

IN RE: LAKE OKEECHOBEE SOM NEPA SCOPING MEETING

PUBLIC MEETING

Ft. Myers

DATE TAKEN: February 5, 2019

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PLACE TAKEN: Lee County Mosquito Control
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A P P E A R A N C E S

Corps Members Present:

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Kim Taplin

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Andrew Geller

Colin Rawls

Erica Skolte

Ann Hodgson

Allie Joura

Jessica Mallet

John Campbell

LT. COLONEL REYNOLDS: We'll get started. If I can have everybody come in and take a seat, or you can hang out outside, which is fine too. But we are going to go ahead and get started. We actually had a little bit larger of a crowd this afternoon, so we gave people a couple more minutes this evening, there was some folks that were still coming in the door when we were planning on getting started, so we gave them a couple of extra minutes.

So first I just want to thank all of you coming out tonight. We really appreciate you taking the time to come out here and participate in this process with us. We have a couple of elected officials here. And so I wanted to recognize some County staff that was actually just standing. So Commissioner Brian Hamman and some of the other commissioners here. Thank you for hosting us here in your County. Steven is here from Congressman Mast's office in the back. And are there any other public officials that I didn't recognize -- Councilwoman Holly Smith is here from Sanibel. And anyone else? I see a lot of other familiar faces that I know.

So thank you all for coming out. Some folks I've seen from other meetings. Some from organizations that I recognize. So thank you very much for coming out. We really appreciate it. This is really an important part of the process as we get started with looking at how we manage the water in South Florida. We've been working under a system called LORS that many of you are familiar with and really upset about.

So I know that many of you are here tonight, because you are mad, you are frustrated, you are tired of feeling like nobody's doing anything, and that your voice is not being heard. So we are here tonight to listen to you. We want to hear your ideas. We want to hear your concerns. We want to hear your priorities.

What I want to assure you is, number one, that we are listening, but we not just listening, we're also taking action. One of the things that we heard loud and clear this afternoon people are very upset that we are talking about not finishing this process until 2022. So I want to let you know that we are already doing things differently under the current system. So we are already looking at ways of we're managing the water under the LORS schedule, and we're taking advantage of the operational flexibility that's within that schedule and we are doing things differently.

We have been releasing more water south and into the Everglades than we had -- the last two years we're released more water south into the Everglades than we have previous years upper the LORS schedule.

Additionally, during this dry season LORS normally would have called for zero releases to the Caloosahatchee estuary. Right now we are releasing 1,000 CFS, cubic feet per second, in coordination with the Water Management District, and the estuary scientists who were recommending between 800 and a 1,000 cubic feet per second, we are releasing 1,000 cubic feet per second.

That does two things, it helps build resiliency in the estuary, and keeps the health of the estuary in a better place. It also lowers the lake so that we have more storage as we go into the hurricane season this year. So we are almost doing those things.

What the LORS schedule revisit will do is it will fundamentally write a new schedule. We are not calling it a LORS update. We are not calling it LORS 2022. We have created a new name for it called the Lake Okechobee System Operating Manual, acronym we are using is LOSOM. And we did that on purpose, because we are fundamentally changing the way we think about water in South Florida, and the way

that we manage the lake. We wanted that to be clear to the public and to our cooperating agencies as we move forward through this process.

And so tonight we are going to give a short presentation that talks about the process. And then we are going to hear from you. So I'm going to turn it over to Tim Gysan for him to get started.

MR. GYSAN: Thank you, ma'am. Before I get started I am going to try to do it really fast, because the purpose of us being here today is to hear from all of you what your priorities are as we move forward and build the framework for what our efforts are going to look like.

Before I do get started I want to acknowledge our team members that are here, so if everyone from the Corps could stand up so I can introduce you. If you guys have questions after this meeting, please feel free to look up any team member here and talk to them.

Andrew Geller representing our operations division. Jason Engle, chief of water resource of engineering branch. Jessica Mallet, our lead engineer for this effort. Marci Jackson, our planning technical lead. Kim Taplin, who is our program manager for the Corps of Engineers. Also have Allie Joura, who's one of our water management leads for this project. And Colin Rawls, who's our lead economist for this effort. So if you have any questions for them after this meeting, please feel to look them up and ask any specifics. We're going to be fairly general here, like I said, get to your comments as soon as we can.

All right. Just a quick overview of a little bit about Lake Okeechobee and we'll get into more technical stuff in our workshops that we'll have coming up at a later date.

But everybody is aware, you may already know, Lake Okeechobee is part of the Central and Southern Florida Project. It's surrounded by Herbert Hoover Dike. Those two things are important, because the authorization for the lake itself and why we manage it the way we do is two things; the resultant from catastrophic flooding that happened early part of the 20th century. We implemented this project, which the lake is a major part of, in order to prevent flooding in central and southern Florida.

The Army Corps of Engineers operates and maintains Lake Okeechobee, as well as other parts of the C&SF project, along with our partners at South Florida Water Management District. The Corps is the main operators of the lake itself. The lake is governed by an operations manual, which is developed through a public process, and that's what are we here to engage on today is that public process.

So what are we doing? We are reviewing the Lake Okeechobee operations as part of this effort. And as Colonel Reynolds said, this is kind of an open book new slate. We are not updating the existing LORS. This is an effort to understand what science, the engineering, what the public focus is, and that will lead us to where we want to be at the end of this effort.

The result will be a new operational plan which will be codified in the system operating manual, which basically is just the rules for how we operate the lake in the future.

It's important to remember this effort is not recommending any new infrastructure, it's an operational study. That said, we will be looking at the CERP infrastructure, the Comprehensive Everglades Restoration Plan, and the infrastructure being added as part of that program, including C-43 on this coast, and C-44 on the east coast.

Why are we doing it now? There's a couple reasons. Back when LORS 2008 was formulated they recognized that there were some important events happening in the future that would require us to look at the regulation schedule again.

First of those being the Herbert Hoover Dike rehabilitation, which is an ongoing effort. And the second is implementation of new infrastructure, as I mentioned, C-43, C-44 in particular which are under construction now.

We also have new authorization from WRDA 2018, the Water Resources Development Act. And that's how we get most of our authorizations to do the work we do is through the Water Resources Development Act that congress passed. Last year they saw fit to give us a new authorization, which told us to expedite an evaluation of lake management to coincide with completion of Herbert Hoover Dike. And that was partly in response to a lot of the estuary releases that we've seen, the algae, a big concern for everyone. This is congress can kind of asking to get us moving to help you guys.

This process falls under NEPA, which is the National Environmental Policy Act, and what that requires us to do is look at impacts of any Federal actions. So all Federal agencies are required to utilize NEPA in the process, which is partly engaging the public, to understand what these efforts may have impact-wise on the human environment.

There is two possible levels of analysis under NEPA. One is EA, and one is EIS, which you see up here. Those are the documentation of those impacts of any of the projects. And this project study will involve developing one of these at the end, which will document any impacts of any schedule alternatives that we look at as well as whatever is selected at the end of this process.

All right. Timeline as Colonel Reynolds mentioned, this is about a four-year process to get us to a new system operating manual once we have a new infrastructure in place. That doesn't mean we are not doing something already under the existing schedule. So I want everybody to take that away from this meeting is there are things going on now that will try to address the issues that we see under the current flexibility of the LORS 2008.

But this process in order to look at the future of infrastructure is something we would not be able to implement until the dike rehab is completed in 2022. Why it's a longer process, we want to be able to engage all of our stakeholders in meetings such as this so we can hear all of your voices, and understand what priorities moving forward should be. And that takes time to deal with to be able to do. Again, we are doing something unparalleled to address the issues that everybody is seeing as we speak.

So about a four-year schedule should be complete, end of 2022, coincide with completion of the Herbert Hoover Dike rehab. We'll have a new operating regime ready to go at that point, which we can then utilize.

As you see there are multiple engagements throughout the process where we are going to be out trying to get feedback from you on different parts of that process, and this is the first part of that process today, is hearing what your priorities are, what your concerns are, what you want to see out of this effort.

We plan to come back out in May, and then again in August -- I'll try to speak up a little louder. Sorry about that -- so we'll be back out in May to hold some workshops talk about a little bit more technical

information on how the system works. Take some ideas that we hear today in our future scoping meetings over the month of February, and figure out some of the kind of good ideas that people have, and hopefully bring back some modeling to show what the impacts regionally might be as to ideas, get that conversation started. And that will also enable us to not only engage you again to get more specific ideas on what an operational schedule should look like, and provide information back to you on what some of the ideas that you have, what this impact might be, and how they may affect other areas within the system, as well as provide benefits locally.

Once we have all of that feedback, we'll develop specific alternatives for lake operations, and going into detailed modeling of those, and we'd come back out once we have that data and share what that analysis looks like and get your feedback on that and see what is important, what schedules, what operations you guys want to see based on detailed technical evaluation. Then ultimately that will help us to figure out what a future regulation schedule for the lake should look like. We'll document that in a new system operating manual as well as NEPA document to be sent out for public review. That's currently scheduled for April/May, 2022. We'll take feedback at that point. Make any changes to the plan based on that feedback. Send the final back out for everyone to look at again, provide final comment before anything is actually implemented.

So there would a lot of opportunity for everyone to be involved throughout this process. We want everyone to be out here involved in this process, keep your voices heard, let us know what is important to you and be involved in that process.

So again, lots of opportunity for involvement, so that's what I want everybody to take away, this is just the first of many opportunities throughout this.

As we move forward we know there is a lot of different stakeholder interests depending on where we are for different uses of Lake Okeechobee, since it is the heart of the Everglades system, a lot of people are counting on it for many different uses. And not all of those uses -- have mutually beneficial lake operations. We want to acknowledge that as well.

Flood control is very important. Flood risk management for us and for a lot of stakeholders, but that's not necessarily a mutually exclusive or beneficial operational regime as something such as ecosystem or water supply, things like that. So it's something we want to acknowledge and we'll talk more about that in our workshops on how the trade-offs work and how for different operations, but just want to acknowledge that fact right now.

Okay. And we're almost wrapping this part up. But what are we looking for today. And you are free to make any comments that you want. We want to hear everything you have to say, but as you are making comments there's a few things we'd like everybody to keep in mind that would help us as we start to put a framework to this process. Those things are what issues are important to you. What study outcomes did you want. How would you measure success of this effort in the long run.

So like I said, feel free any comments you have we want to hear, but these are things that will be especially helpful for us as we move forward and start planning for the future engagement that we have.

And this effort, as I say, is a part of the scoping process, initial effort, but this portion of the process we want to have all of the comments in by March 31st. So that's just under 60 days from today. We want to have everybody's comments in on what is important, what they want to see out of this effort, so we

can start preparing for follow-up workshops. There are multiple ways in which you can provide comments, including today, providing a verbal comment here for us all to hear, you can also submit written a comment today, but if you want to follow-up and you don't have the opportunity until March 31st, you can also submit comments to Dr. Ann Hodgson, the address here. We also have a website which will have a lot of project information and contact information you can go through, and also a public e-mail address lakeocomments@usace.arm.mil, and that would be the main way to collect comments from everyone after this public meeting is over today.

As I mentioned, we'll have upcoming workshops planned for May. We don't know where we are having those yet. We're going to decide that based on the feedback that we get at these public meetings that will help us figure out what we want to talk about, where we want to be for the following workshops.

And that is all I have. I want to go ahead and turn it over to Jason Engle, who is going to facilitate our public comment period. And I encourage everyone to come up and make your comments so we can get it on the record. If you choose not to, you want to provide a written comment, that counts just the same.

So I'll turn it over to Jason. Thank you for your time.

MR. ENGLE: Thank you, Tim.

I'd like to say welcome to every one. Just a couple of words on the process. I will be facilitating the comments. We have comment cards here from everyone that submitted one. Again, if you'd like to get up and speak, but you didn't fill out one of these cards, just go to the desk in the lobby, and fill out a card and they'll bring it to me and you'll have your chance tonight.

I wanted to say that as we've been saying it's important that your voice is heard. This is the beginning of our process. We want to get all of your thoughts. If you don't say everything that you want to say at the microphone, there is other ways to submit the information that we have laid out here. Please do. Please tell us everything that you have to say. But we do want to limit people to about two minutes at the microphone so everybody will get a chance to speak.

One of the issues is that this is public comment period. It is not really a question and answer period. We want to get the feedback, want to be able to go back and formulate answers to the questions among our whole team so that we provide a consistent and truthful answer. Also, most important thing right now is we hear your comments so that we incorporate in our scope as we go along as I've been saying. So we will take your comments. There is a Court Reporter. There will be an official record that we'll post later on that will have all of the comments in it. As we said, we'll be answering those as we go along in the NEPA process.

When you come up to the mic, just please state your name and any group that you are affiliated with at the beginning so that the Court Reporter can capture that. And we'll start out with Brian Hamman County Commissioner Lee County. I ask that people use the podium, the microphone at the podium and that way everyone can hear, and also the Court Reporter can record it.

MR. HAMMAN: Do you prefer I face this way?

Thank you very much. Good evening. It's a real pleasure to have you all here. We hope you are enjoying some of the beautiful -- you get to see how good our beaches can look when they are not inundated with algae and red tide.

I am completely encouraged by your opening comments today, and I want to share with you it's a privilege to represent the citizens of Lee County. And this has been a hard year for us. We were here this summer, you got a chance to see it and smell it, and I hope that as we are developing LOSOM that we will remember the scene this summer on the west coast of Florida.

Under the current regulation schedule the Caloosahatchee estuary suffers from both extremes. We have excessive freshwater releases during the wet season after a significant rainfall event that cause a brackish system to become a freshwater system, which then causes the breeding of freshwater algae like we saw this summer.

We also then see during dry conditions the Caloosahatchee estuary is often cut off from needed environmental releases from Lake Okeechobee which causes hypersaline conditions which damage our estuary and can help cause harmful algal blooms.

The Caloosahatchee estuary needs a regulation schedule that allows greater flexibility to refrain from making damaging high flow releases during the rainy season, as well as providing for the essential relatively small amounts of water that is needed during the dry season. With the major repairs that have been made to the Herbert Hoover Dike, greater flexibility shouldn't be able to be exercised to significantly limit damaging high volume discharges while still protecting the ecosystem of the lake, and we are encouraged to hear that you are even looking at that flexibility right now as the dike is still under repairs.

Additional storage project that will come online such as C-43 and C-44, the reservoirs, the EAA reservoir as well and the Kissimmee restoration should provide the means to insure the Caloosahatchee is provided the needed freshwater to protect the estuary during our drought conditions, but also should provide you the tools to attenuate the high flows.

Lee County is compassionate and sympathetic to our neighbors. We believe all user groups should be protected from significant harm, including environmental ecosystems like the coastal estuaries, Lake Okeechobee itself, as well as urban and agricultural users.

But I will finish by saying on behalf of the voters, while we want to see everybody protected, we feel like under the current regulation schedule we have had a disproportionate amount of harm and pain, and we are asking for anything you can do to give us help. Thank you.

MR. ENGLE: Thank you, Commissioner.

The first three names, these are taken in the order people turn their cards in are -- and I will ask that the next two people kind of get ready to come up so that we have minimum amount of time turnover at the microphone to get the most time for comments.

So Mike Generales -- Mark, I'm sorry, Mark Generales. Terry Brennan. Denise Eberle.

MR. GENERALES: Good evening. I came here not expecting to speak at this level. But let me pass along, I have been on RAC at the water district for the last two years plus, and my biggest concern is this evening is not that things won't be handled properly, but that we need to make sure that we really work hard to make sure the expectations of the public are appropriate. I look at the statistics and the things that I've learned over the last couple years it becomes very, very apparent to me how difficult this task is. We have a lake that fills six times faster than it can be emptied. Where does the water go. We have latency pollution that exists been on the land for 100 years. We have a lake that's filled with it at the very bottom. And when a hurricane like Irma goes through and stirs it up, where does it go, right into the water column with warm air, warm water and ends up being released down our way, because there is nowhere else to send the stuff.

I am realistic. I live on the Caloosahatchee River. This affects me directly. My point of view is really simple, I believe we are probably going to continue to receive large amounts of water down the Caloosahatchee, because, quite frankly, I don't think there is enough areas we can ever find to store it all on, and move it to.

Moving it down to the Everglades sounds great, but getting down to 10 parts per million phosphorous is an arduous tasks. I don't think the volume of water that we get and the heavy rain periods will do that.

So if I am correct, we are not going to stop the amount of water that will end up coming our way, but the one real important thing, not necessarily the Corps' job, we have to get this water clean before it's sent to us. That to me is the most important thing of all. The rest of it hopefully they'll deal with.

I've worked with Colonel Reynolds on RAC, and I tell you these folks are great. They do a wonderful job. I suspect that once they come up with LORS it will be something we are able to work with. We just need to make sure DEP and the rest of the folks give us an equal shot. Thanks.

MR. ENGLE: After Terry -- sorry. After Terry and Denise we'll have Carol Youell.

MR. BRENNAN: My name is Terry Brennan, and actually I developed a list of questions that I hope would get answered this evening, I am going to go ahead and ask the questions anyway. I was wondering about, first of all, it is my understanding that the C-43 reservoir is going to hold about 170,000 acre feet. I think that's -- which is like less than 10 percent of what is needed in a wet year. So I'm wondering -- we are going to have wet years, I'm sure, and what will happen. Is there a possibility of a second C-43. I don't think there is. But certainly something to think about. It seems to me that there is a lot of -- and I think the gentleman that spoke just a minute ago made a comment -- made comments about water has got to be cleaned up before it gets down the river to us. I don't know how that's done. Without looking at the sugar industry and 430,000 plus acres that they farm, and see especially if that water is back pumped into the lake, how that can happen unless something is done. Is there a possibility of the same standards, water standards, that exist for Everglades National Park. Is there some possibility of those same standards ultimately being looked at for the -- our estuaries, both the east coast and west coast.

And lastly, I attended a BUPAC meeting last week I believe it was, and the county commissioner who was there stated that there are properties -- this is a problem for Lee County -- there are properties that dump sewage directly into the river, untreated sewage. How can that happen.

So those are my questions, and thank you.

MR. ENGLE: After Denise and Carol, James Koppman.

MS. EBERLE: Hello. My name is Denise Eberle. I live in Alva and I am about a mile as the crow flies from the Caloosahatchee River. I lived here for -- since 2001. I've gone through four of these algae blooms in the river. The first one 2008. Second one 2013. Third one 2016. Another one here in 2018. Just days before Lake Okeechobee released that water I went out on a boat swimming, the water was the cleanest I've seen it almost like it was when I first moved here in 2001. Then as soon as that water was released from the lake, boom, no summer again.

I'm here to talk today to bring up something that attention to you all no one has talked to, no one brought up and talked about yet. I don't need to be a scientist, all I have to do is do some reading and some research and it is right there in front of our very faces. And this cannot be dismissed any longer. It cannot be diverted, distracted against. I am going to discuss the farming of cyanobacteria in Florida for biofuel, the biofuel industry. It's here, been here 2005. Algenol came into the Fort Myers, Florida. There is about 18 biofuel companies in Florida. Majority of them are on the west coast. You can look it up on Google, you find it all right there.

So let's start with the first one, there is very -- I have some interesting articles on here. Of course, I don't have a long time to read them. I'm just going to point them out. Small. Another thing all these excessive nutrient spraying of our vegetation and waterways, phosphate mining all they need to feed this algae. It is intentional. It's how they grow it. It's how they farm it. It is genetically engineered. And for the first cite first one I have here is titled from November 28th, 2018, Florida, the best site for algae cultivation. Biofuel Magazine. 19 months study. Ponds installed in late 2013, harvesting started in 2014. Developed crop protection strategies Biofuel Watch. The other -- can I have a few more seconds?

The other one is, which another one I read is -- all the organizations that we are looking at for help are actually the ones that are doing this. The Department of Defense, the Department of Agriculture, FSU, Florida A&M University, U of M, Army Engineering Research and Development, FAMU School of the Environment. There is green energy. We are living it, we are suffering it. It is not green. It is green, but it ain't good.

MS. YOUPELL: Good evening. My name is Carol Youell, and I am recently retired from Connecticut as a water utility watershed manager. And I'm a new resident of Florida. And I admit I don't know a whole lot about all of the issues, but I am trying to find out more. And I would like to play a role, if that's possible.

But it seems to me the biggest problem of my concern is basically protecting the watering source from run-off, I mean, all land uses, not just Ag, residential, commercial, industrial. And with BMP's that really address the issues, and BMP's that are developed with all parts.

In Connecticut we worked with soil conservation, health department, DEP, the local town managers, and as part of our program this is the Hartford MBC, as part of that program we have a full-time water inspector who went out and inspected every property on the watershed, whether it is residential, commercial, industrial or agriculture. And if there was a problem that was encountered or believed problem it was reported to the land owner and reported to the town and reported to the local and State health department. We worked very closely with the health departments. And DEP if it could not be resolved with the health department.

So to me I just want to say that cooperation, not placing blame, but working together as a process. I mean, that's the only way it's going to get done. And I think my question would be has anybody looked in lake water treatments to deal with the nutrients in the lake as well. But thank you.

MR. ENGLE: After James Koppman, Chris Shinouskis and Ed Shinouskis.

MR. KOPPMAN: My name is James Koppman. I'm an epidemiologist with a system scientist, and I've been involved in establishing the surface complex system up in Michigan. This is a complex system that we are dealing with. It is not just a water flow issue that has to be analyzed. It needs to be modeled with all the feedbacks of a -- both social and ecological feedbacks. And there is a great new tradition being established in terms of modeling watersheds, getting stakeholders to be part of the modeling process. And I think that would be a very positive element if that could be done. For the most part that's been done with, you know, relatively confined watersheds, and this would be the most complex thing that would be undertaken that sort of effort.

But I strongly urge that you consider a stakeholder involved modeling process. You can't get the kind of feedback from a meeting like this if you don't have the people engaged in actually figuring out how everybody has to balance all the different influences that are involved. And if you get them involved in the modeling process, that will be a lot better. Thank you.

MR. ENGLE: Thank you. Following Ed Shinouskis and James Simpson we'll have Matt Caldwell.

MS. SHINOUSKIS: Hello. I'm Chris Shinouskis. I am a ranger with the waterkeepers and I live in Bonita Springs. My husband and I also volunteer with Turtle Time, so we walk the beach one to two times a week during the summer. This year we saw absolute devastation. With each week seeming to bring a different dead species onto our shores, one walk we found a dead sea turtle. We've only seen a live one. No one's seen a dead one.

Our constant exposure to red tide, met spent with most of the summer and fall with scratchy throats, coughs and watering eyes. We couldn't go in the water at all. That's why we moved to Florida to be in and out of the water.

The Caloosahatchee River water schedule needs to be modified to insure that the contaminated blue green algae water no longer provides a nutrient source out to the Gulf increasing and furthering the red tide. The Lake O water levels need to be lowered during dry season so that there is more room to accommodate the rainfall during the wet season.

You show the final report is targeted September of 2022. If we continue to have these harmful algae blooms and ongoing red tide in the interim, we will no longer be here to see that report. So my expected outcome is no hazard, significantly minimize hazard so that the red tide will not be fed. Thank you.

MR. ENGLE: Thank you. Following James Simpson and Matt Caldwell will be Beverly Grady.

MR. SHINOUSKIS: Hi everybody. Ed Shinouskis. I'm not going to be quite as eloquent as my wife was. There is a lot of things to talk about that relative to the schedule. My opinion is the schedule has to change now. It doesn't need to wait until 2022. It doesn't need to wait for the dike to be completed. One of the things we have talked about priority-wise is health -- human health, and I think that ought to be the first consideration the highest priority given when we are talking about the release schedule.

You know, we're beginning to understand some of the effects of the red tide, the blue green algae we're seeing. The scary part is the effects that we don't know about right now. You know, we have had in the last week we had, I think, eight more dolphins wash up. A week, couple months we had 40. I think we are just beginning to really kind of understand the health issues associated with the releases and the things we are seeing now.

So I think the highest priority has to be consideration to the health of the residents of Florida. The second highest priority has to be for the health of the estuaries and environment. And then third you can consider the health of business and agriculture. I think they have to be in that order and that's not the order they are in today. My wife was saying, you know, I know Florida is a booming State, got a thousand new people moving down here every day. We moved down here three years ago from Michigan full-time. But us, like a lot of our friends and neighbors, we live here because we choose to live here for the environment. We could just as easily choose to live somewhere else. If this problem doesn't get fixed, we are going to choose to live somewhere else. Our friends and neighbors are going to live somewhere else. Tourists are going to choose to vacation somewhere else. When you start seeing things like that happen, the State of Florida is really going to be sorry they didn't address these changes earlier, because that's going to be a really bad situation. So, thank you.

MR. ENGLE: James Simpson. Following James will be Matt Caldwell and Beverly Grady.

MR. SIMPSON: A lot of people here tonight that are talking about blue green algae, their neighbor's moving here from out of State, I think population control, maybe some stronger taxes for residents moving to the State should be imposed. I think that human pollution has a lot to do with the problems we are having. Everybody points a finger at agriculture, the more people we have, the more people we have to feed. So that's it.

MR. CALDWELL: Good evening. Matt Caldwell here as a private citizen. As a way of background I served on the Lake Okeechobee Water Resources Advisory Subcommittee from 2006 to '08, the last eight years in the Florida House, six of those as chair of natural resources among other things. And I certainly recognize you have a task ahead of you constantly. You got to balance lake health, water supply, flood control and navigation, and you are going to do that in one of most extreme environments in terms of the opposite reality that you deal with, both the flood of 1947 that left six feet of water in Davie where well more than a million people live east of the protection levy today, and at the same time that same environment gave you a fire in the Everglades in the 1970s, and a drought scenario that lasted for months and months potentially could return. You are trying to balance both of those at the same time.

What is clear, though, when you look at the history we started the drainage project in the State in 1885. Farming has been going extensively south of the lake since at least the turn of the 20th Century. What we have dealt with the last 10 years, though, has been devastating and a far cry from what we saw in the discharge regime prior to that. And I recognize it was a reflection of evaluating the quality and the condition of the dike after Katrina led to a system-wide reconsideration of all the facilities around the country. And it needed to be rehabilitated. Glad to see that work has been done.

But when we look at reevaluating this, making sure that we give the right account to emergency operations, recognizing that that natural system gives you this wild variety, not just the drought years, but these high water years, and giving thought or consideration to how you operate the system at its fullest extent for all the facilities, whether that's Lake Okeechobee as the storage opportunity, recognizing that then have to balance that against lake health. But still, an emergency scenario

multiple hurricanes in a year, for example, having the flexibility to operate that, and the flexibility to operate the physical infrastructure south of Lake Okeechobee. We have known and have always known you have a greater physical capacity to push water south out of the system than we are allowed to for legal restrictions. What is a realistic trip line that we can consider for ourselves when we say this is a point at which we see legal restrictions being placed upon ourselves and how we operate the system. So those are the ones that I would certainly want to highlight as you think about reevaluating this. Thank you.

MR. ENGLE: Thank you. Next is Beverly Grady, and after that is Paul McKenney and Alex Gillen.

MS. GRADY: My name is Beverly Grady, and I served on Governor Bush's Commission on the Everglades in 1999, 20 years ago. And then I served on RAC for 11 years. And the disheartening part is the length of time that it takes to try to work towards solutions. So start without the outcomes that we want through this process.

We want the lake to stop being managed so it allows huge volume of releases that causes damage to the estuaries that takes years to recover. And the fear is that it will come a point where there will be no recovery and there will be destruction of our way of life.

We also want releases in the dry season that address salinity to keep our estuaries healthy. Shared adversity, we want a LOSOM, a system that operates so it's not just adverse consequences to the Caloosahatchee and the St. Lucie. We want a system that recognizes when those years come with a huge volume of water that it needs to have a system that has shared adversity.

I would say in your comments that you publish for LOSOM it states that the core value is public health and safety, and flood control first. Public health and safety, well, those have been adversely affected by the volume of releases under the LORS. The existing LORS regulation schedule, even though the lake was 85 to 90 percent covered by blue green algae still allowed huge volume of releases down the Caloosahatchee river and to the St. Lucie. So we want to hear that the Corps recognizes the blue green algae and its release to the Caloosahatchee and St. Lucie are a threat to public safety and health.

Two, we want to know that LOSOM will take into account the integrated delivery schedule so that as those changes in the projects are built that will automatically be taken into account. And looking at the timing this is not being adopted until the Lake Hoover Dike is fixed. So are the cutoff walls from one through five, Lake Harbor to Lake Port already funded, or is additional funding needed. Thank you.

MR. ENGLE: Thank you. After Paul McKenney and Alex Gillen we'll have Anthony Karp.

MR. MCKENNEY: Paul McKenney. A year-round resident. Been here a little less than three years. And I just want to talk about one thing, time. It would take four years from last year to September to do this. To give you a timeline, the U.S. participation in World War II was 44 months. I lived outside of Detroit, everybody knows the story, the biggest war plant Willow Run outside of Detroit. It took 90 days beginning of World War II to put in a 30 mile expressway I-94, because they to take the buses of workers out there to build this up with tens and tens of thousands of people. That took 90 days, the whole war took 44 months. Four years to get a plan. Really.

MR. ENGLE: After Alex Gillen and Anthony Karp is Jennifer Sciteri.

MR. GILLEN: Good evening. Alex Gillen, I'm an attorney. As far as issues, health and human safety is overall the most important issue we have facing us today in this system. As a government we do not build roads that are banked incorrectly. We do not make runways that are too short. This is a piece of government infrastructure, and we know that it is harming our citizens that has to be fixed, that has to be the top priority. That's just not really negotiable. We just don't operate that -- this in this country that way.

With respect to tourism and economic loss, you know, most people who are not from Florida don't know the difference between Fort Myers and Fort Walton Beach, Fort Pierce, so when they see toxic algae in Florida, they see toxic algae in Florida. So this is hurting our entire economy the way we are managing that and we need to look at that, consider that. Bio-accumulation in the fish as well as warnings. We have inadequate warnings throughout the system as to the harmful effects of this toxic cyanobacteria. We know it is linked to ALS, Alzheimer's, Parkinson's, liver failure. We know in Martin County there is a liver failure hot spot around Okeechobee. We need to explore those things, because you know, we can do better.

I am glad this is about operations, because there is no greater thing we could do today to help solve this problem than change our operations. Much of what we do in the management system is a policy choice, it's a policy decision. We should consider while looking at this project maximizing system capacity, maximizing dry season flows to the Caloosahatchee to improve resiliency in the Caloosahatchee, maximizing dry season flows to the Everglades National Park and Florida Bay. We have to look at existing capacity in this system that's not being used in the dry season, that makes us more resilient.

I would ask that the performance measures for the modeling be made available and presented in the presentation. The performance measures should include things we just talked about. We will have a written response and I'll be at a few more of these to see you all. But thank you very much.

MR. ENGLE: Thank you. After Anthony Karp and Jennifer Sciteri we'll have Suzanne Frechette.

MR. KARP: Hello everybody, Anthony Karp. I'm a citizen of Cape Coral. I live on a dead end canal in a canal full of blue green algae this year. I contacted Wink News and somehow contacted FGCU and installed an air sampler that had like these mesh disks that, you know, there's like 10 of them and it simulated a reading, and if you saw it on the news they did detect BMA and microsystem, and by the time they installed this system, probably only 10 or 15 percent left of, you know, algae particles captured when it was really thick.

So my thing is I'm going to try to contact the scientist Mike Parsons ahead of time and see if we can install this canister in my canal at the beginning of summer this time when the algae bloom is at its max, and let's see what we collect. I also gave them a mask that I was wearing around my house, and I gave my air filter and I was trying to minimize. My daughter, I was wearing her mask too, my wife was working out-of-town, but they did find residues of that, you know, the BMA, and so I think it is urgent that things are done, because there is many of us citizens living out on the canals or the river, and I know it's cumulative through the years. And I think we just -- everybody needs to be transparent, honest. We need to get the main, you know, scientists that are a lot of them working on this problem now.

So that's all I have to say. It is in the air, and dust particles, it's in the air, vapor. So it is here. So let's just take care of it. Thank you.

MR. ENGLE: After Jennifer Sciteri and Suzanne Frechette, Ray Murphy.

MS. SCITERI: Hello. My name is Jennifer Sciteri. I'm a Florida lawyer, and but my relation to the green algae as a Sanibel resident or as we call ourselves the blue green algae end users, not so fun. So my first comment is just not really related to the Corps responsibilities, but just from an economic standpoint, as the blue green algae is released to the water, it just becomes more costly and costly as it comes down the river with end result. In Sanibel alone I believe it was over 20 million dollars it cost us to clean up, never mind that our economy in the summer was down by something like 78 percent. So that's just a thought, you know, we have had a lot of emphasis on cleaning it up at the start. And just from an economic point start adding it up, just makes so much more sense.

But my question is more related to the bill that has been filed by Congressman Brian Mast from the other coast, and it's a bill titled Toxic Health Threat Warning Act of 2019, and if this bill actually becomes law, the Corps of Engineers would be required to test the water before it's released and actually let the public know the quality of that water before it is released. So that's a question that I am going to leave with you guys is whether or not you support this bill. I appreciate the ability to come here and make public comment now and be part of the plan. But I think we all like to be part of the public comments before the water is actually released if we learn that it's going to have a quality something like what we saw this summer. Thank you.

MR. ENGLE: Following Suzanne Frechette and Ryan Murphy is Martha Hill.

MS. FRECHETTE: My name is Suzanne Frechette and I'm a volunteer naturalist at Lee County parks. I witnessed an unintentional experiment, and it got me wondering. The unintentional experiment was the use of an approved weed control chemical, herbicide, along lake shore, and I just was there many days during the weeks and I saw what happened. The weed control chemical contains glyphosate, glyphosate, however you like pronounce it. It is used all over the world. Mostly for weed control. You probably use it as Roundup, or Rodeo. And what I witnessed was a spray being done. I witnessed catfish who tunneled along the shore dying. They were invasive catfish and no one really cares about them, it was good to have them gone, I guess, but it was a selective fish kill of the fish that nest around the shoreline where it was sprayed.

And then we saw blue green algae, and it started as one type, and evolved into another, until the lake was pea soup. I saw that in December and January of this year. And I say it was an unintentional experiment.

So what I started to do what most of us do in this age, and I Googled glyphosate, blue green algae, and red tide. And friends, there is a connection. There is research being done all over the world. There is a very interesting dense piece of scientific study that was done by a Polish team. In Nigeria they're looking at fish kills of catfish related to glyphosate.

What happens is this, just going to be very brief about it, this is my observation, speculation, if you will, glyphosate feeds blue green algae. Glyphosate contains a little bit of phosphate. Then the blue green algae, not necessarily the first generation, because it kills off the weak ones and pumps up the strong ones, then that blue green algae feeds on all the other phosphate that's around. And then it starts to pull nitrogen out of the air and it fixes it in its own bodies, and then you open the flood gate, you let that blue green algae out, and it reaches red tide, which eats nitrate.

Glyphosate is a big factor, I believe. And big sugar uses it off-label as a -- not to kill wheat, but to make the harvest better. You spray the sugar, you get heavy rain. You get run-off into Okeechobee. You get blue green algae. You open the flood gates and it's in the Gulf.

MR. ENGLE: Thank you. After Ray Murphy and Martha Hill it's Chris Wittman.

MR. MURPHY: Good evening. Thank you for having this forum. My name is Ray Murphy from Fort Myers Beach. I am about a 40-year resident down there, give or take a few months. I was elected to the first council on Fort Myers Beach when we incorporated back in '95. I was reelected again, I served two terms, and we have term limits, so I was termed out, I was done, I was very happy to be done. We had a great time. And that was almost 20 years ago now, and I thought I was done until this summer. During my time off and gone back to work and everything else. I am also an avid fisherman. Well, when this year came along, this summer, on June 15th, that was the last day I fished, because that's the last day that I saw fish down in Big Carlos Pass or Estero Day. It was done. And I haven't been back since. So I decided to get back in again this year, there's an election next month, and hopefully I'll be able to represent our town again in these discussions further on about these ongoing problems.

But tonight I just have two simple requests to the Corps, and those are that you broaden the scope of the review, but compress the timeframe of the review. I believe it is supposed to be 45 months. We'd love to see that reduced down to about 18 months to move this process along, keep it moving, because we can't take another summer like we had this summer. Thank you.

MR. ENGLE: Thank you. After Martha Hill is Chris Wittman and Ozzie Lessinger.

MS. HILL: My name is Martha Hill. I am a resident of Cape Coral. And you the Corps of Engineers just said you asked what issues are important to you, you're going to be asking us what issues are important to us. Well, I ask the Corps of Engineers what is it important to you to save the Everglades or irrigate Ag business, particularly the industry of sugar. Those are the two options you have in this coming months. Thank you.

MS. ENGLE: After Chris Wittman and Ozzie Lessinger will be Mason Rose.

MR. WITTMAN: Thank you for having us here. Good to see you all. And very aware of the challenges that you are facing. And also aware of the need to do exactly what we are about to start doing in looking at LORS. The issues we see here that are very familiar and talked about a lot with too much water in those releases are obvious. One of the issues that doesn't get as much press, because it is not in the face of the public is as much as when we don't get enough water during the dry season. And I think that's somewhere as a few people here tonight have stated that we have some room to, one, help our estuary system here in the dry season by getting more water into that system and maintain a better balance in that system, thus counter to that is creating more capacity within the system when we start to get some heavy rains. We really need to look at that, look at managing the lake with the priority on the health or the priority on human health and the health of natural system, the public system, managing the system as a whole for the benefit of the public. And then putting the other stakeholders and private industry behind those in order.

There is a lot of options and a lot of capacity variables that you can tweak and play with, you know, where we achieve capacity in the water conservation areas and being able to provide that as an outlet for lake water and managing those pieces of the puzzle so that, you know, we are looking at that

preemptively instead of sending water off of the EAA and giving the EAA priority in those storage systems that are owned by the taxpayer is looking at those as an outlet.

So the main thing I want to say is that we are very grateful as a community that we are here and we are part of this conversation. This needs to happen, needs to happen quickly. We understand the challenges of it, but we just want to encourage you to keep us in the conversation, keep stakeholders involved in this process, and we are here to help. We want to truly come together to work with you guys to have the best outcome for the people of southwest Florida. So thank you.

MR. ENGLE: Thank you. After Ozzie Lessinger and Mason Rose we will have Jenelle Christensen.

MR. LESSINGER: Thank you very much for letting me speak. My name is Ozzie Lessinger. I've been a full-time fishing guide on Captiva for the past 25 years. I'd like to reiterate a little bit of what Chris said, thank you very much for involving us in this and letting us have a voice. And please understand that the public and the public health and the environment should come first. The economy should become involved too. I don't know when the last time was that the Ag industry lost 80 percent of a crop in a month, but I lost 80 percent of my business in the month of August. And right now EAA gets perfect, perfect. Too much water, they stop giving it to them. Not enough water, they give it to them. We have to have shared adversity. We cannot allow it just continue where the EAA gets optimum conditions and we have to suffer. I'm not saying that the Ag does not deserve a seat at the table, they do, and they have very valid arguments about what needs to be done. But we have to be considered, because right now we are not. As far as what is happened in the last several years, the EAA again get perfect conditions when they have it, and we are stuck with green algae and red tide.

I more or less had to relearn my job in the last few months, because 80 percent of where I fish there are no fish. The flat-bed I spend everyday on, I no longer go there, because there is no life. I still catch fish and I can still make a living, but it's getting hard. And we need to please consider the public health and the public interest. Thank you.

MR. ENGLE: Thank you. After Mason Rose and Jenelle Christensen is Alex Roman.

MR. ROSE: Hopefully this don't sound like an Ag bash, because I'm not anti-agriculture. I do feel like they're the biggest part of this puzzle that we need to solve to make this system work. So I'd like to see us in a new schedule kind of prioritize, flood control, which means getting the lake as low as possible, you know, that being the first priority. I think that's your first main priority. And obviously public health, which means when we have these water issues that realize there is a cost they're flushing water down in the estuaries, and the health of estuaries.

I think the next big priority would be getting back to more natural system that we need to put an emphasis on that. Natural, not pumping freshwater into brackish estuaries and natural and that we let the lakes get high in the rainy season, and we let them get low in the dry season, not try to keep them too high in the dry season.

So I have a couple questions I'd like answered. I feel like there is different information out there. How much water was on the lake in 2018 that was reserved for Ag use. And do we measure how much is actual used versus how much they requested to be held on the lake. I'd like to know are they paying for that water, and if not, what is the disincentive to ask for massive amounts of water held on the lake. If they are not paying for the water and if we're not measuring they're actually using the water, what is to keep them from asking for massive amounts to prepare for possibly a dry season that then

we have to -- obviously any water on that lake there is cost to that, a public cost. There is a cost of a possible breach of the dike, which would be catastrophic obviously. There is a cost when it's flushed out to the estuary. So I just want to know what -- if we're measuring that, and how much has been held on the lake.

And the last thing would be I'd just like to see a system that, you know, we talk about. I know it's not perfect, there is a lot of competing interests. We talk about sharing burdens, but you know, we see releases every year. I'd like to know what is the history as far as when we haven't been able to meet the obligations of agriculture, the amount that we've asked for when in the last 20 years we haven't been able to need that.

MR. ENGLE: Thank you. After Jenelle Christensen we'll have Alex Roman. And that will be it for comments unless someone has turned in a card.

MS. CHRISTENSEN: Hi. I want to reiterate my heartfelt thanks for involving the community and asking for our input. My background is anthropology and public health, and speaking to people is critically important. I think that environmental health, the health of the environment is the underpinning of public health. I think you all know that, but I just wanted to state that I also agree I think it is part of our -- part of our economy as well.

I have two questions, and the first is that this sediment removal is one of the pillars of CERP, the Everglades Restoration Project, and I was wondering if there is a plan for the sediment removal or the treatment of the water in the reservoir as well.

And I also echo some questions about the modeling. My understanding is that original design of the reservoir was based on 1990 rainfall data. And is that true. I wasn't able to find anything on that, and if it is true has it been updated. I think some other people were asking for some of the modeling data or - and maybe having some access to that. So maybe that kind of falls in line with that question as well. Thank you.

Oh, I guess -- oh, one last comment is that I think we do need to think about root causes, and that may not be your responsibility, but the root causes is the continued pollution, and when I ask about sediment removal that really is the collection of the nutrients that are continually put into the lake and reservoir, and until we do something about that, we really aren't going to be able to resolve the problem.

MR. ROMAN: Good evening. I'm Alex Roman, I work at a landscaping company down in Naples, graduated FGCU. Army Corps, first of all, I want to thank you, because your job was to secure water. Back in the day when a hurricane killed thousands of people your job was to secure that water. And upon that idea of securing that water, instead of calling Lake Okeechobee a lake, it's more or less like a spring, per se, which is always bubbling up, it's not even that deep, it is just kind of a spring that bubbles up all around.

Next thing would be is why we are addressing -- I guess it's a good idea to address C-43, but if you look at the picture underneath it where it is all that, there is no printed land, then it goes to the water conservation area, that printed land if this was just literally a spring bubbling up to the surface then slanted down, Florida slants down, the most optional way to restore the Everglades, per se, and bring all these back and stop dumping water into St. Lucie would be to somehow push it down, but it's all EAA, agricultural area. Right now, I guess you could say back in the day when we first came it would

have been very important to have farm land, but now as Publix is everywhere, 7-11, the food gets here now, it is more or less to turn to mother nature to try to return that area, per se. But I mean, in general that water has to flow back down south and it controls the way -- because they already have this conservation area, they are already almost boundaried up, they can move water down. It is just you have this giant fertilizer pit right underneath it.

The big thing they found out after they dammed up Lake Okeechobee, because the water, almost drown, is all that land underneath that little flow was fertilized, all that soil. That soil is very good farm land, that's why EAA farm land instead of something else. I think it's a good idea to put pressure on Lake Okeechobee to cause the flow down left and right. It is never going to equal out, because it used to go down. We just stored that little spring and filled it up over the years, over years. It happened a long time ago.

But my question is, is it better to address the volume part then going pumping out the water south, or is it better to start going to the right -- as still -- you get it.

MR. ENGLE: Last comment card that we had. Please introduce yourself come forward.

MS. SMITH: I will. Thank you. I was at the earlier meeting. My name is Holly Smith, I am councilwoman for the City of Sanibel. And for all of you that have attended thank you, because your input is extremely important. I will tell you this there was a full room earlier today as there almost is today. We had several mayors in several of our cities here to make their statements. I know that we are all engaged and will continue to be engaged.

First of all, I wanted to go ahead and thank the Army Corps and thank you Lt. Colonel, appreciate your hard work and we certainly do appreciate the operational flexibility that we have seen shown and continue to look forward to working with you.

My comments today, I am going to try to be extremely brief. I'm going to go over a few that we have already talked. The LORS review process must be accelerated and should not be held back by completion of the Herbert Hoover Dike repairs, especially those aspects of the regulation schedule that would put less pressure on the dike infrastructure than in the current LORS. We don't have time until 2022. We do feel this can be expedited. We should see the process completed within about 18 months. And we'll all be looking forward to working with all the stakeholders to see that happen.

It is critical that every -- it is critical that lake management band -- it is critical that every lake management band of the lake schedule be modeled and included in the environmental impact statement, including the beneficial use, and water shortage management bands.

We also need to see a schedule that balances equitably and rations all water users during the dry period and does not unilaterally cut off one natural system of water user when all other water users are getting their needs met. We actually had 89 days of a minimum flow violations last year and we can't see that happen again.

The practice of holding lake water levels as high as possible during the dry season right up until the wet season then dumping into the estuaries must be discontinued. Other options for storing water outside of Lake Okeechobee must be evaluated.

One item that was not covered that I have not heard I'd like to just briefly tell you about, under current laws flows to the Caloosahatchee are measured at different water control structures depending on the weather and the conditions and lake levels. For example, during early wet periods the Corps shifts where it measures the flows to the Caloosahatchee from the Franklin Lock, that's S-79 to Moore Haven, Moore Haven Lock, and that is S-77. When the flows are measured at the Moore Haven Lock target flows to the estuaries do not take into consideration our watershed flows, which on average accounts for 50 percent of the flows to the Caloosahatchee estuary. In the St. Lucie, all flows regardless of the weather conditions or lake levels are measured at the S-80 lock located at the estuary rather than at the S-308 structure located at the lake. We are requesting that flows to the Caloosahatchee always be measured at the Franklin Lock S-79 structure located at the beginning of the estuary.

In closing, I would just like to say, we look forward to working with the Corps and the process -- and the process of revising LORS. I will be submitting more detailed written comments prior to the comment period deadline. And I know that you will keep us stakeholders actively involved and I thank you for your time.

MR. ENGLE: Thank you.

This concludes the public comment period. What I would say is that we welcome the comments. Thank you for your time. Thank you for coming out. If you have anything else that you'd like to say, and you'd like to submit it in writing, or e-mail, we have a form out front where you can fill it out and leave it with us today, the written comment. So any of those formats are good through 31 of March. We are going to be accepting these scoping comments. That is not the end of the feedback. The next step we are going to do is take all these comments back. We are going to put together some of the options and the themes that we heard. We are going to come back for workshops where we will be talking interactively and answering questions and showing you how we incorporated your concerns.

Now, between now and then you'll be seeing, get updates on our website. If you sign up for our e-mails you can see things, information come out that way. So we'll keep the information flowing. Submit your comments and questions. You'll see answers come through our official NEPA process to all of your questions through the scoping. But then as time goes on we'll have other opportunities as we develop the scope.

Thank you for your time tonight.

(Proceedings concluded at 7:30 p.m.)

CERTIFICATE OF REPORTER

I, Marianne Wagner, RPR, FPR, Court Reporter, do hereby certify that I was authorized to and did report the foregoing proceedings, and that the transcript, pages 1 through 56, is a true and correct record of my stenographic notes.

Dated this 18th day of February, 2019, at Lee County, Florida.

/s/ Maryanne Wagner, RPR, FPR
Court Reporter
Notary Public in and for the
State of Florida at Large

(This file has been edited for presentation, which has changed the number of pages.)