



June 9, 2014

Daniel O'Keefe, Chairman
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

Re: Request from Lee County Mayors to Reassess the Adaptive Protocols for Lake Okeechobee Operations

Dear Chairman O'Keefe:

The five Mayors of Lee County urge the South Florida Water Management District to reassess the Adaptive Protocols for Lake Okeechobee to address the shortcomings in the protocols that unilaterally cut off or restrict freshwater releases from Lake Okeechobee to the Caloosahatchee when there is little to no chance of water shortage; no other ecosystems are being harmed; and permitted users are not experiencing water shortage cutbacks.

This year provided a perfect example of how the limited flexibility in the current Adaptive Protocols resulted in guidance that conflicts with real-time conditions and negatively impacts the Caloosahatchee, when no other natural systems or permitted users are being harmed. In January, the Protocols triggered freshwater cutbacks to the Caloosahatchee that resulted in average salinities exceeding the 10 psu Minimum Flow and Level (MFL) "harm" threshold in the upper estuary. Fortunately, localized rainfall at the end of January restored flows to the Caloosahatchee and reduced salinities below the harm threshold. Since April when the Lake elevation crossed into the Base Flow Sub-band of LORS 2008, the Adaptive Protocols recommended "no releases" to the Caloosahatchee despite the Lake being higher than desired; a preferred recession rate of 0.50 feet per month for the ecology of the Lake; the short and long-term meteorological forecasts predicting "wet" to "very wet" conditions; and the needs of the Caloosahatchee for additional flow to maintain salinity within the upper estuary below the 10 psu harm threshold.

The C-43 West Basin Reservoir is the primary Prevention and Recovery Strategy for the Caloosahatchee MFL. This year now marks the seventh consecutive year of MFL violations, resulting in "serious harm" to the resource as defined in 40E-8, F.A.C. We are pleased that the Water Resources Reform and Development Act (WRRDA) passed the U.S. House and Senate and that the Governor's budget includes \$18 million for the C-43 Reservoir. However, realistically it will still be a minimum of five years before the Caloosahatchee estuary realizes the benefits of this project. While we continue to wait for the C-43 Reservoir to be constructed, there must be an interim strategy for providing minimal freshwater releases to the estuary. This is critical to prevent further harm to the estuarine ecosystem and the economies of our coastal communities. We feel that the Adaptive Protocols are the appropriate

mechanism for providing the minimum flows necessary to meet the Caloosahatchee MFL salinity targets.

We respectfully request that the Adaptive Protocols be revisited to address the inherent inequity that cuts off freshwater releases to the Caloosahatchee prior to cutting back other users and consider the following additional recommendations:

- Identify areas within the transitional periods between the wet and dry seasons where additional operational flexibility can be implemented to minimize the impacts of too much or too little water being discharged to the estuary;
- Consider a modified flow chart that does not cut off or limit any one user, natural system, or permittee;
- Establish uniform evaluation criteria for water rationing for Lake Okeechobee Service Area (LOSA) permittees and natural systems of 10.5 feet for both (currently LOSA is 10.5 feet and the Caloosahatchee is 11 feet);
- Instead of establishing an optimum demand for permitted users and a MFL (harm standard) for natural systems, create a non-harm target proxy for the Caloosahatchee;
- Incorporate an implementable Prevention & Recovery Strategy for the Caloosahatchee so that operations are changed as a result of any MFL exceedence.

The stated goal of the Adaptive Protocols is “To provide maximum flexibility to operate the system for benefit of all users.” Unfortunately, that outcome has not been achieved for natural systems and we recommend revisions that will address this inequity.

We want to thank you for your leadership and hope that you will consider supporting our request.

Sincerely,



Ben Nelson Jr., Mayor
Bonita Springs



Randall P. Henderson Jr., Mayor
Fort Myers



Marni L. Sawicki, Mayor
Cape Coral

*Awaiting Signature

Anita T. Cereceda, Mayor
Fort Myers Beach



Kevin Ruane, Mayor
Sanibel

* DRAFT denotes awaiting signature

C.c.: Kevin Powers, Vice Chairman
Rick Barber
Sandy Bachelor
Mitch Hutchcraft
James Moran
Juan Portuondo
Glenn Waldman
Blake Guillory, Executive Director

DRAFT