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 costal 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.
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 (BBRRCT) of the South Florida Ecosystem Restoration Task Force. We feel the next BBRRCT 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