



FLORIDA CHAPTER OF THE WILDLIFE SOCIETY

July 27, 1982

The Honorable Robert A. Roe
Chairman
Subcommittee on Water Resources
Committee on Public Works
2165 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Roe:

The Florida Chapter of the Wildlife Society, a professional organization of wildlife biologists, is frequently involved with the review of major statutory and rule-making activities that may impact the future of Florida's wildlife resources. HR 6609, pertaining to dredging on the Apalachicola River, is an example of legislation that we feel requires considerable scrutiny.

Superficially, the bill appears to simply reiterate the original authorization of the Apalachicola-Chattahoochee-Flint (ACF) project in directing the Corps of Engineers to maintain the authorized channel depth. An underlying intent of the bill, however, seems to be to expedite dredging, because of the critical economic value of the waterway, by directing the Corps to override existing state and federal environmental reviews required by the Clean Water Act.

Approving such a bill requires two basic assumptions: first, that existing state permitting procedures have unnecessarily delayed dredging activities and, second, that the ACF waterway is of major importance as a waterway in this region. The facts do not support either assumption.

As a result of the Clean Water Act, Department of Environmental Regulation (DER) permits are required for annual maintenance dredging. A one-year permit and a subsequent five-year permit were issued by DER in a timely manner in spite of many questions left unanswered concerning the impact of the project on the river. Conditions were attached to the permits that should assist in assessing these impacts prior to the next round of permitting. More recently, the Corps has sought to obtain a permit for removing rock from the river. This is an extremely sensitive environmental issue and certainly not the type of action requiring a

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hasty permit. DER, however, has moved expeditiously and has decided to issue the permit pending local approval required by state law. The history of these permit activities would certainly not give anyone reason to suggest bypassing state environmental requirements in favor of expediency. To the best of our knowledge, recent lack of navigation depths in the river resulted from one of the worst droughts in history, not because of permitting delays or red tape.

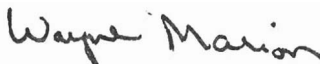
The importance of the ACF system to the region has often been highly exaggerated by the Tri Rivers Association and other river development interests. However, according to the February 1982 Report of the Secretary of Transportation to Congress on Inland Waterway User Taxes and Charges the ACF system is the most expensive river system in the nation to operate and maintain in relation to the benefits gained. The estimated user charge necessary to recover federal operation and maintenance costs on the ACF was 45.5 mills/ton-mile compared with a national average cost of approximately 1.1 mills. This is at least an indication of low economic viability.

President Reagan's budget proposal this year did not include maintenance funds for navigation projects carrying less than five million tons per year. The ACF system, with approximately one million tons per year, does not even approach this threshold, providing yet another example of relatively poor economic viability. It would seem that a better subject for legislative action than reauthorizing the project might be deauthorizing the ACF system.

We conclude that neither the assumption that there are unnecessary delays in the permitting process nor the implied assumption that the ACF is an extremely valuable transportation system are valid. The potential of this bill for exempting the ACF system from careful state environmental review could very likely lead to more rapid degradation of the Apalachicola River than is currently occurring and would therefore be highly detrimental to the wildlife resources associated with the river.

We urge you to reject HR 6609.

Sincerely,



Wayne Marion
Vice President