

SSPOA Comments on Updating of Selection Criteria for Canal Restoration Projects in Monroe County (May 21, 2018)

On the agenda for the May 23, 2018 meeting of the Canal Restoration Advisory Subcommittee of the Florida Keys Water Quality Protection Program is for the Subcommittee to review the current status of the 2013 Canal Management Master Plan (CMMP) and consider necessary updates to the CMMP. The members of the Sugarloaf Shores Property Owners Association (SSPOA) comprise the owners and full-time renters of nearly 350 residents on Lower Sugarloaf Key. Based on SSPOA's involvement in and observation of the progress of the canal restoration program in Monroe County over the past few years, we would like to offer our comments and suggestions to the Subcommittee as it considers updating the guidelines of the program.

SSPOA believes that now is an ideal time for the Subcommittee to review and update the 2013 CMMP criteria and the weighting of those criteria and to adopt guidelines for selecting canals for restoration in the future. We hope that this process can be done with meaningful input from the public.

SSPOA has the following questions and comments about the criteria set forth in the CMMP and asks that the Subcommittee consider our points in its review of the criteria. In doing so, please bear in mind that we are laypersons and not scientists or experts.

1. Measured DO

- a. How should the DO level in a canal be measured? We note that both DEP and AMEC have criticized the DO measurement process used in the 2017 re-testings.
 - b. Should nutrient levels also be considered?
2. Organic Matter Loading and Organic Matter Accumulation
 - a. Why is seaweed the only organic matter that is taken into account? Why not consider other vegetative matter, such as detritus from mangroves?
 - b. Why are Organic Matter Loading and Organic Matter Accumulation considered factors at all? Isn't the real issue the level of DO in the water body as a result of the loading and accumulation?
 - c. If Organic Matter Loading and Organic Matter Accumulation are to be considered separate factors that are relevant aside from Measured DO, why are both Loading and Accumulation considered? Isn't it only the Accumulation that is relevant?
3. Habitat Quality. Why are mangroves and other vegetation treated as negative factors for purposes of selecting canals for restoration? SSPOA believes that the Subcommittee should acknowledge that mangroves along a canal can adversely affect water quality.
4. Cost
 - a. SSPOA suggests that Cost be treated as a separate factor, and not merely one aspect of the Project Constraints factor. Expected cost should be considered an important criterion in selecting canals for remediation.
 - b. In analyzing the Cost of a project, SSPOA believes the most important element is the cost per affected resident, not the absolute cost of the

project. That said, we understand the need for a limit to be imposed on total project cost due to annual funding constraints. The amount of the limit should depend on the amount of funds available for canal restoration for a given year.

- c. O&M costs should be considered in addition to capital costs.
 - d. It has been suggested that Residents' Contribution should be treated as a separate factor, or perhaps even a super-factor. SSPOA disagrees. In our view, the reduction in cost resulting from the contributions of residents (or others) should be treated as an offset to the cost to the County of a proposed project in applying the Cost factor, rather than as a separate factor. SSPOA is concerned that if residents' contribution were treated as a separate factor, it is possible that only canals in more affluent communities would be selected for restoration.
5. Potential for Achievement. This analysis should take into account the results of the demonstration projects.
6. Project Constraints/Implementability
- a. The risk that a project will not be permitted should be considered. But the expected amount of time needed to receive the requisite permits should not, unless there are specific timing constraints based on the source of funding.
 - b. It has been suggested that the need for Mitigation as a result of a project be treated as a separate factor. SSPOA disagrees. Mitigation could impact either the risk that a project cannot be permitted or the cost of a project, and thus should be considered only in connection with those other criteria.

7. Public Benefits (Number of Residents). Why is this a separate factor? It should be taken into account as part of the Cost factor (i.e., cost per resident).

SSPOA hopes that the Subcommittee will also review the Weighting of the various factors as set forth in the CMMP. In doing so, we recommend that greater weight be given to Cost, Potential for Achievement, Proven Technology, and Benefit to Nearby Waters.

As stated above, SSPOA also suggests that the Subcommittee adopt guidelines for the selection of canals for restoration using public funds. These selection guidelines should be determined by the Subcommittee with meaningful input from the public. The guidelines should include a procedure under which communities can propose projects to the Subcommittee. Affected residents also should be able to appeal the ranking of a canal, including the determination of the restoration technique that is being proposed and the cost of the project.

These comments are respectfully submitted on behalf of and with the support of the board of directors of SSPOA. If you have questions about the above points, please feel free to contact SSPOA board member and Public Policy Chair, Stuart Schaffer, at sfschaffer@gmail.com or 305.745.8911.

