

53. The diversion of general operating funds to support the Waterkeepers Florida Priority Toxics Training Program will impair the Alliance's ability to undertake activities under its core programs, i.e., Toxics Reduction, Environmental Justice, Government Accountability, and Compliance-Enforcement.

54. But for the failure of the Administrator to promulgate new and revised numerical water quality criteria for priority toxic pollutants in Florida's Class II, III and III-Limited waters, the Alliance would not have diverted a portion of its limited general operating funds to Waterkeepers Florida to support its Priority Toxics Training Program.

55. If the Administrator promulgates new and revised numerical water quality criteria for priority toxic pollutants to protect human health and the designated uses of Florida's Class II, III and III-Limited waters (e.g., shellfish harvesting and fish consumption), the Alliance will terminate its funding of the Waterkeepers Florida's Priority Toxics Training Program.

Count I

56. Paragraphs 1 through 55 hereof are incorporated herein by reference.