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## **Sanibel leaders demand agencies form plan for Lake Okeechobee releases**

By Kate Spinner

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Nobody wants to take the blame for polluting the Caloosahatchee River with water from Lake Okeechobee, but Sanibel Island leaders are ready to hold someone accountable.

Tuesday, Sanibel City Council members asked the South Florida Water Management District and the U.S. Army Corps of Engineers to develop an emergency plan to prevent a repeat of last year, when summer rains caused the agencies to send 696 billion gallons of polluted water from Lake Okeechobee to the Caloosahatchee estuaries.

The muddy water smothered seagrass beds, killed oysters and triggered algae blooms that slimed Sanibel's bayside shoreline with thick mats of stringy goo.

"What happened last year was criminal. If a corporation or a private resident had done that they would be in court today," said council member Steve Brown.

If the agencies don't follow through with a plan to provide immediate protection for the estuaries within 30 days, the city is armed with attorneys and ready to sue.

The South Florida Water Management District spends more than \$1 billion a year to move and permit water use in South Florida, but when it comes to sending water down the Caloosahatchee River, the finger points to the Army Corps.

"If you do want to pursue an emergency storage plan, your conversation on that needs to be with the Army Corps of Engineers," Carol Wehle, executive director of the water management district, told the council. "While it isn't our legal responsibility to put a plan together, we stand ready to participate in any way that the federal government needs our participation."

The Army Corps said it sends the water down the river because that's the way South Florida's plumbing system was designed. Except for the Caloosahatchee River on the west and the St. Lucie canal on the east there's nowhere else for water to go when the Everglades Agricultural Area and the Everglades are saturated.

Past lawsuits prevent the water management district from allowing polluted lake water to ruin the Everglades and the Army Corps is charged with keeping private property, including farm fields and rural communities, from flooding.

If the water management district wants the Army Corps to move water somewhere other than to tide, the water management district will need to provide the land, said Pete Milam and Andrew Geller of the Army Corps.

"The water management district is responsible for whatever lands and interest in lands that are needed for improvement. But if those lands are made available for regulatory releases from Lake Okeechobee we will certainly utilize those," Milam said.

Since last year the district has been looking for private and public land to store dirty water from the lake, which has a disastrous effect on the coastal estuaries. In response to Sanibel's complaints, however, Wehle said the district is offering that land to the Army Corps now.

She said the district is doing more than the Army Corps to fix the problems that lead to the need for the high volume lake releases.

The \$10.8 billion Comprehensive Everglades Restoration Plan (CERP) is supposed to provide more places in South Florida to store and clean water. The cost of the project is supposed to be shared between the state and the Army Corps, but Congress hasn't given the federal agency the money or the authorization to follow through with that partnership.

Wehle said that the water management district is not only buying all the land for Everglades restoration, but also spending \$1.8 billion to build projects that the Army Corps should be building.

"We're so over the federal match," Wehle told council members.

Sanibel Mayor Carla Johnston said the water management district appears to be making an effort to find alternative land to store water, but she said she's not so sure about the Army Corps.

She said she's afraid the Army Corps sounds just the way it did before Hurricane Katrina damaged levees in New Orleans.

"Nobody is aware that reality has changed and the wet season cycle is putting people's lives at risk," Johnston said, directing her comments at Milam. "It may not be the lives that are south of Clewiston, but I can tell you there are thousands, hundreds of thousands of people in Southwest Florida who depend upon jobs connected to the tourism industry, connected to real estate, connected to all the things that make our metropolitan area function that are going to be jeopardized if we have another year like we had last year. Who is it in the Army Corps or higher up your chain who can make some decisions about not having a Katrina 2?"

Milam said the Army Corps all the way up to Washington is aware of the condition of the Hoover Dike which contains Lake Okeechobee. The agency releases water from the lake to the estuaries to keep the dike from crumbling and a recent report suggests that the lake will need to be kept about 2 feet lower than it is kept now.

"The only thing that we can do is what the Congress authorizes us to do and then funds us to do it," Milam said.