

the journey to restore  
America's  
Everglades



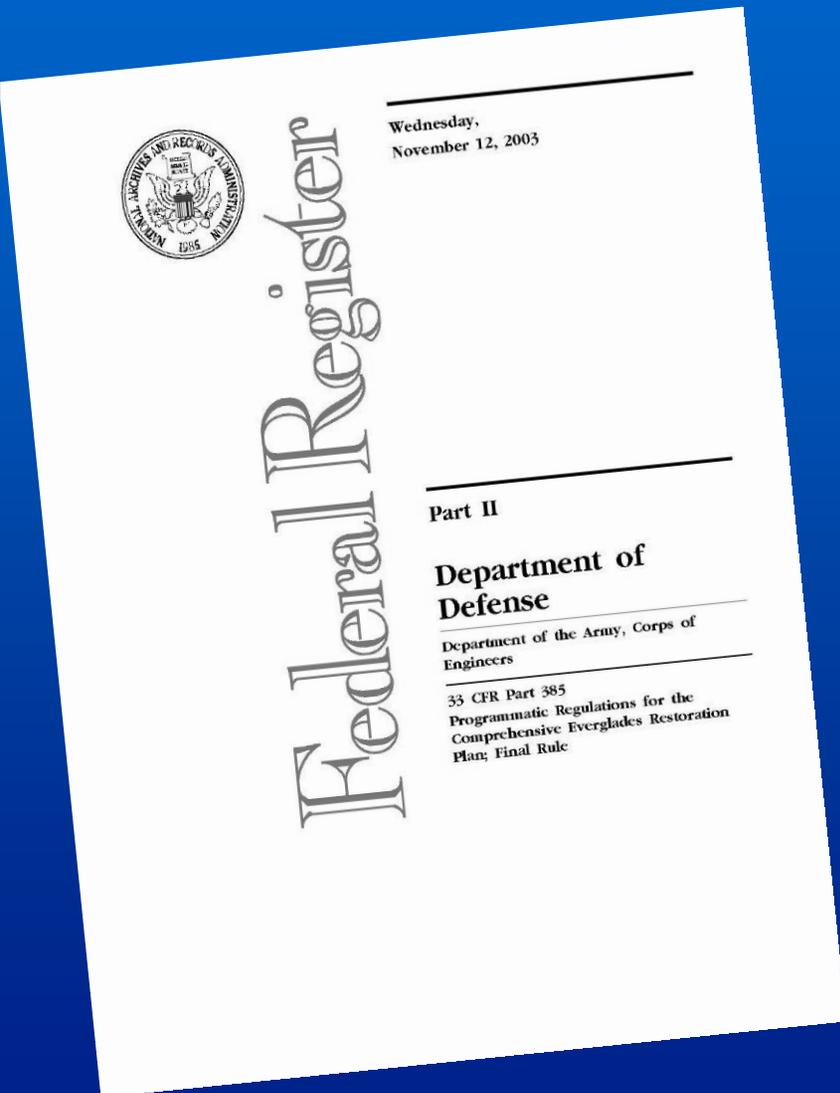
# Programmatic Regulations Review

Task Force Meeting  
February 25-26, 2009



Required by WRDA 2000

# Programmatic Regulations



## *Establish Processes -*

- To ensure that the goals and purposes of the Plan are achieved
- To ensure that new information, including information developed through the principles of adaptive management, is integrated into the implementation of the Plan
- To ensure protection of the natural system, including establishment of interim goals by which restoration success of the Plan may be evaluated throughout implementation process

# Current Programmatic Regulations

- Developed by interagency team with extensive input from stakeholders
- Utilized formal Federal rule-making process
- Promulgated by Secretary of the Army on November 12, 2003 with concurrence of Secretary of the Interior and the Governor of Florida
- Regulations became effective on December 12, 2003 as Title 33 Part 385 of Code of Federal Regulations

# Programmatic Regulations Review

- Review of programmatic regulations required by WRDA 2000 at least every five years
- Review process described in current programmatic regulations
- Proposed revisions must be undertaken through Federal rule-making process
- Revised regulations will require concurrence of Secretary of the Interior and Governor before promulgation by the Secretary of the Army

# Public Scoping Process for Review

- Federal Register notice to initiate review on May 20
  - 90-day comment period
  - Public was invited to provide scoping comments on review effort
    - Issues concerning programmatic regulations
    - Items in the regulations that should be reviewed
    - Suggestions to improve the regulations
- Comments received from 9 individuals and 18 groups
  - 10 environmental groups co-signed one letter
- Prepared summary of comments received

# Analysis of Public Comments

- Streamline process, particularly PIRs
- Effect of River of Grass acquisition
- Integrated Delivery Schedule/MISP
- Guidance Memoranda – complete? Incorporate?
- Next-added increment/project justification
- Interim Goals
- Assurances – identification of water and savings clause
- Incremental adaptive restoration/adaptive management
- Role of RECOVER
- Role of DOI
- Recreational needs
- Stakeholder involvement
- Treatment of State restoration projects

# ProRegs Review Process

- Team formed to review and revise regulations
- Team initial focus on key areas
  - Plan formulation and evaluation
  - Streamlining implementation process
  - Assurances – water identification and savings clause
  - RECOVER and adaptive management
- Team developing concepts before drafting revisions
- Opportunities for stakeholder engagement throughout process
- Revised rule will be a complete document, instead of amendments

# Schedule for Review

- Federal Register Notice of review: May 20
- Complete public scoping: August 22
- Complete initial draft of regulations: December 2009
- Initiate Federal rule-making process: January 2010
- Promulgate final revised rule: July 2010

**Thank You!**

