

PROPOSED

1 RESOLUTION NO. 2019-

2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 RELATING TO THE REEVALUATION OF LAKE OKEECHOBEE
5 OPERATIONS BY THE U.S. ARMY CORPS OF ENGINEERS
6 PURSUANT TO THE NATIONAL ENVIRONMENTAL POLICY
7 ACT ASSESSMENT FOR THE LAKE OKEECHOBEE SYSTEM
8 OPERATING MANUAL; AND PROVIDING FOR SEVERABILITY
9 AND AN EFFECTIVE DATE.

10 (Sponsored by Commissioner Barbara Sharief)

11 WHEREAS, Lake Okeechobee is the liquid heart of an integrated regional water
12 management system and is essential to and interconnected with the region's
13 communities, businesses, public water supply utilities, and ecosystems;

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

17 WHEREAS, Lake Okeechobee is essential to protecting the region's water supply
18 infrastructure from saltwater intrusion by providing a source of freshwater to prevent the
19 migration of saltwater into coastal wellfields;

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

23 WHEREAS, Section 1106 of the 2018 Water Resources Development Act (WRDA)
24 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, which
may positively affect CERP's water supply and ecosystem restoration projects;

1 WHEREAS, in January 2019, the U.S. Army Corps of Engineers (Corps) began
2 preparation of a National Environmental Policy Act (NEPA) assessment for the Lake
3 Okeechobee System Operations Manual (LOSOM) that, in accordance with Section 1106
4 of the 2018 WRDA, is to reevaluate and define operations for the Lake Okeechobee
5 regulation schedule that takes into account nearly complete additional infrastructure that
6 will soon be operational components of the water management system;

7 WHEREAS, rehabilitation activities by the Corps on Lake Okeechobee's Herbert
8 Hoover Dike began in 2001 and are expected to be complete by 2022;

9 WHEREAS, the Lake Okeechobee Regulation Schedule of 2008 (LORS08) was
10 implemented as an interim measure to protect the public from the risk of catastrophic
11 failure of the Herbert Hoover Dike; and

12 WHEREAS, Broward County wishes to provide direction as to which measures
13 Broward County supports and which measures it opposes in the Lake Okeechobee
14 operations reevaluation process and the resultant LOSOM, NOW, THEREFORE,

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16 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
17 BROWARD COUNTY, FLORIDA:

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19 Section 1. The Broward County Board of County Commissioners ("Board")
20 hereby supports the following measures as they relate to the reevaluation of Lake
21 Okeechobee operations by the Corps:

- 22 a) A science-based evaluation that is transparent and acknowledges and
23 balances all congressionally authorized purposes of Lake Okeechobee
24 operations;

- b) Performance measures that appropriately and accurately characterize impacts to all communities as they relate to water supply, the environment, and the economy;
- c) The incorporation of data and methods to ensure proposed operations improve lake ecology, protect water supplies, and are robust and resilient to expected climatic variability;
- d) The implementation of water storage and water quality treatment projects in Lake Okeechobee tributary basins north of the Lake;
- e) Lake Okeechobee operations that reduce flood risk and flood insurance premiums for residents and businesses located southeast of the Lake;
- f) Lake Okeechobee operations that assist in achieving restoration flows and other key ecosystem goals, including performance measures developed by CERP's Restoration Coordination & Verification (RECOVER) program;
- g) The avoidance and/or minimization of Lake Okeechobee discharges to the Lake Worth Lagoon and the Loxahatchee River; and
- h) Reductions in water use restrictions and cutbacks on public water utilities and existing permitted users, as compared to those that occur under LORS08.

Section 2. The Board hereby opposes the following measures as they relate to the reevaluation of Lake Okeechobee operations by the Corps:

- a) Drastically lowering Lake Okeechobee to levels not supported by sound science (e.g., 10.5 feet or lower), which would induce drought conditions,

1 impact the ability to deliver water to critical ecosystems, and result in
2 significant environmental damage;

3 b) Lake Okeechobee operations that result in increased risk of saltwater
4 intrusion into coastal wellfields, which would cause irreversible damage to
5 freshwater supplies, affect the health and safety of residents, and result in
6 the need for massive alternative water supply infrastructure investments;
7 and

8 c) Lake Okeechobee operations that result in restrictions on recreational and
9 commercial fishing, which would impact small businesses such as marinas,
10 fishing guide services, and the hospitality industry.

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12 Section 3. Severability.

13 If any portion of this Resolution is determined by any court to be invalid, the invalid
14 portion will be stricken, and such striking will not affect the validity of the remainder of this
15 Resolution. If any court determines that this Resolution, in whole or in part, cannot be
16 legally applied to any individual, group, entity, property, or circumstance, such
17 determination will not affect the applicability of this Resolution to any other individual,
18 group, entity, property, or circumstance.

PROPOSED

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Section 4. Effective Date.

This Resolution is effective upon adoption.

ADOPTED this day of , 2019.

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By /s/ Michael C. Owens 05/16/19
Michael C. Owens (date)
Senior Assistant County Attorney

By /s/ Maite Azcoitia 05/16/19
Maite Azcoitia (date)
Deputy County Attorney

MCO/gmb
Lake Okeechobee Resolution
05/16/19
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