay was a BBCW project update on the workshop agenda. There was no mention of what that would entail, nor any supporting documents to indicate that this policy related to ERPs would be discussed or that a decision would be made by the Governing Board. We are remiss that we did not have proper notification about the topic so that we could attend the meeting and provide public comment on this policy change. We suggest that in the future when such important issues related to BBCW are to come before the Governing Board with a looming decision at hand, that stakeholder groups are informed appropriately, including through notification of the Biscayne Bay Regional Restoration Coordination Team (BBRRT) of the South Florida Ecosystem Restoration Task Force. We feel the next BBRRT meeting should discuss this decision and we request a presentation about the rationale and consequences of this decision.

Thank you for your consideration of this letter, and please take this letter into your records as our public comments.

Sincerely,



Mark Perry
State Co-Chair



Sara Fain
National Co-Chair

cc: SFWMD Governing Board
Eric Buermann, Chair
Shannon A. Estenoz, Vice-Chair
Michael Collins
Charles J. Dauray
Paul C. Huck, Jr.
Melissa L. Meeker
Jerry Montgomery
Patrick J. Rooney, Jr., Esq.

Mark Lewis, Superintendent Biscayne National Park
Evan Skornick, Chair, Biscayne Bay Regional Restoration Coordination Team