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February 24, 2020

DELIVERED VIA EMAIL: EAAReservoir@usace.army.mil

U.S. Army Corps of Engineers
c/o Mr. Andrew LoSchiavo
701 San Marco Blvd.
Jacksonville, FL 32207

To Whom It May Concern:

Subject: Everglades Agricultural Area (EAA) Reservoir and Stormwater Treatment Area (STA)

The Lake Worth Drainage District (LWDD) respectfully submits the following comments in response to the release of the Final Environmental Impact Statement (EIS) for the Everglades Agricultural Area (EAA) Reservoir and Stormwater Treatment Area (STA) Project.

The LWDD is an independent special taxing district established in 1915 for the purpose of providing 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. LWDD is dependent on Lake Okeechobee operations for water supply, especially during dry periods. We will be directly affected by actions that change the way water is managed within what the South Florida Water Management District refers to as the Lake Okeechobee Service Area (LOSA).

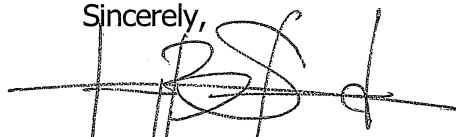
We were directly involved in the development of the Comprehensive Everglades Restoration Plan (CERP) and were specifically attentive to the plans for a reservoir in the EAA because of its effect on the LOSA water budget. In CERP, the EAA Reservoir was a key piece of the water supply system in LOSA and as such the final design and operation of the reservoir will affect our interests. We are concerned that in the Final Environmental Impact Statement for the new reservoir water supply for users within the LOSA is given only token consideration, with no assurance that water supply will ever be considered in future operations of the reservoir. The broad benefits that brought everyone together around the CERP plan can never be achieved if that is the case.

Our other major concern with the EIS is the way it defines away the function of the Savings Clause contained in the authorizing legislation for the CERP (WRDA2000). The Savings Clause was an essential element of the acceptance of CERP and it clearly states that the water supply provided to uses permitted as of December 2000 would not be reduced during the many decades it would take to complete the plan. The EIS restates what the Corps staff has been saying at public meetings related to the new Lake Okeechobee System Operating Manual, namely that since an interim, 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 Corps unilaterally abandoning the commitment to users embodied in the Savings Clause.

The EAA Reservoir is one of the last chances to meet some of the water supply objectives that were an integral part of the approved CERP. Other elements, such as the hundreds of ASR wells, the deep reservoirs north of the lake, and the above ground storage areas in the Palm Beach County Agricultural Reserve have all fallen by the wayside. Please revisit the language in this EIS to confirm (1) that this reservoir has an important part to play in meeting the water supply mission of the regional water management and that the operational plan associated with the project will codify those operations for the future and, (2) the Project will comply with the Savings Clause as drafted and presented to the public in 2000, utilizing the Lake Okeechobee regulation Schedule in place in December 2000 as the baseline for future water supply performance for the Lake Okeechobee Service Area.

Thank you for the opportunity to comment on this EIS and for acknowledging our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tommy B. Strowd', written over a horizontal line.

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

c: Steve Bedner, President, LWDD Board of Supervisors
Drew Bartlett, Executive Director, SFWMD