

CLEAN WATER NETWORK OF FLORIDA, INC.

**517 Beverly Street
Tallahassee, FL 32301**

850/222-9188 ph.

850/222-9541 fax

www.cleanwaternetwerk-fl.org

April 5, 2007

Mr. Randall A. McElheney
Chairman NWFTCA
c/o HDR Engineering
109 Harrison Avenue
Panama City, Florida 32401

Dear Mr. McElheney:

The Clean Water Network of Florida, Inc. is a statewide non-profit organization with 155 group members and almost 5,000 individual members. The Clean Water Network of Florida is committed to full implementation and enforcement of the Clean Water Act and all statutes and rules promulgated there under, including Chapter 403 Florida Statutes to the extent that it is at least as protective as the Clean Water Act. We strive to help communities effectively participate in decision-making that affects the waters in their communities. I regret to find that your Master Plan which was recommended by HDR Engineering at the last meeting of your board, and which received positive reviews by your board members, will require intense scrutiny by Clean Water Network of Florida and any citizen of Northwest Florida who is concerned about protecting our valuable water resources and the animals that depend on these resources. Your frenzied pace adopted recently in moving forward your proposed plan, leaves much to be desired by citizens and local governments that desire to have a voice regarding the future of their communities. We reiterate our previous request that you pause this process immediately, refamiliarize yourself with your statutory mandate, and consider a more inclusive visioning process which welcomes all interested parties. You have plenty of time available that could be wisely invested in broader public participation.

We offer the following additional comments regarding the Northwest Florida Transportation Corridor Authority's proposed master plan. Additionally,

please incorporate by reference here, our comments previously submitted to HDR Engineering.

We believe that you have a legal obligation to follow the language of your authorizing statute to an exact degree. Our review of your proposed plan attempts to evaluate how well your proposed plan accomplishes that task. For instance, you are instructed:

"2) The authority is authorized to construct any feeder roads, reliever roads, connector roads, bypasses, or appurtenant facilities **that are intended to improve mobility along the U.S. 98 corridor**. The transportation improvement projects may also include all necessary approaches, roads, bridges, and avenues of access that are desirable and proper with the concurrence, where applicable, of the department if the project is to be part of the State Highway System or the respective county or municipal governing boards."

"3)(a) The authority shall develop and adopt a corridor master plan no later than July 1, 2007. The goals and objectives of the master plan are to identify areas of the corridor where mobility, traffic safety, and efficient hurricane evacuation need to be improved; evaluate the economic development potential of the corridor and consider strategies to develop that potential; develop methods of building partnerships with local governments, other state and federal entities, the private-sector business community, and the public in support of corridor improvements; and to identify projects that will accomplish these goals and objectives."

Starting from West to East on your map, the first gap in your effort is the apparent lack of communication with the local governments in Escambia County. Projects #1, #3 and #5 propose to expand several two lane roads to four lane roads. How do you proposed to do this when your authorizing legislation forbids you from changing currently existing roads into toll roads?

Project #8, North Pensacola Beltway, begins at Hwy 90 near the Alabama line and arches across north Escambia County down to I-10 at Hwy 87 in Santa Rosa County. First of all, how does this meet your legislative authority? It does not improve mobility along U.S. 98; it doesn't address any safety issues; the only possible reason for this proposed project is to encourage and enable development in environmentally sensitive, undeveloped lands. If this project is pursued any further it will be met with aggressive public resistance, including litigation. The proposed road would have to cross both the Escambia and Blackwater Rivers. Blackwater River is an Outstanding Florida Water and absolutely no degradation is allowable unless you can prove it is clearly in the public interest. The Escambia River

is an impaired water and your project will confront stringent federal requirements that prohibit new discharges to impaired waters until TMDLs have been set for the pollutants causing the impairment. These TMDLs are years away and there will be substantial difficulty finding additional allocations for typical roadway pollutants (nutrients, bacteria, heavy metals) in this watershed which is already significantly overloaded with these pollutants. Furthermore, your map seems to place your turnpike at least partially in alignment with Hwy 87, which again seems contrary to your statutory authority.

Project #12, proposes a new bridge from the Pensacola airport to Garcon Point. We would venture to say that your board will provide the sole support for this new toll road. The current bridge from Hwy 98 to Garcon Point was strongly opposed by the public and only received necessary approvals through the corrupt influence of then House Speaker Boley Johnson. The bridge appropriately opened only days before the door closed on Mr. Johnson and his co-defendant wife's freedom, when they were both sentenced to federal penitentiaries. As predicted, traffic on the bridge has been sparse and the Bridge Authority has struggled to avoid bankruptcy. I'm sure that you and other influential community leaders will want to avoid not only the public opposition to another unnecessary toll bridge from Garcon Point, but also the personal and professional compromises that would be necessary. Garcon Point is not only a very low-lying flood prone peninsula, but is primarily wetlands that would not meet the federal requirements for a permit. Our organization will vigorously oppose any attempt to build another bridge from Garcon Point.

Project #76 is very unclear what is meant by four to six widened interchanges on Hwy 98 from Garcon Point to Hwy 87. This needs to be clarified.

Project #80, State Road 281 would become apparently become a toll road? This appears to be contrary to your statutory prohibition on converting current roads into toll roads.

Projects #18, #24 and #30 are perhaps the most puzzling in this whole plan. This road does absolutely nothing to "improve mobility along US 98" through one of the worst sections of this over-loaded highway. If the Legislature truly envisioned improvements to Hwy 98 that will alleviate some of the unsafe traffic conditions, then they surely would be disappointed to see this project. Most of your projects appear to be primarily aimed at subsidizing sprawl into currently undeveloped areas of the Panhandle, but this project primarily cuts through Eglin Air Force base and can't even be explained away by cronyism.

Projects #38, #40, #49, #53 and #54 are obviously designed to facilitate St. Joe's development of currently undeveloped lands. Again, this new Parkway and Bypass will do nothing to ease pressures on Hwy 98. In fact, by causing new sprawl around Bay County, current traffic problems on Hwy 98 will likely increase. As stated in our previous comments, the road north of Hwy 388 designed to serve the proposed Bay County Airport cuts across both Crooked Creek and Burnt Mill Creek, and would contribute to permanent devastation of these waterways and West Bay. West Bay is one of the top six most biologically diverse water bodies in North America. To propose a major toll-road across the headwaters of this almost pristine estuary without any effort to assess the impact it would have, places serious doubt on the qualifications of both your consultant and the board of directors of the NWFTCA. No responsible, publicly minded entity would propose an unnecessary road through these waters. Hundreds of acres of wetlands and streams would be destroyed in the process as well. Any serious effort to permit this project will be vigorously opposed in federal court.

Project #40 is particularly irresponsible as it would traverse across the Choctawhatchee River and its watershed. Not only is this land some of the most pristine on the planet according to Dr. Bruce Meane, but it is habitat for several endangered species including but not limited to the Ivory-billed Woodpecker, the Florida Panther, the Florida Black Bear and several other species. Common decency as well as state and federal regulations will prevent this project from achieving fruition. The idea that your Authority would even suggest that a new, unnecessary roadway be built through these environmentally sensitive, ecologically superior lands and waters is cause for intervention by the Governor. As previously stated in our first comment letter, the Bay County Airport is unlikely to receive neither the final permits nor the funding that will be required to actually construct this ludicrous creation of St. Joe's financial fantasies.

The remainder of your proposed projects sadly follows the same pattern of failed statutory purpose and sprawl-causing cronyism. Your hastily cobbled together proposal is at a minimum a public disgrace to the NWFTCA and must be rejected at the first oversight opportunity. Clean Water Network of Florida will make every effort to see that this ill-conceived set of projects meets a timely demise.

We urge the NWFTCA to reconsider this proposed Master Plan. Your mission could possibly be salvaged by admitting to the Legislature that you need to completely start the process over; engage the public in a long-term planning process; widely consult with local governments and planning agencies; more carefully review current traffic problems and possible solutions; consult

environmental experts to identify areas that must be avoided for responsible environmental protection purposes and then develop a new proposal that will be widely supported and used by the taxpayers of the affected counties.

Sincerely,

Linda L. Young
Director

cc:

Governor Charlie Crist
Dept. of Community Affairs Secretary Thomas Pelham
Carl Wernicke, Pensacola News Journal
Tom McLaughlin, Northwest Florida Daily News
Gabriel Tines, Walton Sun
Bruce Ritchie, Tallahassee Democrat
Timothy Croft, Port St. Joe Star
Celeste Cobena, Beach to Bay Connection, Inc.
Dan Tonsmeire, Apalachicola Riverkeeper, Inc.
Aaron Deslatte, Gannett Newspapers, Tallahassee
Allen Jelks, Attorney at Law, Panama City
Charlene Walker, League of Women Voters
Craig Pitman, St. Pete Times
Mike Odom, Navarre Press