

Request for Investigation

Congressman Jeff Miller, District 1
 4300 Bayou Blvd., Suite 13
 Pensacola, Florida 32503

Dear Congressman Miller,

I request your assistance to eliminate inequities in the Army Corps of Engineers (ACOE) artificial reef permitting process. The Gulf Coastal Waterways of Alabama and the Escambia and Santa Rosa counties in Florida are essentially the same with regard to ecological, navigation, and marine habitat concerns. Five federal permits to establish areas set aside for placement of artificial reefs inshore and near shore for Escambia and Santa Rosa counties have been in the ACOE permitting process from 56 to 461 days and counting as indicated by the chart below.

Permit	Location	FL DEP Submission	FL DEP Approval	ACOE Submission	ACOE Approval	Days in ACOE Permitting Process
Near Shore East - Gulf of Mexico	Slightly to the east of Pensacola Pass surrounding "3-barges reef"	3-Oct-07	30-Oct-07	Jul-07		461+
Near Shore West - Gulf of Mexico	1.5 miles SSW of the USS Mass. near Pensacola Pass	3-Oct-07	30-Oct-07	Jul-07		461+
Pensacola Beach Snorkeling Reef	East end of Santa Rosa Island near Portofino Development	4-Sep-08	26-Sep-08	8-Sep-08		56 +
Fort Pickens Snorkeling Reef East	Off the sound side beach near Fort Pickens Entry Gate	28-Aug-08	23-Sep-08	8-Sep-08		56 +
Fort Pickens Snorkeling Reef West	Off the soundside beach near Fort Pickens Entry Gate	28-Aug-08	23-Sep-08	8-Sep-08		56 +

Approval would allow placement of permitted artificial reefs in five areas of the waterways. These reefs provide essential marine habitat, are good for the marine ecology, and the material used is much more restrictive and eco friendly than the materials allowed for deployment in the same coastal waters along the Alabama coast. The Florida Department of Environmental Protection has already approved all five of the permits, yet the ACOE seems to be requiring much more scrutiny and third party agency comment than is obviously required in the coastal waters of Alabama. This is not only **unfair** but is economically **damaging** to Escambia and Santa Rosa counties. The Santa Rosa and Escambia County Marine Advisory Committees are both very much in favor of obtaining the permits and moving ahead with plans to deploy artificial reefs in the permitted areas.

Escambia and Santa Rosa Counties appear to be hamstrung by the ACOE misguided approach to permitting of these reefs in Florida waters. It is ridiculous to treat all Florida waters with a one size fits all process/comment/review process. In south Florida and the keys where there is much coral and other ecological and high boating traffic considerations, a more thorough review and stricter limitations on reefing materials is sound policy. In the panhandle area, the floor of the Gulf of Mexico is a vast desert of sand – less stringent oversight is necessary. Below is a timeline for the two near shore permits that have been in the ACOE permitting process for over 461 days.

- July 2007: Application for general permits for artificial reef sites received by the ACOE.
- September 2007: ACOE requests additional information from Escambia County.
- October 2007: Escambia County answers request for additional information.
- December 2007: Placed on public notice by ACOE, and opened up the project for public comment.
- April 2008: Adverse public comments received by ACOE from commenting state and federal agencies. Comments and 2nd request for additional information forwarded to Escambia County.
- September 2008: Escambia County answers second ACOE request for additional information.
- October 2008: According to Clif Payne of ACOE, "If the Corps is provided the information requested in April (second request for additional information) the review could be completed in 135-150 days consider time frames for consultation with NMFS (National Marine Fisheries Service.)"

I firmly believe that permitted reefing areas in our near shore and in shore waters is not only good ecologically, but is a grass-roots economic stimulus package bringing millions of dollars in economic activity to our area. It is a true win-win for the economy and the environment. In response to citizen dissatisfaction with the ACOE reef permitting process the Escambia County Commission is considering a resolution to support moving the jurisdiction over Escambia County, FL waterways from the Jacksonville District back to the Mobile District of the ACOE where it had historically been. I support this resolution.

Will you please help by having your office investigate these inequities between Alabama and Florida Panhandle reef and reef zone permitting processes applied by the ACOE. I also urge you to support Escambia County's desire to move the reef permitting process to the Mobile ACOE district.

Best Regards,

Name _____ Signature: _____ Date: ___/___/2008

Optional: Email _____