

EAA Reservoir Project New Start:

Bottom Line:

As part of the President's Budget Request for FY21, the Corps of Engineers diverted approximately \$130M in funding away from the EAA Reservoir and toward a project in St. Lucie County unrelated to Lake Okeechobee discharges. The Corps made a unilateral policy call that the Reservoir required a "New Start" designation, which was also not requested in the Corps' budget request.

Background:

- As written by the District pursuant to State law, the EAA Reservoir was packaged as a change to Central Everglades Project (CEPP) and authorized in WRDA 2018.
- Recently, without any public discussion, the Corps unilaterally determined that the EAA Reservoir Project is a standalone CERP project and is not part of CEPP.
- All standalone projects require a New Start designation in order to have Federal funds appropriated for construction.
- Federal FY21 funding that was supposed to go toward construction of the EAA Reservoir was moved to construction projects in St. Lucie County as part of Indian River Lagoon - South.
- All parties involved with the EAA Reservoir project disagree with the Corps.

New Start: What is it?

- New Starts are requested by the President, designated Congress, and then implemented by OMB and ASA in guidance. In FY20, two new starts were issued due to funding provided by Congress. Congress did direct that one of those must go to CEPP. This could happen in FY21 with enough support.

What does this mean for the project?

- The Corps will not be able to move forward with construction of the EAA Reservoir until a New Start designation is given and funds are appropriated for its construction. The first opportunity for that is FY21, but there is nation-wide competition from other projects.
- Jacksonville can move forward with design of the reservoir but cannot issue a design build contract as initially planned.
- The State will be able to move forward with STA construction as soon as the 1308 Report is completed, the Record of Decision is signed, and a PPCA is executed. Expected May 15, 2020.

Potential paths forward:

- The ASA-CW determines that the EAA Reservoir Project is part of CEPP and therefore does not need a new start. (*Most viable considering lawmaking and budget circumstances.*)
- The EAA Reservoir Project is funded as part of the tentative Federal Infrastructure Bill in FY21 and therefore does not need a new start.
- There is a legislative fix in WRDA 2020 to firmly place the EAA Reservoir Project back into CEPP.
- The EAA Project receives a New Start designation in FY21 and is eligible for construction funding in the FY21 Work Plan or FY22 budgets.