



July 31, 2020

Mr. Chris Stahl  
Florida Department of Environmental Protection  
Florida State Clearinghouse  
2600 Blair Stone Road, MS 47  
Tallahassee, FL 32399-2400

**Subject: Proposed Deviation to the Water Control Plan for the Lake Okeechobee and Everglades Agricultural Area (LORS 2008)**

Dear Mr. Stahl:

Lake Okeechobee is the heart of the Everglades and an important natural resource for all of South Florida. The lake supports critical habitat for rare and endangered wildlife, provides recreational opportunities, and serves as a water source for the surrounding environment, businesses, and communities around its shores.

In 2016 and 2018, Harmful Algal Blooms (HABs) had significant negative consequences for people and the environment. HABs diminished the ecological health of the lake and northern estuaries coupled with negative impacts to local economies. The State of Florida and the South Florida Water Management District (District) are looking to limit HABs and their damaging effects. In recent years, the District has made proactive operational decisions to minimize HABs by sending more water south. The District appreciates the U.S. Army Corps of Engineers (Corps) taking the initiative to proactively develop an operational strategy for Lake Okeechobee that considers HABs in operational decision making and offer potential solutions to the concerns that have recently impacted the northern estuaries.

The proposed deviation by the Corps is intended to alter the timing, distribution, and volume of Lake Okeechobee releases and allow for greater operational flexibility in the system considering discharges of HABs. The District appreciates the effort to reduce HABs and offers the following comments on the Proposed Deviation to the Water Control Plan for the Lake Okeechobee and Everglades Agricultural Area:

Beneficial Use Sub-Band – The District is concerned with the implementation of preemptive and harmful releases when Lake Okeechobee water levels are within the Beneficial Use Sub-band. Only water deliveries that are beneficial, not harmful, to the environment should be made while in this band. LORS, as it exists now, provides the District and Corps authority to make these beneficial deliveries from the lake while in the Beneficial Use band. The operational latitude provided to the Corps in the deviation while in the Beneficial Use band appears to shift decisional deference away from the District.

An operational decision to conduct harmful discharges during the months of August through November when the bottom of Baseflow, Beneficial Use and Water Shortage bands all converge to a single point appears challenging. This likely would occur with a heavy reliance on seasonal forecasting. Although forecasting weather conditions has improved over the years, it is not an exact science and often misrepresents actual hydrologic events as they develop. The District discourages the Corps from conducting harmful discharges based solely upon a seasonal forecast.

Avoiding Wet Season Releases - The District fully supports the Deviation's authority to avoid estuary releases when HABs are present. It is unclear how the Corps justifies avoiding harmful discharges called for under LORS at high levels when the basis for LORS discharges are rooted in public safety provided by the Herbert Hoover Dike (HHD). It would be welcome news if there is an analysis demonstrating that the rehabilitation of HHD is at a point where avoiding LORS directed harmful discharges is justified and can be avoided.

Net Zero Balance - The District appreciates the thought behind the Corps' effort to target a net zero balance by December 1<sup>st</sup> of every calendar year. Implementation of this effort is complex and may not be advisable given specific climactic conditions. Regarding the accounting, the proposed operations to calculate a net zero balance only include non-water supply releases in the volume accounting. In practice this can present some challenges as the releases from the Lake Okeechobee are multi-purpose and include water supply, regulatory and environmental releases, or a combination thereof. Regarding the goal, by targeting a net zero balance by December 1<sup>st</sup> of every calendar year, the plan does not fully consider the actual events occurring in any given year. For example, actual summer/fall water levels may suggest that pursuing a zero balance by a specific timeframe is not prudent. The District recommends further evaluation of water accounting and possibly defining specific conditions for pursuing a zero balance.

Benefits – There is little information in the report on the importance and value to the northern estuaries and local economies by reducing harmful discharges of HABs. The District recommends more discussion be included in the report emphasizing the opportunity to minimize HABs in discharges to the northern estuaries resulting from implementation of the proposed deviation. Recent District operations effectively sent more water south to the greatest extent possible in order to avoid harmful discharges. These operations reduced/avoided harmful discharges to the northern estuaries and moved clean water to the central Everglades. The District recommends that the Corps include discussion of District operations to send water south that could offset or avoid harmful discharges authorized by the deviation.

Harmful Algal Blooms (HABs) - Algal blooms are transient in nature and difficult to predict. The District has significantly increased Lake Okeechobee monitoring to assist with understanding HABs and is happy to share its information with the Corps. The Corps should work with District staff to develop the methodology for predicting HABs when considering deviation operations.

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As local sponsor for the Central and Southern Florida Project, the District is supportive of avoiding harmful discharges containing HABs to the estuaries. Additionally, the District will continue to engage with the Corps during development of the Lake Okeechobee System Operating Manual (LOSOM) to further evaluate all aspects of Lake Okeechobee's multi-purpose operations. The District values our partnership with the Corps and looks forward to continuing the close coordination of operations for Lake Okeechobee.

Sincerely,



Drew Bartlett  
Executive Director

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