

Lake O's releases point in question

By [Julio Ochoa](#) ([Contact](#))

Friday, September 15, 2006

Lee County residents made the most of their final chance to vent about a new controversial plan that will regulate releases of water from Lake Okeechobee. Nearly 200 local residents and leaders attended a public meeting held by the Army Corps of Engineers to gather comments it will use as it finalizes a plan that will dictate how water is released from the lake for the next three years.

Many are against the plan because they say it does not do enough to protect the Caloosahatchee Estuary from the damaging high water releases and could be more devastating than the current schedule of releases.

Heavy releases from the lake are believed by many to cause fish kills, algae blooms and even red tide.

"The economics of this thing are huge. It cannot be ignored," said Toni Lapi, president and part owner of Tween Waters Inn, a hotel on Captiva Island. "I hope the hotel industry and the tourists will not be put on the endangered species list because of this."

The Army Corps proposal calls for new maximum and minimum levels for the lake, both of which are below previous standards.

The Army Corps set a new maximum lake level at 17.25 feet, which is more than a foot lower than the old limit, to protect the public from a breach in the levy that surrounds the lake.

But Lee County officials believe the new level is a constraint that will force heavy releases without concern for the Caloosahatchee Estuary when the lake's level reaches the maximum level.

The county would prefer that the Army Corps use the maximum level as a performance standard instead of a constraint. A performance standard would allow more flexibility in how water is released once the lake's level reaches 17.25 feet, said Tammy Hall, chairwoman of the Lee County Board of County Commissioners.

"The plan is not supportable in its current form," Hall said. "It will cause more damage."

The head of the Army Corps in Florida, Col. Paul Grosskruger, attended the meeting and assured those in the audience that their comments will be incorporated into the final draft of the plan.

“We are faced with some serious challenges but potential opportunities,” Grosskruger said. “I want to get the story. I’m listening. This is an interim plan. We all need to keep our eyes on the goal and let’s have a sustainable environment for our children.”

Listening is a start but it’s not enough, said Carla Brooks Johnston, mayor of Sanibel.

“A year ago we said we were dialing 911 and no one was doing anything,” Johnston said. “Now we have your attention, the question now is: ‘Will the Corps listen and will you act?’ “

The Army Corps’ plan details the problems to the Caloosahatchee Estuary that come from heavy lake releases, but it doesn’t present any solutions, she said.

“It’s a little like writing the recipe but not baking the cake,” she said. “It’s important to state the consequences but, most important, it’s critical that somebody actually follows through.”

One problem with the current plan is it does not consider storage to the south of the lake, said Wayne Daltry, director of Smart Growth for Lee County. Of the water annually released from Lake Okeechobee, 50 percent goes west down the Caloosahatchee, 30 percent goes east down the St. Lucie River and 20 percent goes south to the Everglades Agricultural Area and the Everglades.

If there is a public safety issue, all alternatives should be explored, he said.

“If it’s public safety versus property damage, go with public safety,” Daltry said. “Property gets damaged but you save lives. At least show us that you looked south. But they didn’t.”

Pushing water south has its own issues, Grosskruger said. There are tribal concerns and water quality issues with sending polluted water south, he said. The Army Corps is working with the South Florida Water Management District to find any potential land that could be used.

Without more storage, Army Corps officials are forced to balance safety constraints with environmental concerns by using essentially the same system that has been in place for the past several years.

A new minimum level will be made possible by the introduction of forward pumps, which will allow officials to deliver water to surrounding urban and agricultural communities when the lake is lower.

Still, the new plan calls for a greater frequency of damaging, heavy flows to the Caloosahatchee River. Lee County officials have said they would sue if the Corps does not provide some relief.

Any case the county pursues would have to demonstrate that the Army Corps is violating federal law.

Similar cases filed by the Miccosukee Indians, Friends of the Everglades and Earth Justice were successful by focusing on the protection of endangered species and the quality of the Everglades.

However, a lawsuit may prohibit both sides from working together to resolve the issue.

“I grew up knowing if we work together at the lowest level,” Grosskruger said, “then we get the best solution.”