

May 15, 2014

Everglades Restoration: CERP and the Central Everglades Planning Project (CEPP)

Overview

What are the Everglades? The Everglades are a unique network of subtropical wetlands in South Florida. Due in part to federal water supply and flood control projects (as well as agricultural and urban runoff), the network has been degraded and is approximately half its historical size. The ecosystem is home to a number of unique species, including 67 species on the federal endangered or threatened species lists.

What is CERP? The Comprehensive Everglades Restoration Plan, or CERP, was approved by Congress in the Water Resources Development Act of 2000. It is a framework under which the federal government, with the State of Florida, is attempting to restore the Everglades and expand water supplies by improving the timing, distribution and quality of the water flowing south from Lake Okeechobee to the Everglades, among other things. Under CERP, the federal government (through the U.S. Army Corps of Engineers and the Department of the Interior) is required to fund half the costs for restoration, with an array of state, tribal, and local agencies paying the other half. Originally CERP was expected to include 60 projects that would be completed over a 30-year horizon at a cost of \$10 billion. More recent estimates have projected that the project will take approximately 50 years to implement, at a total cost of \$13.5 billion. To date, federal and state expenditures on CERP have been approximately \$1 billion.

Everglades restoration under CERP was approved in 2000 and is expected to take 50 years to complete.

Outside of CERP, complementary efforts to restore the Everglades (most of which pre-date CERP) are also ongoing. These efforts, collectively referred to as “non-CERP projects,” have totaled more than \$3 billion.

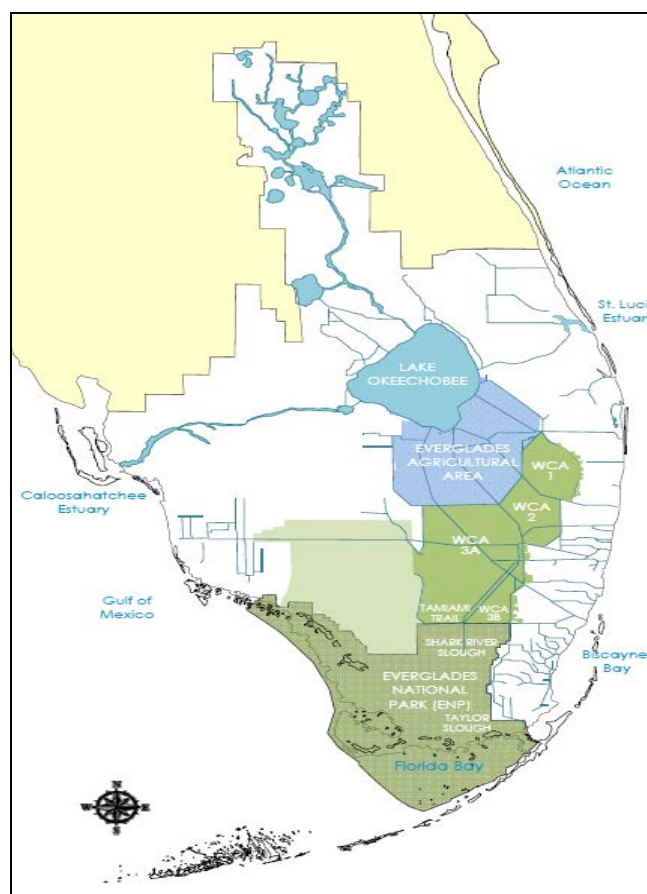
Everglades Restoration Projects Must Be Authorized by Congress

While WRDA 2000 approved the overall CERP plan and process, and authorized several pilot projects, most CERP construction projects require additional study by the Corps and congressional authorization of construction before they can receive federal appropriations, including credit and/or reimbursement for nonfederal work undertaken in advance. WRDA 2007 (P.L. 110-114) authorized three CERP construction projects, all of which are currently underway. Other CERP studies are complete and are awaiting congressional construction authorization.

CEPP Is a Potential New CERP Project That Has Not Been Congressionally Authorized

The Central Everglades Planning Project, or CEPP (shown below in **Figure 1**), is an Everglades restoration study under the CERP framework that was initiated in 2011 by the Corps and the Department of the Interior, with the State of Florida. It is expected to recommend a suite of restoration projects in the central Everglades that would be a part of the broader CERP program aiming to address problems associated with the timing and distribution of freshwater flows in the central Everglades. It was initiated due to a perceived need to prioritize restoration projects in this portion of the ecosystem, in order to enhance the prospects for Everglades restoration overall.

Figure 1. CEPP Study Area



Source: Corps of Engineers.

Notes: Shaded portions indicate CEPP study area.

Expedited CEPP Study. Due to the interest in expediting CEPP's authorization and construction, the Corps included this study among those investigations being undertaken as part of its National Planning Pilot Program. The aim of this effort is to complete feasibility studies in less time than is traditional for Corps investigations. Among other goals, studies initiated under the pilot are expected to adhere to a "3x3x3" rule, which means that feasibility studies will be completed with no more than \$3 million in federal costs, in three years or less, and with the involvement of the three levels of Corps review (districts, divisions, and Headquarters). To date, the CEPP feasibility study has completed the scoping and analysis stages, and a tentatively selected plan has been announced by the Corps and circulated for public comment. The draft project implementation report (PIR) for CEPP was released by the Corps in August 2013 and was available for public comment through November 2013. It is currently undergoing internal Corps review.

Civil Works Review Board Involvement. Before a project report by the Chief of Engineers (commonly referred to as a "Chief's Report") can be finalized, Corps policy is for the study to be approved by the Civil Works Review Board (CWRB) and undergo a 30-day state and agency review. On April 23, 2014, the Corps announced that CWRB release of CEPP for state and agency review would be delayed pending unspecified changes to be made to the final report. The Corps projected that an updated final report could be reviewed and released by the CWRB no later than the end of June. Based on this, a Chief's Report could be available as early as late summer. The Assistant Secretary of the Army (Civil Works) would then review the study for compliance with Administration policy, and transmit a recommendation for construction to Congress. Some are concerned about the potential timing of subsequent congressional authorization.

CEPP Authorization Prospects Are Uncertain

Proposed omnibus authorizing legislation for water resources activities in the 113th Congress (H.R. 3080 and S. 601) would provide the Corps with authority to carry out four additional Everglades restoration projects under the CERP framework (see **Figure 2**). H.R. 3080 identifies specific projects, including the four CERP projects with completed and transmitted studies awaiting authorizations. S. 601 would authorize new construction projects meeting specified criteria; among those criteria are a Chief's Report, and a transmittal from the Assistant Secretary of the Army (Civil Works) to Congress with a recommendation for construction. That is, while both bills would authorize four additional Everglades restoration projects, neither would authorize CEPP as of May 2014. Because Corps projects are not eligible for federal construction appropriations until they have been authorized, congressional authorization of CEPP may remain a concern for Everglades stakeholders, particularly if a water resources authorization bill is enacted without CEPP.

More Information

For more information on Everglades restoration, see CRS Report R42007, *Everglades Restoration: Funding and Implementation Progress*. CRS reports are also available on Corps authorizations and appropriations processes (CRS Report R41243) and proposed water resources development legislation in the 113th Congress (CRS Report R43298).

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Figure 2. Status of Recent CERP Projects

| Project Name | Authorization | Construction Status |
|-------------------------------------|---------------|------------------------|
| Site I Impoundment | WRDA 2007 | In Progress |
| Picayune Strand | WRDA 2007 | In Progress |
| Indian River Lagoon-South | WRDA 2007 | In Progress |
| C-43 West Storage Basin | Pending | Awaiting Authorization |
| C-111 Spreader Canal | Pending | Awaiting Authorization |
| Broward County Water Preserve Areas | Pending | Awaiting Authorization |
| Biscayne Bay Coastal Wetlands | Pending | Awaiting Authorization |
| Central Everglades Planning Project | Not Proposed | Study Under Review |

Source: CRS, based on Corps data.

Notes: Does not include pilot projects authorized in WRDA 2000.