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April 22, 2019

DELIVERED VIA EMAIL

U.S. Army Corps of Engineers
701 San Marco Blvd.
Jacksonville, FL 32207

To Whom It May Concern:

Subject: LWDD Comments on the development of the new Lake Okeechobee System Operations Manual (LOSOM)

The Lake Worth Drainage District (LWDD) respectfully submits the following comments and attached April 17, 2019 Board of Supervisors Resolution No. 19-04 in response to the U.S. Army Corps of Engineers' (Corps) development of a new Lake Okeechobee System Operations Manual (LOSOM).

The LWDD is an independent taxing district of the State of Florida operating under Chapter 2009-258, Laws of Florida and under Chapters 189 and 298, Florida Statutes. LWDD provides flood control and water supply for more than 800,000 residents and more than 10,000 acres of agricultural land in Palm Beach County. LWDD's service area encompasses 218 square miles, with 13 municipalities and 511 miles of drainage canals. LWDD water control activities provide aquifer recharge to prevent saltwater intrusion for numerous major wellfields in Palm Beach County.

Water Conservation Area 1 and Lake Okeechobee are LWDD's primary sources of water. LWDD is highly dependent on Lake Okeechobee operations for water supply, especially during times of water shortages. Accordingly, LWDD has a vested interest in the current and future Lake Okeechobee operation schedules to ensure protection of water supply for its stakeholders. As the new Lake Okeechobee System Operations Manual is developed, LWDD urges the Corps to favor operational alternatives that maximize protection of the water use community's existing water supply during the development of a new regulation schedule.

Lake Okeechobee is part of an integrated regional water management system essential to communities, businesses, public water supply utilities and ecosystems throughout Palm Beach County. As an integral component of the Comprehensive Everglades Restoration Plan (CERP), Lake Okeechobee is essential to protecting the region's water supply infrastructure from saltwater intrusion by providing a source of freshwater to prevent the migration of saltwater into coastal wellfields; as well as providing flood control, water supply, recreation, navigation, environmental and wildlife support, and cultural and recreational resources.

The suite of Performance Measures (PMs) developed by the CERP and other regional water resource planning efforts have become extraordinary tools for use in the assessment of the performance of proposed regional water resource facilities or related operational alternatives. These PMs typically summarize the performance of a specific hydrologic outcome by averaging the performance of certain hydrologic parameters over the period-of-record of the computer simulation. The LWDD fully supports the continued use of these PMs in the evaluation of operational alternatives in LOSOM evaluation process.

However, years of practical water management experience has demonstrated that short-term deviations from normal operational protocols can provide significant benefits during individual hydrologic events such as floods, droughts, etc. These types of deviations can be simulated in the current hydrologic simulation models and their benefits quantified; but they must be evaluated on an event-by-event type basis.

The implementation of these unique operational protocols should be covered by the National Environmental Policy Act (NEPA) process and handled under an 'Additional Operational Flexibility' clause that covers each unique operational application without requiring additional consultation under the Endangered Species Act.

We look forward to our continued participation in the Corps' public process to reevaluate and define operations for Lake Okeechobee.

Sincerely,

A handwritten signature in blue ink, appearing to read 'TBS', is written over a horizontal line.

Tommy B. Strowd, P.E.
Executive Director
Lake Worth Drainage District

TBS/rr

Attachment: LWDD Resolution 19-04

c: Drew Bartlett, SFWMD
Lt. Col. Jennifer Reynolds, USACE
Jeremy McBryan, Palm Beach County Water Resource Management

**LAKE WORTH DRAINAGE DISTRICT
RESOLUTION NO. 2019-04**

A Resolution of the Board of Supervisors of the Lake Worth Drainage District urging the U.S. Army Corps of Engineers and South Florida Water Management District to favor those Lake Okeechobee operational alternatives that maximize protection of the water use community's existing water supply during the development of a new Lake Okeechobee System Operating Manual (LOSOM).

WHEREAS, the Lake Worth Drainage District (LWDD) is a public body and political subdivision of the State of Florida, created pursuant to Chapter 298, Florida Statutes and currently operating under Chapter 98-525 and amendments thereto; and

WHEREAS, LWDD relies on Lake Okeechobee for secondary surface water supply and is responsible for the conveyance of regional water to support numerous municipal water utilities, thousands of acres of prime agricultural land with approximately 800,000 residents; and

WHEREAS, the U.S. Army Corps of Engineers (USACE) and the South Florida Water Management District (SFWMD) continue to make progress on the implementation of the Comprehensive Everglades Restoration Plan (CERP), through the design and construction of major water storage features surrounding the Lake Okeechobee region; and

WHEREAS, the CERP plan carefully considered the effects the restoration effort on existing legal water users. Section 601 (h)(5) "Savings Clause" of WRDA 2000 requires; *"No Elimination or Transfer – Until a new source of water supply of comparable quantity and quality as that available on the date of enactment of this Act is available to replace water lost as a result of implementation of the Plan, the Secretary and the non-Federal sponsor shall not eliminate or transfer existing legal sources of water,.."*; and

WHEREAS, the USACE is continuing its efforts to rehabilitate the aging Herbert Hoover Dike surrounding Lake Okeechobee, protecting the local communities from storm generated flood surges, which would provide a greater opportunity for the safe storage of flood waters, and thereby allow higher stages within the Lake and less regulatory discharge than the current operating schedule requires. This flexibility would greatly increase the availability of water supply for the Lake Okeechobee Service Area and the Lower East Coast of Florida; and

WHEREAS, the USACE is considering the existence of the regional CERP reservoirs in LOSOM; and

WHEREAS, the USACE is considering multiple alternatives within LOSOM to revise the Lake Okeechobee Regulation Schedule; and

WHEREAS, certain alternative operations have the potential to significantly impact and lower available water allocations for existing permitted users that rely upon water from Lake Okeechobee as a primary or secondary source of water, including the Agricultural Community, the Seminole Tribe of Indians, Local Government Utility Providers, Special Water Districts, and individual residents and businesses utilizing their own wells (collectively, the "Water Use Community"); and

WHEREAS, the State water supply goal, as set forth in Florida Statute 373.0361, states "The level-of-certainty planning goal associated with identifying the water needs of existing and future reasonable-beneficial uses shall be based upon meeting those needs for a 1-in-10-year drought event;" and

WHEREAS, the reduction of available water supply from Lake Okeechobee to meet the existing permitted needs of the Water Use Community poses a significant and immediate potential threat to public health, safety and welfare, which must be taken into account in the determination of the LOSOM; and

WHEREAS, the Board of Supervisors of the Lake Worth Drainage District recognizes that water supply is but one of the significant public health, safety and welfare concerns that must be weighed by the USACE and SFWMD in the development of LOSOM, which include the environmental health of the Lake, the health of flora and fauna, which make Lake Okeechobee home, the health of the Everglades, the health of the Caloosahatchee and St. Lucie Estuaries, and the integrity of the Herbert Hoover Dike and safety of surrounding communities; and further want to assure that in evaluating and revising LOSOM, meeting the environmental and economic water supply needs of the region should be included as a significant goal and balanced with other objectives; and

WHEREAS, the SFWMD already eliminated further water withdrawals from the Regional Water System, and has required the Water Use Community to incorporate alternative water supply sources into new and modified permits to provide supply for future water demands; and

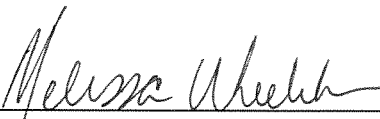
WHEREAS, the Water Use Community, with guidance of SFWMD, have diligently implemented water conservation programs, which have significantly reduced per capita water consumption over the last 20 years, including low-flow plumbing fixtures, implementing advanced drip irrigation systems, imposing residential irrigation restrictions on a full-time basis and not just during water shortage episodes, and supporting native landscaping, the result of which is that additional conservation gains will be harder to realize and the impact of water shortages will be more acutely and widely felt by the public.

NOW THEREFORE, BE IT RESOLVED, that the Lake Worth Drainage District strongly urges the USACE and SFWMD to favor those Lake Okeechobee operational alternatives that maximize protection of the Water Use Community's existing permitted water allocations, minimize the potential for short term water supply shortages, assure the predictability of a continued and reliable water supply, which is essential to water supply planning on local and regional levels, recognize the long-term planning and implementation horizon for the development of alternative water supply sources to replace Lake Okeechobee water supply negatively impacted by adoption of a LOSOM, and appreciate the widespread impact on the public of water shortages if current Lake Okeechobee water supplies are curtailed.

This Resolution **passed** and **adopted** at the regular monthly meeting of the Board of Supervisors of the Lake Worth Drainage District this 17th day of April, 2019.

LAKE WORTH DRAINAGE DISTRICT BOARD OF SUPERVISORS

ATTESTED:



Recording Secretary

By:



Stephen Bedner, President