

April 23, 2020

VIA EMAIL ONLY:

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The Honorable Mario Diaz-Balart
United States House of Representatives, District FL-25
404 Cannon House Office Building
Washington, D.C. 20515

Re: Request to Protect Florida's Critical Water Supply from Lake Okeechobee

Dear Representative Diaz-Balart:

We write to you during this unprecedented global emergency requesting your help in protecting Florida's critical water supply in Lake Okeechobee, because the U. S. Army Corps of Engineers (Corps) is failing to do so. The undersigned represent a diverse group of stakeholders, businesses, and communities that all rely on water from Lake Okeechobee for our businesses, for the well-being of our communities, and the enjoyment and restoration of our natural environment.

In 2000, Congress passed the Water Resources Development Act ("WRDA 2000") authorizing an ecological restoration plan for America's Everglades ecosystem. Today, we know it as the Comprehensive Everglades Restoration Plan ("CERP"). CERP directed the Corps and State of Florida, as the local sponsor, to restore our natural environment, *while* providing for our water-related needs, including water supply for people and businesses. CERP was historic. It passed after the State of Florida, the Corps, and diverse businesses, municipalities, farmers, and environmental groups spent nearly a decade developing it. Many of the undersigned were involved in the passage of CERP and all of us are committed to its success.

We recently learned though that the Corps is ignoring a critical feature of WRDA 2000, the Savings Clause¹. The Savings Clause directs the Corps to protect the water supply that was in place in 2000, as it restores the environment. When Congress passed WRDA 2000, it included Lake Okeechobee as part of WRDA 2000. This was an essential element then, and it is just as important now.

Today, 20 years after Congress spoke, the Corps' position is that it will not protect the legal uses of water in place in 2000. Instead, it intends to permanently consign us to the diminished supply available when the Lake was lowered temporarily to repair the dike. The Corps claims that the Lake is not part of WRDA 2000 and, therefore, the water supply protections in the Savings Clause will not apply. This position is not supported by WRDA 2000 and betrays the promises the Corps made to us in 2000. The Corps seeks to unilaterally free itself of complying with WRDA 2000. If allowed to do so, Florida's existing and future water supply will be jeopardized at a time when we need assurances that sufficient water will be available for everyone.

¹ Section 601(h)(5) of Public Law 106-541.

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With 1.8 billion dollars invested in the Lake's dike repairs, and Congress' direction in WRDA 2018 to expedite the new Lake schedule, the Corps is well positioned to fulfill the commitments in WRDA 2000 – not abandon them.

During our current global emergency, when so much uncertainty permeates our daily lives, it is imperative that our water supply be preserved for our communities' health and safety and our Nation's food security. We ask that Congress re-assert its prior direction to the Corps to protect our water supply with the clarifying language attached for your consideration. We thank you for your work every day in protecting Florida's water, especially during these trying times facing our Nation.

Sincerely,

City of West Palm Beach

City of Okeechobee

City of Clewiston

Glades County

Okeechobee County

Lake Worth Drainage District

Southeast Florida Utility Council

Okeechobee Utility Authority

Florida Section of the American Water Works Water Utility Council

Florida H2O Coalition

South Florida Water Coalition

The Florida Chamber of Commerce

Chamber of Commerce of the Palm Beaches

Associated Industries of Florida

Okeechobee Business Alliance

Economic Council of Okeechobee

Anglers for Lake Okeechobee

Roland and Mary Ann Martin Marina

Florida Agriculture Coalition

Florida Fruit and Vegetable Association

Florida Citrus Mutual

Florida Nursery, Growers and Landscape Association

Florida Cattleman's Association

Florida Agribusiness Council

Florida Fertilizer and Agrichemical Association

Florida Land Council

Turfgrass Producers of Florida

Southeast Milk, Inc.

Wedgworth Farms, Keith Wedgworth, President

Lykes Brothers

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King Ranch

Hundley Farms, Inc.

Frontier Produce, Inc.

A. Duda and Sons

U.S. Sugar

Florida Crystals Corporation

Sugar Cane Growers Cooperative of Florida

Florida Farm Bureau Federation

Palm Beach Soil and Water Conservation District

Broward County Farm Bureau, Fred Segal, President

Dade County Farm Bureau, Tom Rieder, President

Palm Beach County Farm Bureau, Glenn Whitworth, Jr., President

Western Palm Beach County Farm Bureau, Keith Wedgworth, President

Lee County Farm Bureau, Ricky Pritchett, President

St. Lucie County Farm Bureau, Courtney Forget, President

Indian River County Farm Bureau, Ashley Cox, President

Osceola County Farm Bureau, Herb Harbin, President

Highlands County Farm Bureau, Jeff Williams, President

Collier County Farm Bureau, Kevin Seitzinger, President

Hendry / Glades County Farm Bureau, Callie Walker, President

Martin County Farm Bureau, Reed Hartman, President

Okeechobee County Farm Bureau, Mickey Bandi, President

Greg Munson, Former Assistant Secretary, Florida Department of Environmental Protection

Jon Stevenson, Former Secretary, Florida Department of Environmental Protection

Ryan Matthews, Former Interim Secretary, Florida Department of Environmental Protection

Henry Dean, Former Executive Director, South Florida Water Management District

cc: Florida Congressional Delegation

Mr. Cesar Gonzalez, Chief of Staff, United States House of Representatives,
Congressman Mario Diaz-Balart

Mr. Chris Sweet, Legislative Director, United States House of Representatives,
Congressman Mario Diaz-Balart

Proposed Language:

Section 601(h)(5) of Public Law 106-541 applies to the Lake Okeechobee regulation schedule and the Secretary shall use the Lake Okeechobee regulation schedule in place in December 2000 as the base condition for the analysis required under Section 601(h)(5) of Public Law 106-541.