

September 12, 2006

Mr. Stuart J. Appelbaum  
Department of the Army  
Jacksonville District Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232-0019

Re: Draft Environmental Impact Statement, Lake Okeechobee Regulation Schedule

Dear Mr. Appelbaum:

After reviewing the Draft Lake Okeechobee Regulation Schedule Study (LORSS), we have found that the Tentatively Selected Plan (TSP) 1bs2-m may provide for somewhat improved conditions for Lake Okeechobee but it fails to substantially improve conditions for the Caloosahatchee Estuary. In fact under rainfall conditions similar to recent years, it would create the need for additional excessive flow conditions compared to the period of record.

We are disappointed that the U.S. ACOE did not directly respond to our letter and concerns of September 15, 2005. One of the suggestions in this letter was to have the ACOE examine additional flow and storage capacity south of Lake Okeechobee through the Everglades Agricultural Area (EAA). Apparently such an option identified by the ACOE as Plan Six in 1994 addressed additional flow and storage capacity in the EAA. However, it appears the ACOE is no longer seriously pursuing this option. It has also become apparent that the current water management infrastructure of the greater Lake Okeechobee service area is inadequate regardless of the various iterations of LORSS to bring about any meaningful ecological restoration of Lake Okeechobee and the Caloosahatchee Estuary. We feel this situation is largely derived from ACOE and SFWMD water management policy that overprotects agricultural operations south of the Lake from drought and flood at the expense of the public resource and greater public interest. Even with the addition of the C-43 Reservoir Accelerate Project, conditions will only improve (within the salinity envelope of 500-2800 cfs) about 15%. This means that damaging conditions would continue to occur at least 25% of the time with average rainfall. Average annual rainfall greater than the period of record (1965-2000) would essentially nullify any slight gains in flow improvement to the Caloosahatchee Estuary gained from changes to the WSE through LORSS.

Our recommendation is for the ACOE and SFWMD to develop additional flow and storage south of Lake Okeechobee similar to historic flow patterns that would result in enough flexibility to the Lake Regulation Schedule resulting in meaningful ecological restoration of Lake Okeechobee and the Caloosahatchee Estuary.