



February 20, 2020

U.S. Army Corps of Engineers, Jacksonville District  
ATTN: Andrew LoSchiavo  
701 San Marco Boulevard  
Jacksonville, Florida 32207-8175

Dear Mr. LoSchiavo:

The South Florida Water Coalition seeks to find solutions that protect the health, safety, and supply of our water resources. The Coalition is active in encouraging critical community-wide conversations about the many water issues that affect us, including the U.S. Army Corp of Engineers' (USACE) operation of Lake Okeechobee and implementation of the Comprehensive Everglades Restoration Plan.

We are currently an active member of the Southeast Florida Utility Council (SEFLUC), an organization of more than 50 public water supply utilities responsible for providing drinking water for more than 6.5 million people in Palm Beach, Broward, Miami-Dade and Monroe counties. As described in greater detail in the attached letter from SEFLUC to USACE Colonel Kelly, we have significant concerns with the USACE's interpretation that the Comprehensive Everglades Restoration Plan (CERP) "Savings Clause" does not apply to its development of the new Lake Okeechobee System Operating Manual (LOSOM) and that LORS08 is being used as the baseline condition.

In reviewing the EAA Final Environmental Impact Statement, we have these same concerns about the USACE's use of the LORS08 as the baseline condition and its failure to properly apply the Savings Clause to the technical analyses of the EAA Reservoir and STA.

The Coalition supports ecosystem restoration and the overall CERP program. Additionally, the CERP Savings Clause was a critical component that was found in both federal and state law, providing assurances that water needed for CERP ecosystem restoration purposes would not be taken away from existing legal water users unless and until a new source of water supply was made available.

However, the USACE's decision to utilize the LORS08 as the baseline condition in the EAA Reservoir analyses is contrary to CERP's objectives of restoring the environment while also providing for the water-related needs of South Florida.

The EIS repeats what USACE staff has presented at the ongoing meetings related to the new Lake Okeechobee System Operating Manual; in essence, that ever since a much lower regulation schedule was adopted in 2008, CERP now only has to maintain the level of service in place in 2008 rather than what was in place 2000.

This will institutionalize a much lower level of service for all users in LOSA and will be perceived as the USACE unilaterally abandoning the commitment to water users embodied in the Savings Clause.

We would encourage the USACE to revise its analysis of the EAA Reservoir and STA to be consistent with proper application of the savings clause.

Very Sincerely,



Ryan Rossi, Executive Director  
South Florida Water Coalition

Attachment: Southeast Florida Utility Council Letter to Col. Kelly dated 1/30/20