

**RESOLUTION NO. 2021-25**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, URGING THE UNITED STATES ARMY CORP OF ENGINEERS TO ACCELERATE THE COMPLETION OF THE RE-EVALUATION OF LAKE OKEECHOBEE OPERATIONS BASED ON CERTAIN CRITERIA AND PURSUANT TO THE NATIONAL ENVIRONMENTAL POLICY ACT ASSESSMENT FOR THE LAKE OKEECHOBEE SYSTEM OPERATING MANUAL TO IMPROVE WATER QUALITY, PRESERVE THE NATURAL ENVIRONMENT, AND PROTECT OUR WATER SUPPLY; URGING THE ADMINISTRATION OF PRESIDENT JOSEPH BIDEN TO COMPLETE THE FEDERAL FUNDING MATCH FOR EVERGLADES RESTORATION; PROVIDING FOR A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

WHEREAS, Lake Okeechobee is the centerpiece of an integrated regional water management system that interconnects communities, businesses, public water supplies, and ecosystems throughout South Florida; and

Lake Okeechobee is an integral component of the Comprehensive Everglades Restoration Plan (“CERP”), which is critical to meeting the environmental restoration and water supply needs of South Florida; and

Lake Okeechobee’s authorized project purposes include flood control, water supply, recreation, navigation, environmental effects to fish and wildlife, and cultural and recreational resources; and

Lake Okeechobee Regulation Schedule of 2008 (“LORS”) was implemented as an interim measure to protect the public from the risk of catastrophic failure of the Herbert Hoover Dike; and

Adherence to LORS has resulted in harmful discharges through the St. Lucie and Caloosahatchee Rivers as the large influxes of lake water significantly impact salinity levels and reduce water quality in the estuaries, damaging the economy, aquatic life, and human health; and

Lake Okeechobee is essential to protect the region’s water supply infrastructure from saltwater intrusion by providing a source of freshwater to prevent the migration of saltwater into coastal wellfields; and

Miami-Dade County’s source of freshwater, the Biscayne Aquifer, is increasingly impacted by sea level rise, leading to a detrimental impact on the region’s water supply; and

Water discharged from Lake Okeechobee contains excessive nutrient levels that, combined with elevated water temperatures, creates ideal conditions for harmful blue green algae blooms and the degradation of quality of life; and

Section 1106 of the 2018 Water Resources Development Act (“WRDA”) directs the Secretary of the Army to expedite completion of the Lake Okeechobee regulation schedule to coincide with completion of the Herbert Hoover Dike project, and may include all relevant aspects of the CERP; and

The United States Army Corps of Engineers (“USACE”) is conducting a National Environmental Policy Act (“NEPA”) assessment for the Lake Okeechobee Systems Operations Manual (“LOSOM”) which re-evaluates and defines operations for the Lake Okeechobee regulation schedule taking into account nearly complete additional infrastructure which will soon be operational components of the water management system; and

Residents in the City of Stuart, Florida advocate for the halting of water discharges from Lake Okeechobee to the St. Lucie River and instead request that the water travel south to recharge the Biscayne Aquifer; and

Residents in Lee County, Florida and the Cities of Cape Coral, Captiva, Sanibel, and Fort Myers advocate for low levels of water discharges from Lake Okeechobee to the Caloosahatchee River during the dry season and advocate against heavy pulses of high levels of water discharges during the wet season in preference for sending the water south to recharge the Biscayne Aquifer; and

Residents in Collier County, Florida and Naples, Florida advocate for the return of wetlands to Picayune Strand State Forest and reduction of water discharges from Lake Okeechobee into Rookery Bay; and

Toxic algae blooms are harmful to human health and the environment, and detrimental to Florida’s economy; and

Upon completion of the Record of Decision for LOSOM in October 2022, an improved regulation schedule will better provide for the authorized project purposes for flood control, water supply, navigation, recreation, and preservation of fish and wildlife resources.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA AS FOLLOWS:

SECTION 1. The recitals and findings set forth in the Preamble to this Resolution are adopted by reference and incorporated as if fully set forth in this Section.

SECTION 2. The Town Council strongly urges USACE to accelerate completion of the re-evaluation of Lake Okeechobee operations and the implementation of LOSOM as soon possible, based on the following:

1. Use of a science-based evaluation that is transparent and acknowledges and balances all Congressionally authorized purposes of Lake Okeechobee operations;
2. Performance measures that appropriately and accurately characterize impacts to all communities as it relates to water supply, the environment, human health, and the economy;
3. Incorporation of data and methods to ensure proposed operations improve the ecology, protect water supplies, and are robust and resilient to expected climate variability;
4. Implementation of water storage and water quality treatment projects;
5. Minimum discharge of water east and west via the St. Lucie and Caloosahatchee Rivers;
6. Maximum discharge of water south through treatment, into the Everglades and down to the Everglades National Park and Florida Bay during the dry season;
7. Lake Okeechobee operations that assist in achieving restoration flows and other key ecosystem goals; including performance measures developed by CERP's Restoration Coordination and Verification ("RECOVER") program;
8. The avoidance and/or minimization of harmful Lake Okeechobee discharges; and
9. Rejection of Alternative BB, as it protects status quo operations that limit water flow to the Everglades in the dry season and lead to increased damaging discharges in the wet season.

SECTION 3. The Town Council strongly urges the Administration of President Joseph Biden to complete the federal funding match for Everglades restoration.

SECTION 4. If any section, paragraph, sentence, clause, phrase or word of this Resolution is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of the Resolution.

SECTION 5. This Resolution will take effect immediately upon adoption.

**PASSED AND ADOPTED** by the Town Council of the Town of Lake Clarke Shores, Florida this 13<sup>th</sup> day of July, 2021.

	FOR	AGAINST
BY: _____ Paul R. Shalhoub, Mayor	_____	_____
_____	_____	_____
Robert M. W. Shalhoub, Vice Mayor	_____	_____
_____	_____	_____
Gregory Freebold, President Pro Tem	_____	_____
_____	_____	_____
Valentin Rodriguez, Jr., Council Member	_____	_____
_____	_____	_____
Albert Pavon, Council Member	_____	_____

ATTEST:

BY: \_\_\_\_\_  
Mary Pinkerman, CMC  
Town Clerk

Res 2021-25

Sponsored by the Town Council