

10. OLD BUSINESS

a. Water Quality Issues

4. Letter from City of Sanibel to South Florida Water Management District Executive Director Carol Wehele and to Colonel Carpenter in response to 04/27/06 correspondence from Rhonda Haag, Director Lower West Coast Service Center and presentation 05/02/06 from Pete Milam, Project Manager Lake Okeechobee

DISTRIBUTED

5/9/06

May 08, 2006

Colonel Robert M. Carpenter, Commander
United States Army Corps of Engineers
Jacksonville District
P.O. Box 4970
Jacksonville, FL 32232-0019

Carol Ann Wehle, Executive Director
South Florida Water Management District
P.O. Box 24680
West Palm Beach, FL 33416-4680

Re: 2006 Emergency Excess Water Deviation Plan

Dear Colonel Carpenter and Ms. Wehle:

I write to you directly on a matter of the gravest importance to the City of Sanibel, its residents, and to the robust Florida Gulf Coast economy that is supported by the millions of visitors and property owners who are attracted to its unique and fragile ecosystem.

Recent statements by both the U.S. Army Corps of Engineers and the South Florida Water Management District have made clear that high water levels in Lake Okeechobee this year will be dealt with in the same way that they have been in the past two years -- by releasing massive volumes of fresh water to the Caloosahatchee Estuary.

Consequently, we are compelled to insist that the Corps and the District devise an Emergency Deviation plan that can be implemented during the 2006 wet season to protect the priceless Caloosahatchee Estuary against the eventuality of a fourth successive year of high water levels in the Lake.

This year, 2006, will be telling for the continued existence of our resource. The Caloosahatchee Estuary, including estuarine ecosystem of the J.N. "Ding" Darling National Wildlife Refuge, was stressed to the breaking point by the flushing of large volumes of fresh nutrient laden water from Lake Okeechobee down the Caloosahatchee River in 2004 and 2005. Indeed, it remains unclear whether sea grasses, the bedrock of this vital habitat, will be able to rouse themselves from last year's devastating flood. This much is clear: this ecosystem, which already is strained beyond the limits set by science, will collapse if 2006 repeats the pattern of massive discharges from the Lake.



City of Sanibel

800 Dunlop Road
Sanibel, Florida 33957-4096

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While long- and medium-term solutions to the water management problems of South Florida are being pursued in a number of venues, none of those efforts will mature before we face the 2006 wet season. The Corps and the District have themselves recognized that high Lake elevations pose an imminent threat to the Caloosahatchee Estuary. When the 1999 Water Control Plan for Lake Okeechobee and Everglades Agricultural Area, Water Supply/Environment proved inadequate to handle sustained high water levels in 2003, 2004, and 2005, the Corps implemented three successive "Temporary Planned Deviations" designed, in part, to "reduce the risk of high freshwater discharges to the St. Lucie and Caloosahatchee Estuaries." *Lake Okeechobee Water Control Plan – Temporary Planned Deviation Request for 26 January 2006 through 31 December 2006*. When these actions alone were inadequate to avoid the massive releases experienced in 2004 and 2005, the Corps, in consultation with the District and other stakeholders, embarked on the Lake Okeechobee Regulatory Schedule Study to develop a more protective WSE for the years 2007 through 2010. While laudable, neither the LORSS nor any of the other projects known to be underway as a part of the Comprehensive Everglades Restoration Program, the Lake Okeechobee & Estuary Recovery plan or the host of related initiatives created in response to South Florida's 50 year-old water crisis will mature in time to address the imminent threat to the Caloosahatchee Estuary during the second half of 2006.

It is commonplace for households, businesses, state and local governments to have Hurricane Emergency Plans. Why don't the Army Corps of Engineers and the South Florida Water Management District have one? Hope for a dry 2006 is not a plan.

We need to know your emergency plan – how current Corp and district programs can be modified for a one time 2006 emergency. We ask that information describing the operation and projected benefits of such emergency deviations over the remainder of this year be provided to the City Council at its meeting on Tuesday, May 16, 2006.

If, as we have been advised, there are no such projects, we ask the Corps and the District to develop and report on elements of an Emergency Excess Water Deviation Plan capable of protecting the Caloosahatchee Estuary from destructive regulatory releases should high Lake elevations again prevail during the coming wet season. Although it may not be possible to develop a fully-articulated emergency action plan before May 16th, we nonetheless request that representatives of both your organizations brief our Council on that date concerning the range of options under consideration, the challenges that each presents, and a schedule on which those options are expected to be converted into a final, actionable plan.


We have been told numerous times that you and your staffs are experienced in addressing challenges to think broadly and creatively. We look forward to your prompt response in adequately providing an Emergency Plan to handle excess water disposal in 2006. A plan might include elements such as emergency water storage on properties (in the Kissimmee Basin, the EAA, or elsewhere in the system) that have already been acquired, or that are identified and specially leased between now and the end of the summer; summertime releases to tide from WCAs that could create storage space for wet season inflows; accelerated releases from Lake Okeechobee directly to tide through the East Coast Canals during the dry season; or immediately available deep-well injection in wells specially developed for emergency use. Elements of ongoing CERP projects (such as WBS 012 (WCA 3 Decompartilization and Sheetflow Enhancement) and WBS 008 (Everglades Agricultural Area Storage Reservoirs - Ph 1 and Ph 2) and the District's LOER planning for the storage and/or disposal of excess surface water may also provide building blocks from which an effective 2006 plan can be constructed.

We recognize this will not be a simple exercise. However, surely as responsible government officials, we would expect you to agree that the option of no plan or an inappropriate plan is not acceptable.

We look forward to reviewing your 2006 Emergency Excess Water Deviation Action Plan or, at a minimum, your initial work and work schedule for developing such a Plan, at our meeting on Tuesday, May 16, 2006. Specific arrangements for your presentation at that meeting can be made through our City Manager, Judie Zimomra.

Along with the other members of the Council and the residents of Sanibel Island, I look forward to your presentation on the 16th.

Sincerely,


Carla Brooks Johnston, Mayor
City of Sanibel, Florida

Cc: Sanibel City Council
Judie Zimomira, City Management
Pete Milam, Lake Okeechobee Project Manager
Benita Whalen, P. E., SFWMD



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

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April 27, 2006

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City Council
The City of Sanibel
800 Dunlop Road
Sanibel, FL 33957

Dear Members of the City Council:

I was pleased to have the opportunity to speak with you on April 4th regarding discharges from Lake Okeechobee and their impact on waters surrounding the island of Sanibel. The city's position paper on this subject is a thoughtful and thorough document, and the South Florida Water Management District recognizes your effort in assessing priorities and solutions for your community.

We share your concern. The items identified in the priority list demonstrate the complexity of Florida's environmental issues and the fact that one single solution is rarely enough. Research has shown that lake releases *plus* local basin runoff *plus* sewage releases are affecting the water quality in the Caloosahatchee River and Estuary. The efforts needed to address these issues involve many agencies and stakeholders, including the South Florida Water Management District. That can be challenging.

But it does not mean we throw up our hands and do nothing. **The District is taking a leadership role in estuary recovery, and a great amount of work is already underway.** As you know, the lake and estuaries are the focus of an extensive, multi-agency effort launched in October 2005 by Governor Bush. The Lake Okeechobee & Estuary Recovery plan (LOER) will provide both short-term relief and long-term protection to these valued waterways.

To highlight a few of LOER's components, five fast-track construction projects will improve water quality and expand water storage for the lake. The District is working with the U.S. Army Corps of Engineers to change the Lake Okeechobee regulation schedule and to have the lake managed at a lower level. The District supports the installation of forward pumps and has already arranged for installation of 14 temporary pumps. Permanent pumps and structures are now being designed. LOER also will protect the lake and estuary as Florida continues to grow. Legally-binding rules are being changed on acceptable water quality and quantity for new development and other land uses in the lake's watersheds.

One of your concerns was the Lake Okeechobee operational model. It has been reanalyzed by the District, and we continue to believe that it is accurate. As an additional measure, the model is now being peer-reviewed by outside experts.

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The City of Sanibel
April 27, 2006

As part of the Greater Everglades ecosystem, the Caloosahatchee River and Estuary are also receiving benefits in the Comprehensive Everglades Restoration Plan. Specifically, this river and estuary are part of Florida's *Acceler8* initiative to fast-track environmental improvements. The C-43 reservoir is a \$338 million project that will reduce flood-control releases from Lake Okeechobee into the Caloosahatchee. Scheduled to be operational by 2011, the reservoir will provide a significant portion of the water storage requirement for the entire C-43 basin. This will reduce harmful discharges, improve ecosystem health and revitalize fish and oyster habitats by maintaining salinity levels. The C-43 project will also provide public access and recreation opportunities for outdoor enthusiasts.

You expressed concern about water quality components for this project. I am pleased to tell you that various options for improving water quality will be tested over the coming year in the C-43 test cells, now under construction and scheduled to be ready in June.

In closing, I wish to highlight the C-43 test cells as a fine example of public participation in the workings of government. Local citizens, community leaders, state environmental scientists, engineers and water managers worked together to address common concerns and produce viable results. **I can assure you that future projects for this region are being developed in the same way, and your priority statement is part of that valued process.** I was very pleased to see the results of the collaborative project that the District worked on with your staff to open Clam Bayou. The reopening of this pass between Dinkins and Clam Bayous will provide improved water quality and environmental restoration of a vital resource of the island. We look forward to continuing to collaborate with the City on water quality projects like those that were approved by your board in March. It truly demonstrated that by working together we can achieve mutually beneficial results.

Thank you again for your involvement.

Very truly yours,



Rhonda Haag, Director
Lower West Coast Service Center
South Florida Water Management District

RH/rc