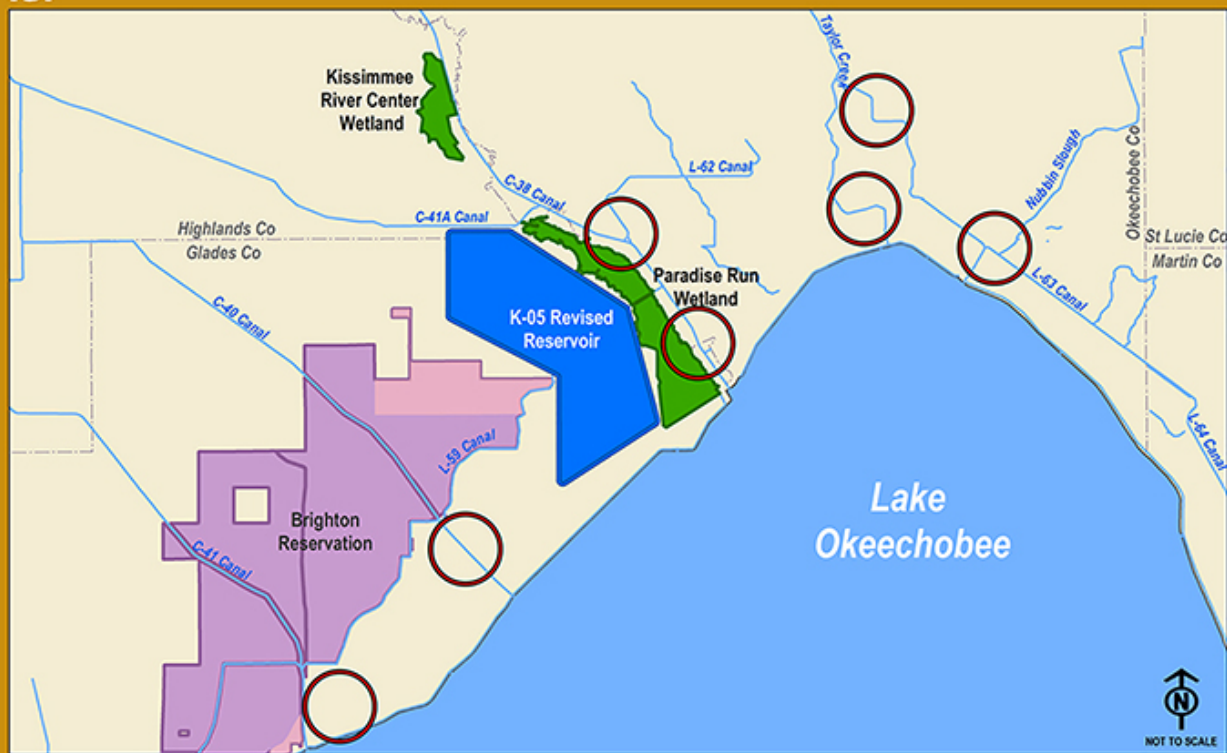


Alternative 1Br



Reservoir Component

- K-05 Revised
- Approx. 14,600 acres
- 198,000 acre-feet of storage

Aquifer Storage and Recovery

- 80 ASR wells
- 448,000 acre-feet of storage per year

Wetland Restoration

- KR Center: Approx. 1,200 acres
- Paradise Run: Approx. 4,100 ac

Preliminary Project Cost Estimate: \$1.9 billion

BRIGHTON — A presentation made by the U.S. Army Corps of Engineers Jacksonville District on Nov. 28 left the Brighton Reservation community in an uproar over the federal agency's plans to potentially place a large part of the Lake Okeechobee Watershed (LOW) Project within 1,000 feet of Tribal lands in Brighton.

According to the Corps, the project ultimately has four goals: Improve the quality, quantity, timing and distribution of water in Lake Okeechobee; better manage the lake's water levels; reduce high-volume water discharges into the estuaries of the Caloosahatchee and St. Lucie rivers; and improve system-wide operational flexibility. To achieve these goals, the Corps plans to build a large reservoir along the boundaries of Brighton, near St. Thomas Ranch.

At the meeting, attended by Chairman Marcellus W. Osceola Jr., Brighton Councilman Andrew J. Bowers Jr., and dozens of Tribal members, the Corps suggested four alternatives for reservoir placement, each of which uses reservoirs for above-ground storage and underground storage with Aquifer Storage and Recovery (ASR) wells.

- **Alternative 1Br** - a \$1.9 billion plan - would place the K-05 reservoir, which would be approximately 14,600 acres and have 198,000 acre-feet of storage, along the east border of the St. Thomas Ranch alongside Paradise Run Wetland. This alternative would also place 80 ASR wells in seven clusters between Brighton and Lake Okeechobee, to the east of Paradise Run and near Taylor Creek in Okeechobee County.
- **Alternative 2B** would put the K-05 reservoir in the same location as 1Br, but would also put another reservoir, K-42, a bit northwest in Highlands County, just west of the Kissimmee River Center Wetland. The two reservoirs would take up about 20,300 acres and create 276,000 acre-feet of storage. ASR cluster locations would be the same, but there would be only 70 wells in eight clusters. The estimated cost for this alternative is \$2.5 billion.
- At an estimated cost of \$3.3 billion, **Alternative 2A** would create three reservoir components - K-42 reservoir would be just west of the Kissimmee River Center Wetland in Highlands County, K-05 North Reservoir would be along the border of Highlands and Glades Counties and the west border of the Paradise Run Wetland, and the K-05 South Reservoir would be between the St. Thomas Ranch and the Brighton Reservation, Lake Okeechobee, and the South border of the Paradise Run Wetland. This alternative would take up approximately 26,500 acres and create 361,000 acre-feet of storage. The plan would include 110 ASR wells in eight clusters.
- **Alternative 2Cr** places the K-42 reservoir in Highlands County west of the Kissimmee River Center Wetland. This estimated \$1.8 billion project would take up approximately 14,600 acres and create 195,000 acre-feet of storage. Though this reservoir would not be alongside Brighton, there would still be two ASR well clusters along the southeast border of the reservation, as well as five more clusters in the previously mentioned locations. In total, there would be 65 wells.

The project is part of the Comprehensive Everglades Restoration Plan (CERP), an initiative authorized by Congress in 2000. LOWP is one part of the 68 components of CERP and is being paid for by the Corps and the South Florida Water Management District. The Tribe will have no financial obligations to the project.

Lake Okeechobee Watershed Restoration Project

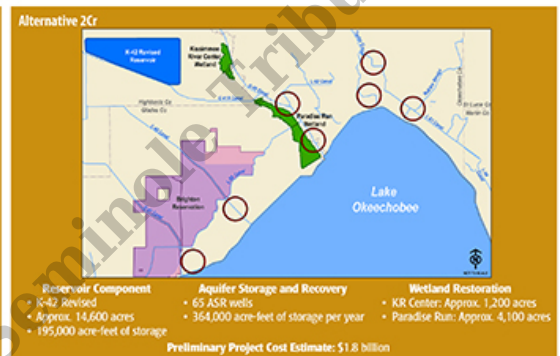
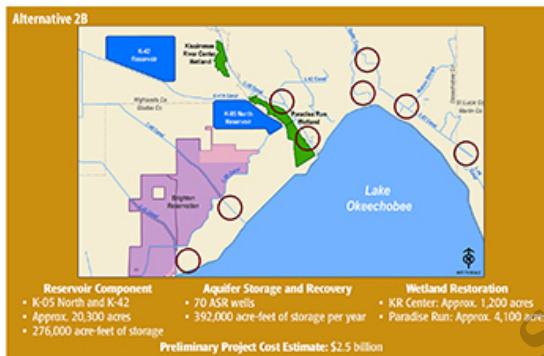
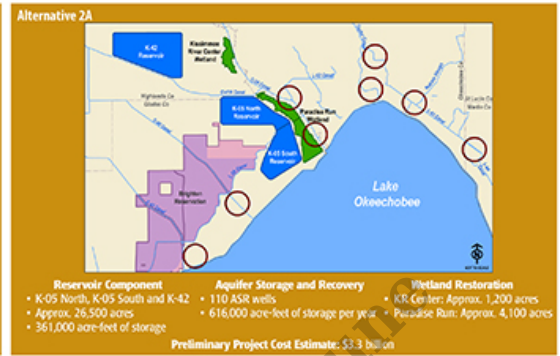
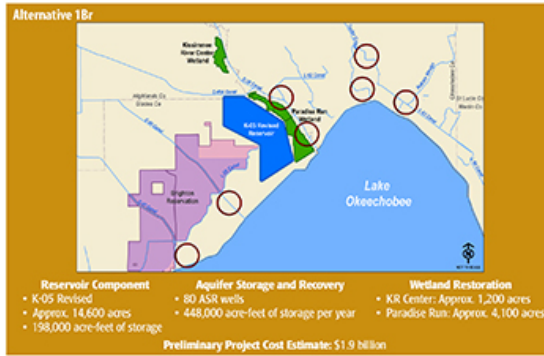
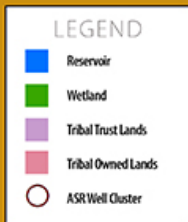
Final Array of Alternatives

Goals & Objectives:

- Increase water storage capacity in the watershed, resulting in improved Lake Okeechobee water levels
- Improve the quantity and timing of discharges to the St. Lucie and Caloosahatchee estuaries
- Restore wetlands
- Improve water supply



Project Planning Boundary



Understanding the reservoir

The reservoir will be an above-ground storage unit for water from Lake Okeechobee. The proposed alternatives are part of a larger plan to create a reservoir system surrounding the lake to help with water levels. Currently, there is only one reservoir approved to start construction south of the lake. The Corps also plans to implement reservoirs to the east and west of Lake Okeechobee.

With the project, U.S. Army Corps Engineer Tim Gysan and John Campbell, acting chief of the Army Corps' communications office, explained the Corp is essentially trying to recreate a more natural flow within Lake Okeechobee.

"We're trying to mimic that as best as we can naturally with an unnatural facility," Gysan explained. "Currently that water, due to the manmade system, moves much faster than it would historically ... the system doesn't work the way it was supposed to naturally. This project is addressing a portion of that by trying to slow down flows coming into the lake and then releasing water back to the lake when it's needed."

Gysan said 260,000 acre-feet of storage in a reservoir is equivalent to approximately six inches of water from Lake Okeechobee. Only two of the proposed alternatives, 2A and 2B, would hold that amount or more. The proposed ASR wells will hold between 364,000 and 616,000 acre-feet of storage, as well.

Campbell added that while this may not seem like a significant amount, having multiple reservoirs is what is going to make an impact on the lake. Each reservoir will use a pump system to hold and release water to and from the lake.

"Taking in their totality and the aggregate gives us a lot more flexibility in how we can manage Lake

Okeechobee and water throughout the central and southern Florida system," he said.

Numerous people have also suggested that instead of building so many reservoirs, the Corps increase the parameters of the lake itself. However, Gysan said that aside from the substantial cost associated with such a plan, expanding the lake would devastate wetlands and force many people to relocate. Essentially, the costs of this route would far outweigh the benefits.

During the meeting, Corps representatives also suggested that water in the new reservoir could serve as water for the Tribe. Gysan explained that one of the Corps' objectives is to improve water supply to current users of this particular water system. With the reservoir being so close to the reservation, he said that the planning team envisions an increased water supply to local water consumers.

"That would enable the Tribe to have access to that water under the water compact," he said, explaining that this would not change how water is currently distributed or be an additional cost to the Tribe. "It would be for the betterment of everyone."

However, Stacy Myers, assistant director at the Tribe's Environmental Resource Management Department, stated that making such a decision is out of the Corps' control, as such a decision is not in their jurisdiction as per the Surface Water Right Entitlement contract. This contract states the reservation must get a specific amount of surface water from surrounding basins based on the ratio of Tribal land to total land in the area and is determined by the state, the Tribe and the South Florida Water Management District.

Myers said the Corps never presented this idea to the Tribe prior to the community meeting and that the Corps hasn't disclosed what the quality of the water in the reservoir will be. He doesn't see how they would accomplish the idea successfully, primarily because they do not have the authority to make the decision and do not fully understand how such a task would be apportioned and operated for the Tribe.

"There are a lot of issues with doing that because we are supposed to get a significant amount of that water to begin with because it's supposed to be a part of our entitlement water," he said. "How that water would be separated from other water and provided to the Tribe and treated...that would be really difficult for them to do."

Tribal members react to Lake Okeechobee Watershed Project

Reaction from the Brighton community at the Nov. 28 meeting was unanimously negative, with many residents suggesting that building a reservoir so close to the reservation is life-threatening should the reservoir breach and cause a flood. Others cited that the location of the reservoir is on Tribal burial grounds and would harm the Tribe's history.

In tears, Brighton resident and Pemayetv Emahakv Charter School student Winnie Gopher, 12, pleaded with the presenters to consider children like her who live on the reservation and who would be in the high-risk area of the reservoir. After the meeting, she explained that having the reservoir so close to people in Brighton does nothing but make them fear for their lives.

"The reservoir is so close to Native American sites and it's going to disrupt those sites because it's so close to it. Who knows what's going to happen to those sites when they start construction," she said. "It's always going to be a fear for our community for us having to wake up every day and just

think that any day this reservoir could break or there be a hurricane and us have to think we need to evacuate because it could flood. It's just a big 'what if' situation that's going to be sitting there threatening lives."

Winnie's father Lewis Gopher shared similar sentiments about the proposal. He said the problems originate to the Hoover Dike around Lake Okeechobee and the construction they started in the first place, as it disrupted the natural flow and filtration of the lake's water.

"The real problem was created back in the 1930s when they wanted to make the lake a reservoir. It's not a lake anymore and they've reshaped its boundaries. It used to run way more south, almost all the way to Broward County," he said of Lake Okeechobee. "Now it's cut off so they could use that land to grow sugar cane, but that's a part of the story that isn't told."

During the Corps' presentation in Brighton, engineers mentioned that the proposal is a high-risk project, meaning that a breach of the facility could result in a devastating loss of life. Gysan further explained that while this term is used to explain the potential consequences of a failure, it does not refer to the chances of the failure itself, which he said are "extremely small."

While that is the case, Campbell said that the Corps is not ignoring this risk.

"We want to be cognoscente that if [the reservoir] were to ever fail, there would be significant and potentially tragic consequences in terms of the flooding of the surrounding properties," he said.

Campbell informed the Tribune in December that he does not know what the Corps' policy is if a devastating flood were to happen in regards to paying for and initiating the recovery process.

After learning about the Corps' plans, Pemayetv Emahakv Charter School seventh- and eighth-graders wrote a unified letter expressing their concerns to Army Corps of Engineers Jacksonville District Commander Colonel Jason Kirk. The letter was proofed and sent to Colonel Kirk by PECS English teacher Suraiya Smith.

While Winnie has expressed strong opposition to the reservoir, she said it's important for people to realize that reservoirs themselves are not bad. In fact, she said she completely supports the Corps building a reservoir for the project, just not so close to where people live to prevent potentially catastrophic situations.

"The reservoir itself isn't all bad," she said. "We could use it for hydraulic energy and stuff like that. It just shouldn't be so close. If they built it somewhere else, maybe so many people wouldn't oppose it."

Environmental implications

While many are worried about the effects of the reservoir on the human population, many cite environmental implications as a major concern as well.

When Lake Okeechobee's waters get too high, officials who work on the lake drain the water into the St. Lucie and Caloosahatchee rivers. The water within Lake Okeechobee is known for containing toxic pollution and chemicals from nearby cattle and sugar farms, and the drainage causes harmful algae growth in the rivers, resulting in the death and overall endangerment of sea grasses, oyster beds and various sea animals.

While the Army Corps of Engineers stated that having the new reservoir will help relieve this issue

along the rivers, some Brighton residents and Tribal officials are concerned that the construction of the reservoir will only hurt and kill local animals and plants. They're also worried that if the reservoir floods or suffers damage, it will only exacerbate the problems caused by draining Lake Okeechobee.

As reported by the University of Florida's [Florida Museum of Natural History](#), there are numerous threatened and endangered animal and plant species surrounding Lake Okeechobee, many of which live in the Brighton area. Included in this list are brittle thatch palms, Florida thatch palms, alligators, Everglades snail kites, wood stork, bald eagles, and Florida panthers.

The U.S. Fish and Wildlife Service will conduct surveys of the proposed alternatives before construction begins, but Myers said that displacing animals, regardless of their endangered status, is a large risk. Once construction begins, they will most likely make their way closer to the reservation.

"That [animal displacement] is a potential undue burden that's placed on the tribe because if they're endangered species, there are special measures we have to take in future developments of the reservation," he said. "We're not like other people, where they can pick up and move if a project is built, we're set by physical boundaries of the reservation."

In addition to the impacts of the reservoirs, Whitney Sapienza, ERMD environmental protection specialist, said ASR wells are suspect for negative implications as well. She explained that these wells, which store water underground, have the potential to be greatly beneficial, but their success rates are inconsistent. There is also a large risk of fish larval entrapment within the wells, as well as other ecological risks.

In a 2014 [Ecological Risk Assessment](#) by the Army Corps of Engineers, they found that there is high risk of larval fish impingement or entrainment during ASR recharge for non-catfish species and a low risk of this for catfish species. Additionally, they found a low risk of chronic or acute toxicity to aquatic life from ASR discharges, an average high risk of ASR discharge plume size covering the entire width of the river during low river flows, a high risk of invertebrate impingement or entrainment during ASR recharge, and on average, a moderate risk of invertebrate impingement or entrainment during ASR recharge.

Lewis Gopher said that unless Lake Okeechobee is allowed to naturally filter its water and the manmade dams and dikes end, problems will continue.

"If they go ahead with this project, the Army Corps of Engineers is going to have to come back and say there's another problem they have to fix. This land was here and it was great; there was nothing wrong with it, but when people come along and say the land doesn't work for them, they try to make it work for them. When they try to make it work for them, they affect Mother Nature. If you're going to change those things, you're going to have some backlash," he said.

Myers agreed that less problems would occur if the lake's water was free to flow from north to south naturally.

"Their [the Corp's] concept is to protect the estuaries from harmful discharges from Lake Okeechobee. They felt that to do that, they needed to establish these storage areas in the north. We feel that what is more important is storing water in the south of Lake Okeechobee in these southern reservoirs," he said. "If they truly want to restore the Everglades and the whole Kissimmee and Okeechobee Everglades system, you want to return it to the way it was because that's what restoring is. Essentially, there have never been reservoirs north of the lake. The lake was larger than

it is now, and by putting reservoirs south of the lake, you're sort of mimicking the natural and historic condition."

Cultural impact

Along with worrying about the environmental and societal implications, Winnie shared worry about the impact that could have on the Tribe's customs.

"It's going to be taking away so much that nature already has for us. Our culture is such a nature-based culture and it's going to be hard for us to live off the nature if we don't have it there," she explained. "They [Army Corps of Engineers] are just trying to contain the nature and say it's bad for us."

The Tribal Historic Preservation Office fears a reservoir so close to Tribal lands as well. Paul Backhouse, director of the Ah-Tah-Thi-Ki Museum and THPO, said the plans could have a negative cultural impact on the Tribe, as his office suspects that there are numerous significant sites in the proposed construction areas.

According to the Tribe's Compliance Supervisor Bradley Mueller, field investigations of the Kissimmee Circle Earthworks site, a possible location for a reservoir which has an undisclosed exact location, is undergoing a contracting process, so the survey of the area will not be complete until 2018. The only investigation of the area was conducted by two Corps archaeologists on Oct. 11. Additionally, SEARCH, Inc., an archaeology company, has surveyed a small area of the proposed K-05 reservoir, but the area surveyed is currently owned by the state and SFWMD.

The only area in the proposal that has been surveyed is a small piece of land owned by the South Florida Water Management District, on which there is a significant site called Kissimmee Circle where Tribal ancestors are likely buried. Kissimmee Circle is within the boundaries of the proposed K-05 reservoir, meaning the site would be destroyed if the reservoir is placed on top of it.

Once the Corps completes surveys of the areas that will be potentially impacted by the proposal - which includes sending a team of archaeologists to the areas to identify and document cultural resources - THPO has the opportunity to review the information and identify cultural properties. Additionally, Backhouse explained that the Tribe has a special burial resources agreement with the Corps that will prevent any damage to buried ancestors.

"Any time a project has the potential to disturb Seminole ancestors, there's a very strict process that we follow to make sure the Tribe is given every opportunity to be involved in the decision-making with the Army Corps," he said, explaining that at this point, the Corps' just needs to put boots on the ground and begin the survey process.

THPO is trying to get access to the site and conduct an assessment as well. The Corps has not identified a timeframe for the survey to be complete, but because of their three-year planning limit, Backhouse expects it will be done in the coming months.

While all proposed project alternatives will likely have an archaeological and cultural resource impact, Backhouse said Alternative 2Cr may be the least harmful, as it is farther away from Tribal lands. Even though it is farther, however, Backhouse assured that there's still a risk for historical and archaeological damage and they are awaiting survey results to come to an ultimate conclusion.

Tribal members are encouraged to report any culturally or historically significant sites and resources to THPO so they can discuss those sites with the Corps.

Next steps

Campbell and Gysan stressed that they are still in the planning process and there is not yet a Tentatively Selected Plan (TSP). The Corps is considering all the feedback presented by stakeholders and reevaluating plans to try and fit the needs of the community. The next major point in the Corps' timeline is Jan. 25, during which time they hope to have a tentatively selected plan they can proceed with.

"The milestone is a goal. It would certainly help if we had a TSP by then to help keep us on track for that overall three-year goal," Campbell said, referring to the SMART Planning Initiative, which confines the project's planning phase to be complete within three years.

In order to proceed with a specific alternative, Gysan, Campbell and other Corps engineers on this project must present their plan to their supervisors. If they approve the plan, the engineers are then required to submit a Project Implementation Report and Environmental Impact Statement, which will be released to the public so that everyone can see the plan and provide comment and feedback for revisions. This report is due within 60 days of the approved tentatively selected plan. The public should not expect to see such a report before March at the earliest.

Once the Corps has a final plan, the project will be sent for approval to Congress, who has the ultimate say in whether the project will proceed. Army Corps representatives do not have any more Brighton community meetings planned at this time, but Campbell and Gysan assured they would be happy to return to present updated information.

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