



April 30, 2025

Ms. Amy Frantz, CEW-P
U.S. Army Corps of Engineers 3F91
441 G St NW, Washington, DC 20314

Re: Docket ID No. COE-2024-0004

To Whom It May Concern:

On behalf of the Charlotte County Board of County Commissioners, I write to encourage the Corps of Engineers to quickly develop Implementation Guidance for Section 1145, Easements for Hurricane and Storm Damage Reduction Projects of the Water Resources Development Act of 2024. This important section represents one of the first times that Congress has explicitly directed the Corps to construct critical coastal storm risk management projects irrespective of prior Corps interpretation of policy relating to easements.

Charlotte County is currently working with the South Atlantic Jacksonville District on a coastal storm risk management study of our critically eroded shoreline. We are eager for the study to proceed to a 50-year project to help protect our community and public infrastructure from frequent storm damage. We recognize the challenge of securing perpetual public easements for the future project, but will do our best to obtain them. However, should we fall short, Congress has now clearly stated via this language that they believe "the minimum estate necessary for easements may not exceed the life of the project." Further, Congress, through Section 1145, allows projects to proceed to construction in the absence of nonperpetual easements, as long as they remain valid for the project.

Furthermore, we encourage the Corps to continue its longstanding approach to support sand placement on private lands that do not provide public use if the non-federal sponsor agrees to pay 100% of the costs associated with those lands. The Implementation Guidance should clarify that projects shall be certified by the Secretary when the non-federal sponsor provides written assurance to comply with conditions stipulated in a Report or Project Partnership Agreement for the placement of sand on privately owned lands.

Given the recent significant storms that have hit Charlotte County over just the past few years, including Ian, Helene, and Milton, plus another storm season looming, we encourage the Corps to quickly development implementation guidance for Section 1134 that mirrors the sense and intent of Congress with respect to this issue, not only for existing projects, but for new projects like ours as well.

Thank you for your consideration of our comments.

Sincerely,

Joseph M. Tiseo,
Chairman

BOARD OF COUNTY COMMISSIONERS

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