



September 17, 2013

The Honorable Rick Scott  
State of Florida  
The Capital  
Tallahassee, FL 32399-0001

Re: **Request for Support from the Governor's Office to Encourage U.S. Army Corps to Reassess the LORS2008 Risk Assessment and location where Flows are measured for the Caloosahatchee in the High and Intermediate Operational Bands**

Dear Governor Scott:

As the mayors of the five cities located in Lee County we are very concerned about the high-volume regulatory releases from Lake Okeechobee and the Caloosahatchee watershed that are devastating the economy of our communities and our ecology. Our five cities are located at or near the mouth of the Caloosahatchee in a region where tourism is our major industry. We all suffer severe economic losses when high-volume releases are sent down the Caloosahatchee River.

We recognize that a majority of the solutions to address this problem are long-term in nature and will require a large amount of State and Federal funding and will take several years to complete. While we fully support the efforts of the South Florida Water Management District, the Corps of Engineers and all of the other agencies that are partnering to implement these long-term projects, we need to look at short-term policy changes that can be implemented immediately to provide some minimal relief to the Caloosahatchee and St. Lucie estuaries.

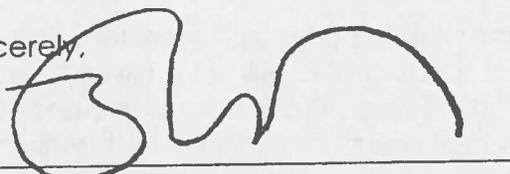
**We are requesting your personal support encouraging the U.S. Army Corps of Engineers to reevaluate the risk assessment associated with the Lake Okeechobee Release Schedule (LORS2008).** In light of improvements made to more than 21 miles of cutoff wall installed along the Herbert Hoover dike and additional work that has been completed over the past 6 years to improve its structural integrity, we think that it is time to reevaluate the risk assessment component of LORS2008. As improvements are made to increase the structural integrity of the dike, the risk associated with a catastrophic failure decreases. There is only a 1% probability of dike failure at 15.5 feet, based upon the LORS2008 risk assessment, and the probability of risk should be reevaluated based upon the dike improvements since 2007. We want to be clear—we are not asking the Corps to take on risk that would put the health of our estuaries and local economies above the health, safety and welfare of the communities that surround Lake Okeechobee; however, we are asking that the true risk associated with a catastrophic dike failure be reassessed in light of the improvements that have been completed to date.

In addition to reassessing the risk assessment in LORS2008, we are asking for your support to request that the Army Corps of Engineers measure flows to the Caloosahatchee at the S-79 structure until the lake elevation reaches the "High Lake Management Band" of LORS2008. This would provide more equity in the system and would reduce the frequency and duration of damaging releases to the Caloosahatchee. When lake elevations are within the "High" and "Intermediate" operational bands of the Lake Okeechobee Release Schedule, flows to the Caloosahatchee are measured at the S-77 Moore Haven Lock. Because flows are measured at the S-77 structure, target flows do not take in account watershed runoff from the C-43 basin. Maximum discharge through the S-77 structure in the High operational band, if meteorological conditions forecast to be "wet" or "very wet", is 6,500 cubic feet per second (cfs). Combined with watershed runoff, this can result in flows through the S-79 Franklin Lock structure exceeding 12,000 cfs, like the flows we experienced in July of this year.

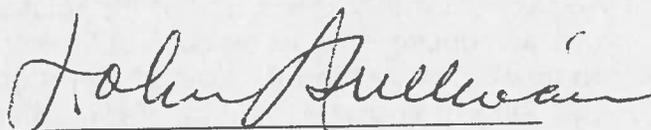
In the same operational bands of LORS2008, flows to the St. Lucie are measured at the S-80 structure and do take into account watershed runoff. Maximum discharge to the St. Lucie Canal in the High operational band, if meteorological conditions are forecast to be "wet" or "very wet", is 2,800 cfs. If watershed runoff exceeds the flow target at S-80 specified by the LORS2008, then no water is released from the S-308 structure. Only when the lake elevation rises to the High Lake Management Band is flow to the St. Lucie measured at the S-308 structure. When flows are measured from the S-308 structure they do not take into account watershed runoff from the C-44 basin and the St. Lucie can see flows exceeding 5,000 cfs.

As mayors we appreciate the challenges of public service particularly when we are responding to a crisis. **We also recognize the need to operate within the established systems and budgets available. However, we do believe that updating these two policies, the LORS2008 risk assessment and measuring the flow at S-79, are two short-term priorities that will benefit our State.** We want to thank you for your leadership and hope that you will consider supporting our request to the U.S. Army Corps of Engineers.

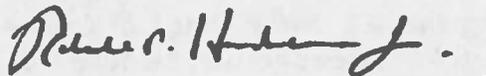
Sincerely,



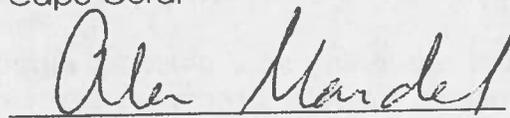
Ben Nelson Jr., Mayor  
Bonita Springs



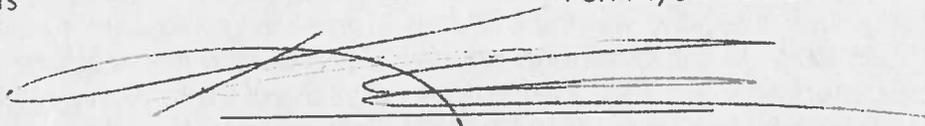
John J. Sullivan, Mayor  
Cape Coral



Randall P. Henderson Jr., Mayor  
Fort Myers



Alan Mandel, Mayor  
Fort Myers Beach



Kevin Ruane, Mayor  
Sanibel

Cc: Rachel Davis Cone, Deputy Chief of Staff  
Herschel T. Vinyard, Jr., Secretary Florida Department of Environmental Protection