



October 16, 2006

Yvonne L. Haberer
U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville FL 32232-0019

Re: Draft Lake Okeechobee Regulation Schedule

Dear Ms. Haberer:

This letter is submitted to provide comments on the Draft Supplemental Environmental Impact Statement for the Lake Okeechobee Regulation Schedule Study, (LORSS) and tentatively selected plan, (TSP), presented to the public in Fort Myers on September 14, 2006.

The LORSS is designed to provide for public health and safety while providing flexibility to perform water management operations, and a more equal distribution of shared adversity than the WSE.

A review of the alternatives performance reveals that the Corps selected alternative 1BS2-m, will result in more harm to the estuary than is experienced under the current regulation schedule. The harm to the Caloosahatchee will be experienced, both through flow exceedences and by potentially high base flows even when the lake is at low stage levels. The central problem is that the current water management storage infrastructure is inadequate for the volumes that need to be managed.

While the TSP may provide some improved conditions for Lake Okeechobee, it fails to substantially improve conditions for the Caloosahatchee estuary. The capacity of the current infrastructure of the greater Lake Okeechobee service area is inadequate to handle the volume of water being delivered to the system. Even with the C-43 Reservoir, flow exceedences in the Caloosahatchee would only be reduced 15% of the time. This means that damaging conditions will continue to occur at least 25% of the time under average rainfall conditions.

Any change to the Lake Okeechobee regulation schedule must equally value each of the hydrologic systems including the lake and coastal estuaries. To affect this, the regulation schedule must be based on the best available information including current conditions and projections and it must be modeled to support the entire hydrologic system.

Unfortunately, the modeling which has produced this TSP alternative has relied upon dry cycle rainfall data from the 1965-1995 period of record even though climatologists have determined that the next few decades will be dominated by a weather cycle known as the Atlantic Multidecadal Oscillation, AMO, that will deliver twice the volume of rainfall than the period of record used in the modeling which has resulted in the selection of this TSP.

More importantly, this alternative has been developed using a model that restricts and limits water levels in the agricultural areas south of the lake to 18 inches below ground surface. This model condition has created ideal water conditions for the EAA which has eliminated shared adversity for stakeholders south of Lake Okeechobee and shifted the entire burden to the estuaries. This model has not worked in the past and can not work with the predicted higher rainfall volumes.

There is broad support for maintaining the lake levels as low as possible to provide base flows for the estuaries and freeboard in the lake for the rainy season. However two facts remain that must be addressed in the selection of a revised regulation schedule in order to accomplish a long term solution:

- Storage capacity of the current system is insufficient to accommodate current water volumes;
- Water flows into the lake much more quickly than it can be discharged.

The one solution that is agreed upon by stakeholders is additional storage/flow way capacity. Unfortunately, the scope of this project specifically excludes any discussion of structural changes to the footprint of the Lake for additional needed storage and flow ways. This exclusion limits discussion or consideration of the very structural changes in the system that are needed in order to provide a long term solutions for the entire system.

Further evidence for additional storage capacity was evidenced in the summer of 2004 when lake levels jumped 6 feet and the discharge capacity could not draw down the system to lower the lake from critical elevations even with the discharges operating at its maximum capacity.

Another aspect of the SEIS presentation involved the assessment of protected species. The list presented omitted two very critical species that are endemic to the Caloosahatchee; the Florida Manatee *Trichechus manatus* and Smalltooth sawfish, *Pristis pectinata*. It is important that the Environmental Impact Statement be inclusive of all threatened and endangered species that will be impacted by a change in the regulation schedule.

In summary it is important that the whole system be maintained and managed for the public and environmental health of the freshwater and estuarine living systems for today and the future. In conjunction with the Corps recently adopted "12 Actions for Change" to ensure an organization that is adaptable, flexible and responsive to the needs of the nation, we would ask that you revisit the alternatives with the following considerations;

- Revisit the Corps recommended Plan Six in its "Central and Southern Florida Project Reconnaissance Report Comprehensive Review Study", for additional flow capacity south of Lake Okeechobee through the historic southern flow way and Everglades Agricultural Area (EAA).
- Revise the model to eliminate the restriction which maintains the water table south of the lake to 18 inches below ground surface and remodel the alternatives using the current AMO wet cycle conditions.
- Actively evaluate lake expansion options to enlarge and better replicate the historic footprint of lake Okeechobee to accommodate desirable water levels and flows. Re-evaluate options to reflood the historic basin of lake Hicpochee to its historic limits for water storage and treatment of water flowing west into the Caloosahatchee.
- Support and incorporate a strategic plan for the EAA to include this expanded flow way capacity.
- Perform a full evaluation of the real root cause of the problems and support alternatives that will solve the problems not just move them from one basin to another, from one generation to the next. Before spending extraordinary funds on rebuilding the dike at the south end of Lake Okeechobee, consider spending the money on a solution that will solve both the dike and flooding problems; creating a flow way south.
- In the Environmental Impact assessment include consideration of the Endangered Florida Manatee & Smalltooth Sawfish for the Caloosahatchee Estuary, two species that were not included in the species lists presented.

Thank you for your consideration.

Erick Lindblad



Executive Director
Sanibel Captiva Conservation Foundation