

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0913**

August 4<sup>th</sup>, 2023

The Honorable Michael Connor  
Assistant Secretary of the Army – Civil Works  
U.S. Department of the Army  
108 Army Pentagon  
Washington, D.C. 20310-0108

Dear Assistant Secretary Connor,

Thank you for meeting with me on May 23<sup>rd</sup>, 2023 and recognizing the importance of beach renourishment in Pinellas County, FL. I appreciate your assurances that you would look into flexibilities regarding easements for the Sand Key beach project. However, the unelected bureaucrats at the U.S Army Corps of Engineers have a different agenda.

Despite perpetual easements not being required by law, the U.S. Army Corps of Engineers insist they must be acquired to move forward with any beach renourishment project. This now affects not only Sand Key but also Treasure Island and Long Key projects which were previously given the green light in Pinellas County. It does not end there; the Corps' policy will halt beach renourishment projects in various counties throughout Florida as indicated on the map below.

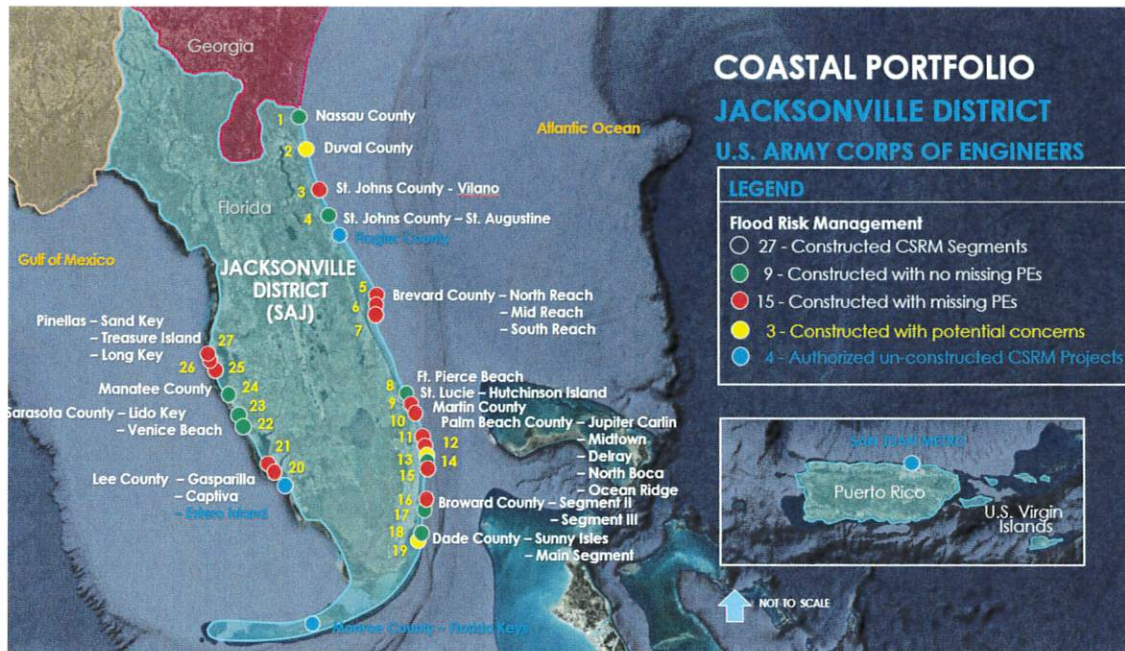


Figure 1: Coastal Portfolio- Jacksonville District U.S. Army Corps of Engineers

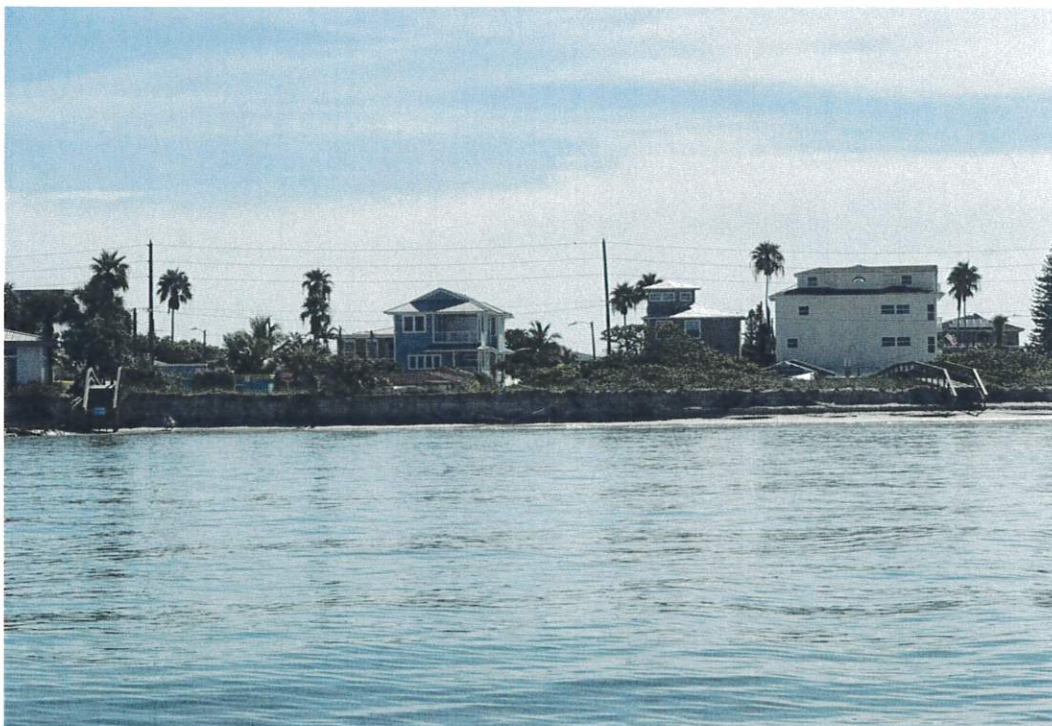
The assertion from Army Corps that the need for perpetual easements is for “storm damage reduction” means nothing if the Corps fails to renourish the beach, leaving it more vulnerable to storm damage. If Army Corps does nothing, our beaches will dissipate, and our homes will be susceptible to destruction.

The truth is Army Corps did not acquire perpetual easements before and they do not need them now. The responsibility for the inevitable degradation of Florida’s beaches, marine life, and economy will rest entirely with the Army Corps of Engineers. I’m sure you can appreciate that my constituents are truly baffled that their own government would cause this harm. If the following photos taken along the beach are not an indication of action needed to protect our communities, then I do not know what is.



*Figure 2: Indian Rocks Beach part of Sand Key Renourishment Project*

As shown in Figure 2 there is minimal beach front left when there used to be 218 feet of beach from the edge of dune to approximate Mean High Water.



*Figure 3: Sunset Beach part of Treasure Island Renourishment Project*



*Figure 4: Sunset Beach part of Treasure Island Renourishment Project*

Figures 3 and 4 were taken at Sunset Beach, where the dunes, which stand about ten feet tall, are almost completely eroded away. It looks like a seawall in this photo, but it is not. It is a sand dune. The water has eaten away at the sand dune, which is starting to cave in, leaving the homes at risk of losing their foundation. The beach access is almost completely gone. And even more alarming is that the beach access bridge is closed because its stability is weakening with the lack of sand dunes to support it. With one storm, these homes will turn to gravel.



*Figure 5: Pass-A-Grille Beach part of Long Key Renourishment Project*

As shown in Figure 5 there is minimal beach front left when there used to be 159 feet from the dune down to approximate Mean High Water.



*Figure 6: Pass-A-Grille Beach part of Long Key Renourishment Project*

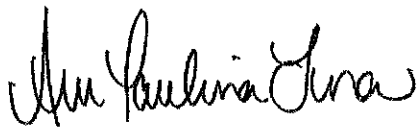
Figure 6 was taken at Pass-A-Grille Beach at low tide and the water is almost completely up to the seawall. People are no longer able to use the public beach in front of the Snack Shack because it has washed away.

Our beaches are eroding before our eyes and many Florida communities are already suffering. We are living with washed out beaches as we approach the most dangerous time of hurricane season.

Congress and our community disagree with the Corps' changing interpretation of the 1986 Water Resources Development Act (WRDA). We do not agree that the legislation requires perpetual easements. Pinellas County and the Corps have had an outstanding partnership for more than 40 years that has resulted in the completion of multiple shore protection projects, with temporary construction easements, on regular construction cycles and in response to emergency situations. There is no reason we cannot continue to move these projects forward while we have the debate about long-term procedural issues.

I urge you to grant exceptions to the Corps' perpetual easement requirements utilizing the flexibility that Corp policy allows for<sup>1</sup> and to not further disrupt or delay future renourishments. This is in the best interest of public safety, protection for endangered birds and wildlife, and for the good of our community's, our state's, and our nation's economy. It is my hope that in your leadership position with the Army Corps of Engineers, you can bring your team together to establish a path forward for us. Thank you for your attention to this prompt matter. I look forward to your response.

Sincerely,



Anna Paulina Luna  
Member of Congress

---

<sup>1</sup> ER 1165-2-1. 1-6. Dynamic Nature of Federal Policy on page 15