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Recent Developments in Everglades Restoration

Overview

What Is the Everglades? The Everglades is a unique network of wetlands in South Florida. By the end of the 20th century, the ecosystem had degraded and was approximately half its historical size, due in part to U.S. Army Corps of Engineers (USACE) water-supply and flood-control projects (as well as agricultural and urban runoff). The ecosystem is home to Everglades National Park and unique species, including 67 species listed under the Endangered Species Act (ESA; 16 U.S.C. §§1531 et seq.). Congress has authorized and funded restoration of the Everglades, which continues to be of interest to Congress.

What Is CERP? Congress approved the Comprehensive Everglades Restoration Plan (CERP) in the Water Resources Development Act of 2000 (WRDA 2000; P.L. 106-541). CERP is a framework under which the federal government and the State of Florida are attempting to restore the Everglades and improve the timing, distribution, and quality of the water flowing south from Lake Okeechobee to the Everglades. Under CERP, the federal government, through USACE and the Department of the Interior (DOI), is to fund half the costs of restoration; the State of Florida is to contribute the other half. Tribes and local agencies also are involved in the restoration effort. Originally, CERP was to include over 50 projects to be completed over 30 years at a cost of \$8.2 billion (FY2000 dollars, equivalent to \$13.8 billion in FY2023 dollars). The most recent report to Congress projected CERP would take approximately 50 years from its authorization to implement at a total cost of \$23.2 billion (FY2020 dollars, equivalent to \$26.9 billion in FY2023 dollars) due to inflation, changes in project scope and schedule, and new project authorizations. Through FY2024, the federal government has spent \$3.2 billion and the State of Florida has spent \$2.8 billion (nominal dollars) on CERP construction projects, according to cost-share transparency reporting.

Separate from CERP, USACE has performed actions complementary to restoring the Everglades (most of which predate CERP). For example, after 22 years of constructing the lower Kissimmee River Restoration Project, USACE completed the project in 2021. The federal government has spent approximately \$1.0 billion (nominal dollars) on these *non-CERP construction projects*.

CERP Projects Require Authorization by Congress

WRDA 2000 approved CERP and its implementation process, and authorized several pilot projects. The process requires that USACE produce a project implementation report and obtain congressional project authorization before a project can receive federal appropriations for construction, including credit or reimbursement for nonfederal work undertaken in advance. Subsequent laws

authorized projects planned under CERP. Some projects received appropriations and are under construction. Other CERP project studies are in progress (see **Table 1**).

Table 1. Status of CERP USACE Projects in FY2024

Project Name	Construction Auth. Year	Status
Site I Impoundment	2007	Phase I completed
Picayune Strand Restoration Project	2007	Under construction
Indian River Lagoon - South	2007 and 2022	Under construction
C-43 West Storage Basin Reservoir	2014 and 2020	Under construction
C-111 Spreader Canal Western Project	2014	Completed
Broward County Water Preserve Areas	2014	Under construction
Biscayne Bay Coastal Wetlands Project	2014 and 2024	Under construction
Central Everglades Planning Project	2016 and 2020	Under construction
Everglades Agricultural Area Reservoir	2018 and 2020	Under construction
Loxahatchee River Watershed Restoration Project	2020	Awaiting construction
Western Everglades Restoration Project	2024	Awaiting construction
Lake Okeechobee Component A Storage Reservoir	2024	Awaiting construction
Lake Okeechobee Watershed Restoration Project	Not Applicable	Study in progress
Biscayne Bay and Southern Everglades Ecosystem Restoration	Not Applicable	Study in progress
Southern Everglades	Not Applicable	Study in progress

Sources: National Academies of Sciences, Engineering, and Medicine, *Progress Toward Restoring the Everglades, The Tenth Biennial Review—2024*; USACE factsheets, work plans, and spend plans; and laws.

Note: Auth. = Authorization; CERP = Comprehensive Everglades Restoration Plan; USACE = U.S. Army Corps of Engineers.

Recent WRDA Authorizations

WRDA 2020. WRDA 2020 (P.L. 116-260, Division AA) authorized two CERP projects—construction of the Loxahatchee River Watershed Restoration Project and modifications to the C-43 West Storage Basin Reservoir. The law authorized a modification to a non-CERP project, the Canal 111 South Dade Project. It also authorized USACE to enter into an agreement for a nonfederal sponsor to pursue construction of one CERP project on its own. Further, the law combined two CERP projects, the Central Everglades Planning Project (CEPP) and Everglades Agricultural Area Reservoir (EAA Reservoir), into one project. CEPP includes three components—CEPP South, CEPP North, and CEPP New Water—in the central portion of the Everglades. Collectively, they are to address issues associated with the quantity, quality, timing, and distribution of freshwater flows south of Lake Okeechobee into the Everglades Protection Area (e.g., central Everglades and Everglades National Park). EAA Reservoir aims to store and treat around 350,000 acre-feet of water from Lake Okeechobee before it enters CEPP and the Everglades Protection Area.

WRDA 2022. WRDA 2022 (P.L. 117-263, Title LXXXI, Division H) increased the authorization of appropriations for Indian River Lagoon, a CERP project. The act required an update for authorizing committees on CERP, the Lake Okeechobee System Operating Manual, and other Everglades activities. It also required future accounting updates to CERP nonfederal sponsors and altered calculations and the payment timeline for CERP nonfederal cash contributions. Further, the act authorized efforts outside of CERP, which included a comprehensive plan for restoring, preserving, and protecting the Everglades' northern estuaries and a study of resiliency improvements to existing projects in central and southern Florida.

WRDA 2024. WRDA 2024 (Division A of P.L. 118-272) authorized construction of the CERP Western Everglades Restoration Project at \$2.1 billion, along with \$320 million of assistance for nonfederal construction of the North Feeder Stormwater Treatment Area (STA). The act modified the CERP Biscayne Bay Coastal Wetlands Phase I Project to increase its authorized construction cost to \$342 million. In addition, the act authorized construction of the Lake Okeechobee Component A Storage Reservoir, which was developed under the authority of Section 203 of WRDA 2000, as amended (33 U.S.C. §2231).

Recent Federal Funding

The timing and level of federal and nonfederal funding affect implementation and completion of CERP projects. DOI implements CERP by conducting restoration science and managing and restoring wildlife habitat in the ecosystem. **Table 2** lists FY2023 and FY2024 annual appropriations and the FY2025 budget request for USACE and DOI CERP and non-CERP activities. In addition, USACE allocated \$1.1 billion in FY2022 to Everglades restoration activities out of supplemental funding Congress provided in the Infrastructure Investment and Jobs Act (P.L. 117-58) for USACE aquatic ecosystem restoration.

Table 2. Everglades Restoration: FY2023 and FY2024 Annual Appropriations and FY2025 Budget Request

Agency	Activity Type	FY2023 Approp.	FY2024 Approp.	FY2025 Request
USACE	CERP	\$451.3	\$420.6	\$448.5
USACE	Non-CERP	\$11.7	\$21.3	\$11.3
DOI	CERP	\$8.3	\$8.3	\$7.7
DOI	Non-CERP	\$58.3	\$68.0	\$60.8

Source: South Florida Ecosystem Restoration Task Force, *FY2025 Cross Cut Budget*.

Notes: Reflects nominal funding in millions of dollars. CERP = Comprehensive Everglades Restoration Plan. DOI = Department of the Interior. USACE = U.S. Army Corps of Engineers.

Selected Issues for Restoration Progress

The federal Clean Water Act (33 U.S.C. §§1251-1388) requires states to establish water quality standards, which require approval by the U.S. Environmental Protection Agency, to support designated uses of waterways. The act also establishes a permit program for discharges of pollutants from wastewater and stormwater into receiving waters of the United States. Compliance with water quality standards in the Everglades Protection Area has been the subject of ongoing lawsuits. In 2012, the State of Florida developed the Restoration Strategies Regional Water Quality Plan. The state's plan is to expand existing STA acreage and additional infrastructure improvements to meet the water quality-based effluent limit for phosphorus into the Everglades Protection Area. The State of Florida anticipates the plan's projects to be constructed and operational by the end of 2025. Assessment of effluent limit attainment for these efforts is required to begin in 2026. The timing of attainment may affect implementation progress for CEPP North and the EAA Reservoir, as USACE has specified that no federal investment in CEPP North infrastructure can occur until the effluent limit is met. The State of Florida currently is proceeding with CEPP North construction prior to an attainment determination. USACE intends to limit EAA Reservoir operations to store, and ultimately release, only the amount of water that can be treated to satisfy all applicable water quality standards.

As Everglades restoration progresses, USACE aims to update operations manuals for the system. Some stakeholders assert that updates may be delayed due to approval processes under various laws such as the ESA. For example, some listed species under the ESA, such as the Cape Sable seaside sparrow, are losing habitat under the current coordinated operations plan. The National Academy of Sciences, Engineering, and Medicine asserts that streamlining approval processes (e.g., under the ESA) could reduce delays in implementation and encourage beneficial project changes. In addition, WRDA 2024 directed USACE to share data and coordinate with stakeholders to obtain accurate counts of the sparrow, which may better inform ESA compliance.

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