

TASK FORCE CONSULTATION Fact Sheet

I. SUMMARY

The legislation and regulations governing implementation of the Comprehensive Everglades Restoration Plan (CERP) require consultation with the South Florida Ecosystem Restoration Task Force (Task Force). This entails briefings by the US Army Corps of Engineers (Corps) and the non-federal sponsor (primarily the South Florida Water Management District) on CERP projects, particularly at key points in the planning process. The Task Force provides feedback as a collective body, not as individual agencies/tribes, during this consultation process.

II. BACKGROUND

The goal of the consultation process is to ensure that interested parties are appropriately involved in the implementation of the CERP. Individual consultation with federal, state, and local agencies and the tribes is also required, however, this document will focus solely on the Task Force consultation requirements.

Legislation/Regulations

The Water Resources Development Act (WRDA) of 1996, WRDA 2000, and the Programmatic Regulations (33 CFR §385 (2004)) require the Corps and the non-federal sponsor to consult with and receive recommendations from the Task Force. In addition, WRDA 1996 and the Programmatic Regulations require the Corps and the non-federal sponsor to provide input and information to the Working Group and the Task Force's advisory bodies.

Timing

Consultation typically takes place during regularly scheduled Task Force meetings. These meetings also create an opportunity for the public to provide input to the Task Force on the consultation issues. The Task Force can also call special meetings either in person or telephonically as needed.

Feedback from the Task Force is to be made in a "timely and meaningful way," however, if not received in time to be incorporated in one stage of the process, the Task Force's comments are to be considered when received. (§385.10) It is also understood that the Task Force may utilize its Working Group to provide support in the consultation effort in order to effect timely input into the Project Implementation Report (PIR) development process.

Consultation Issues

The Task Force is to consult on CERP implementation reports and products, including but not limited to: interim goals and interim targets, PIRs (at a minimum to include the alternative plans developed and evaluated for the PIR before completion of the draft PIR), Pilot Project Design Reports, Pilot Project Technical Data Reports, the pre-CERP baseline, assessment reports, guidance memoranda, Master Implementation Sequencing Plan, Comprehensive Plan Modification Reports, periodic CERP updates, and reports to Congress prepared pursuant to §385.40. The Task Force may also request consultation on other matters related to CERP implementation. (§385.10)

In addition to these consultation issues, the Programmatic Regulations require the Secretary of the Army, the Secretary of the Interior, and the Governor of the State of Florida to consult with the Task Force on establishing and utilizing an independent scientific review panel to review CERP's progress toward achieving natural system restoration goals. (§385.22)

Further details on the consultation process and requirements can be found within the Task Force's *Comprehensive Everglades Restoration Plan Consultation Provisions, January 07, 2005*.