



November 6, 2020

Email only: tedwards@sfwmd.gov and dmedelli@sfwmd.gov

Ms. Toni Edwards
Senior Scientist, Coastal Ecosystems Section
South Florida Water Management District

and

Mr. Don Medellin
South Florida Water Management District

RE: South Florida Water Coalition Request for a Public Hearing on the EAA Reservoir Reservation Rulemaking

Dear Ms. Edwards and Mr. Medellin:

The South Florida Water Coalition (SFWC) appreciates the opportunity to submit this letter regarding the proposed South Florida Water Management District's (SFWMD) Everglades Agricultural Area (EAA) Reservoir reservation rule and request a public hearing on the proposed rule. Since the SFWC's primary mission is to ensure that the water supply for South Florida's over 6 million water users is appropriately protected, we feel it is necessary to offer our perspective regarding how the proposed rule will impact concerned residents that rely on this water for their critical water supply.

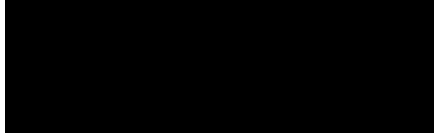
The SFWC supports the Comprehensive Everglades Restoration Plan (CERP) – of which the EAA Reservoir is a component of – most especially because their intention should 1) restore the Everglades; and 2) provide additional water supply in our southern regional area. However, concern remains with the new draft rule flexibility, which appears to circumvent the need to strictly protect the water supply of our regional area. It should be noted that Florida Statutes require that the water rights of existing users must be protected; that, according to the Savings Clause (WRDA 2000), the SFWMD must “provide reasonable assurances that the quantity of water available to existing legal users shall not be diminished by implementation of project components so as to adversely impact existing legal users...” With this in mind, it is critical that these obligations are fully met with any future decisions on the management of South Florida's water supply – from future operations of Lake Okeechobee, to our local water supply networks. Among the protected water uses under the savings clause as defined by Congress: an agricultural or urban water supply, allocation or entitlement to the Seminole Indian Tribe of Florida under section 7 or the Seminole Indian Land Claims Settlement Act of 1987 (25 U.S.C. 1772e), the Miccosukee Tribe of Indians of Florida, water supply for Everglades National Park; or water supply for fish and wildlife.

Lake Okeechobee supplies water for water users and CERP projects alike. This proposed rule must account for both. Respectfully, it does not appear that SFWMD's proposed reservation rule for the EAA Reservoir takes South Florida's water supply into full consideration or provides the necessary protections for existing legal users.



On behalf of South Florida's over 6 million residents, the South Florida Water Coalition is requesting that the SFWMD hold a public hearing to reconsider the proposed rule and its impacts to water supply throughout the region. With the future uncertain, our residents cannot afford to have their water supply compromised. It is critical that the SFWMD properly account for the permitted water rights of South Florida water users in the proposed rule so that their livelihoods, investments, jobs and way of life are not adversely affected by this rule.

Very Sincerely,



Ryan A. Rossi
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