

**The Florida Senate**  
**PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Environmental Preservation and Conservation Committee

BILL: SM 2770

INTRODUCER: Senator Aronberg

SUBJECT: Everglades Restoration

DATE: March 29, 2007      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bascom	Kiger	EP	<b>Favorable</b>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

Senate Memorial 2770 urges the United State Congress to fully authorize funding for the conditionally approved projects of section 601 of the Water Resources Development Act of 2000. The Senate Memorial further urges Congress to authorize funding for the Indian River Lagoon and Picayune Strand projects within the Comprehensive Everglades Restoration Plan and to provide the necessary funding to share costs with the state as a full and equal partner.

**II. Present Situation:**

**Comprehensive Everglades Restoration Plan<sup>1</sup>**

The federal government and the state of Florida entered into an unprecedented 50/50 partnership to restore the Everglades where costs are to be shared equally by the federal and state governments. The U.S. Army Corps of Engineers (USACE) is the lead federal agency and the South Florida Water Management District (SFWMD) is the lead state agency for the effort.

The \$10.9 billion Comprehensive Everglades Restoration Plan (CERP) is largely based upon a series of projects designed to “get the water right<sup>2</sup>” in south Florida. To accomplish this, CERP will address four major characteristics of water flow: quantity, quality, timing and distribution.

The complex, multi-year undertaking has two distinct levels of activity:

<sup>1</sup> Information from *Comprehensive Everglades Restoration Plan Annual Report, 2006*, U.S. Army Corps of Engineers and South Florida Water Management District, [http://www.evergladesplan.org/pm/program\\_docs/cerp\\_report\\_public\\_2006.aspx](http://www.evergladesplan.org/pm/program_docs/cerp_report_public_2006.aspx)

<sup>2</sup> US Army Corps of Engineers and South Florida Water Management District plan for watershed restoration as provided in CERP. Information may be obtained at [http://www.evergladesplan.org/about/rest\\_plan\\_pt\\_02.aspx](http://www.evergladesplan.org/about/rest_plan_pt_02.aspx)

- Program-level coordination fosters productive working relationships and understanding among the various federal, state, local, tribal and stakeholder partners involved in CERP implementation. In addition, other key activities that span the life of CERP include ongoing efforts such as data collection, computer modeling, studying the response of the natural environment to CERP activities, addressing recreational opportunities, and science, outreach and economic issues.
- Project-level activities are the land acquisition, planning, designing and constructing of more than 50 individual projects. Through the State's Acceler8 initiative, some project components are being expedited and are expected to be operational by 2011. Most of the identified restoration projects are scheduled to be finished by 2020.

Approved in 2000 by Congress, CERP takes a watershed approach and is considered the largest environmental restoration program in history. CERP will build upon and work with other state and federal efforts to revitalize the wetlands, lakes, bays and estuaries of south Florida's ecosystem. Together, these efforts will not only improve the Everglades, but will help ensure we have the water needed for the future.

#### **Water Resources Development Act**

The 2000 Water Resources Development Act<sup>3</sup> (WRDA) authorized CERP as a framework and guide for modifications, to the U.S. Army Corps of Engineers' Central and Southern Florida Project, needed to restore the south Florida ecosystem and to provide for the other water-related needs of the region

WRDA 2000 authorized the construction of four pilot projects, ten initial projects and provided programmatic authority to implement small restoration projects (less than \$25 million).

The four pilot projects are:

- Caloosahatchee River (C-43) Basin, Aquifer Storage and Recovery.
- Lake Belt In-Ground Reservoir Technology.
- L-31N Seepage Management.
- Wastewater Reuse Technology.

The total cost of the four pilot projects authorized under WRDA 2000 was \$69 million.

The ten initial projects authorized by WRDA 2000 are:

- C-44 Basin Storage Reservoir.
- Everglades Agricultural Area Storage Reservoirs, Phase 1.
- Site 1 Impoundment.
- Water Conservation Areas 3A/3B Levee Seepage Management.
- C-11 Impoundment and Stormwater Treatment Area.
- C-9 Impoundment and Stormwater Treatment Area.

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<sup>3</sup> Public Law No. 106-541, of the 106<sup>th</sup> Congress, Title VI, Section 601

- Taylor Creek/Nubbin Slough Storage and Treatment Area.
- Raise and Bridge East Portion of Tamiami Trail and Fill Miami Canal within Water Conservation Area 3.
- North New River Improvements.
- C-111 Spreader Canal.
- Adaptive Assessment and Monitoring Program.

The total cost of the ten initial projects authorized under WRDA 2000 was \$1.1 billion.

Additionally, WRDA 2000 authorized the implementation of small scale restoration projects. These projects could not exceed \$25 million each and would allow some components of the plan to be expedited. Total cost of Programmatic Authority was not to exceed \$206 million, federal and non-federal combined.

Authorization for the remaining components of CERP was to be requested in subsequent Water Resource Development Acts beginning in 2002. No new Water Resource Development Act has been passed since 2000.

To date, more than \$3 billion dollars have been spent on CERP and Acceler8 projects. The State of Florida has provided most of the financial assistance for the projects at approximately \$2.7 billion, while the federal government has spent approximately \$365 million.

### **III. Effect of Proposed Changes:**

The Senate Memorial urges the United State Congress to fully authorize funding for the Comprehensive Everglades Restoration Plan as approved in the Water Resources Development Act of 2000. Specifically it states:

- The Everglades is one of the most unique and fragile ecosystems in the world.
- The Legislature and Congress have recognized the Everglades is imperiled and must be restored.
- The Legislature and the governing board of the South Florida Water Management District have appropriated more than \$2 billion to implement CERP since 2000, accounting for more than 90% of the total funding.
- The Water Resources Development Act of 2000 approved CERP as a full and equal partnership between the State of Florida and the federal government.
- The Indian River Lagoon, Picayune Strand, and ten conditionally approved projects require funding authorization from Congress.

Copies of the memorial are to be presented to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Florida delegation in the United States Congress.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. Other Constitutional Issues:

**V. Economic Impact and Fiscal Note:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

The State of Florida has provided the majority of funding for CERP and other related projects. An additional \$400 million dollars (\$200 million from legislative appropriations and \$200 million from the South Florida Water Management District) are proposed for fiscal year 2007/2008 for CERP and northern Everglades's projects. Pursuant to s. 215.619, F.S. an additional \$200 million (split equally between the state and water management district) may be appropriated during fiscal years 2008/2009 and 2009/2010 for CERP projects. Without federal appropriations, the gap in expenditures will continue to grow.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

## **VIII. Summary of Amendments:**

None.

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This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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