



# CITY OF FORT MYERS, FLORIDA

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January 7, 2009

Mr. Phil Flood  
South Florida Water Management District  
2301 McGregor Boulevard  
Fort Myers, Florida 33901

Dear Mr. Flood:

Enclosed herewith is one (1) certified copy of Resolution No. 2009-1 supporting the acquisition of U.S. Sugar lands and adjacent lands south of Lake Okeechobee by the State of Florida to restore a continuous southern flow-way to the Everglades and to significantly reduce excessive water releases from the Lake to the rivers and estuaries.

City Council adopted Resolution No. 2009-1 at its regular meeting held on January 5, 2009.

Yours truly,

**CITY OF FORT MYERS**

*Marie Adams*

Marie Adams, CMC  
City Clerk

MA:nh  
Enclosure

pc with enclosure:  
Mick Denham, Mayor, City of Sanibel, 800 Dunlop Road, Sanibel, FL 33957

**RESOLUTION NO. 2009-1**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, SUPPORTING THE ACQUISITION OF U.S. SUGAR LANDS AND ADJACENT LANDS SOUTH OF LAKE OKEECHOBEE BY THE STATE OF FLORIDA TO RESTORE A CONTINUOUS SOUTHERN FLOW-WAY TO THE EVERGLADES AND TO SIGNIFICANTLY REDUCE EXCESSIVE WATER RELEASES FROM THE LAKE TO THE RIVERS AND ESTUARIES; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS:** The City Council supports the recent changes to the proposed acquisition announced November 12, 2008, by Governor Charlie Crist that reduces overall costs and the burden of handling infrastructure such as sugar mills and rail lines; and

**WHEREAS:** The South Florida Water Management District should retain at least 80% of the U.S. Sugar owned lands to be purchased west of Lake Okeechobee for the purposes of water treatment and storage before discharge into the Caloosahatchee River, see attached map for S-4 Basin Lands; Disston Water Control District Lands instead of swapping or utilizing them for other purposes; and

**WHEREAS:** The State needs to work with the local communities that may be adversely affected economically by agricultural conversion to develop alternative opportunities and employment in ways that do not add to the nutrient or other pollutant issues in Lake Okeechobee, connected rivers or the Everglades; and

**WHEREAS:** Any Inland Ports, at least 6 potential sites are being discussed, or other economic projects must be located in a manner that does not preclude or significantly diminish flow-way designs south of Lake Okeechobee or themselves result in stormwater pollution or additional blockage of flow from new roads or rail lines; and

**WHEREAS:** The proposed Inland Port site at Okeelanta on Florida Crystals lands south of Lake Okeechobee in Palm Beach County, also called the South Bay site, is an example of a location damaging to a flow-way design that should not be carried forward; and

**RESOLUTION NO. 2009-1**

**WHEREAS:** There is already some momentum for this inappropriate site with the Palm Beach County Commission and the Port of Miami; and

**WHEREAS:** A preferable site would be current agricultural lands either west or east of Lake Okeechobee that are closer to the communities affected and not in the path of the flow-way; and

**WHEREAS:** A good Inland Port site should also not consist of wetlands or important wildlife habitat and an example of such a site is the Hilliard Brothers property in Hendry County; and

**WHEREAS:** Legislative approval and funding is essential and timely for the Caloosahatchee River Watershed Protection Plan which includes the C-43 Reservoir with a stormwater treatment area and other important nutrient reduction projects within the Caloosahatchee Basin; and

**WHEREAS:** Funding for the C-43 project with a stormwater treatment area needs to continue to be supported at both Federal and State level; and

**WHEREAS:** The State and Federal Government must not let the sugar lands acquisition project divert momentum from critical Comprehensive Everglades Restoration Program projects, without which the southern flow-way would not function; and


**WHEREAS:** The Modwaters, Decomp, Northern Everglades, and Lake Okeechobee Restoration plans should proceed with an accelerated pace; and

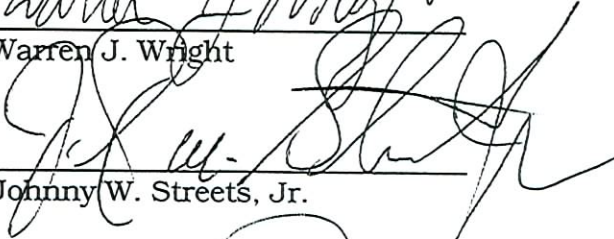
**WHEREAS:** Conversely, all funding and further action on the Aquifer Storage and Recovery projects of Comprehensive Everglades Restoration Program should be immediately halted as cost-benefit and environmental issues have rendered this program dysfunctional and unlikely to succeed; and


**WHEREAS:** Common engineering standards for levees include the consideration of the location and construction of spillways that reduce the

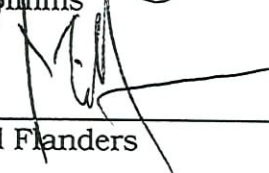
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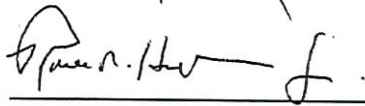
PASSED IN PUBLIC SESSION of the City Council of the City of  
Fort Myers, Florida, this 5th day of January, A.D., 2009.


Aye   
Warren J. Wright

Aye   
Johnny W. Streets, Jr.

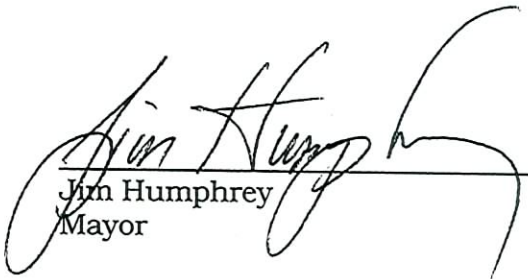
Aye   
Levon Simms

Aye   
Michael Flanders


Aye   
Randall P. Henderson, Jr.

Aye   
Thomas C. Leonardo  
Council Members

APPROVED this 5th day of January, A.D., 2009, at 5:20 o'clock  
p.m.

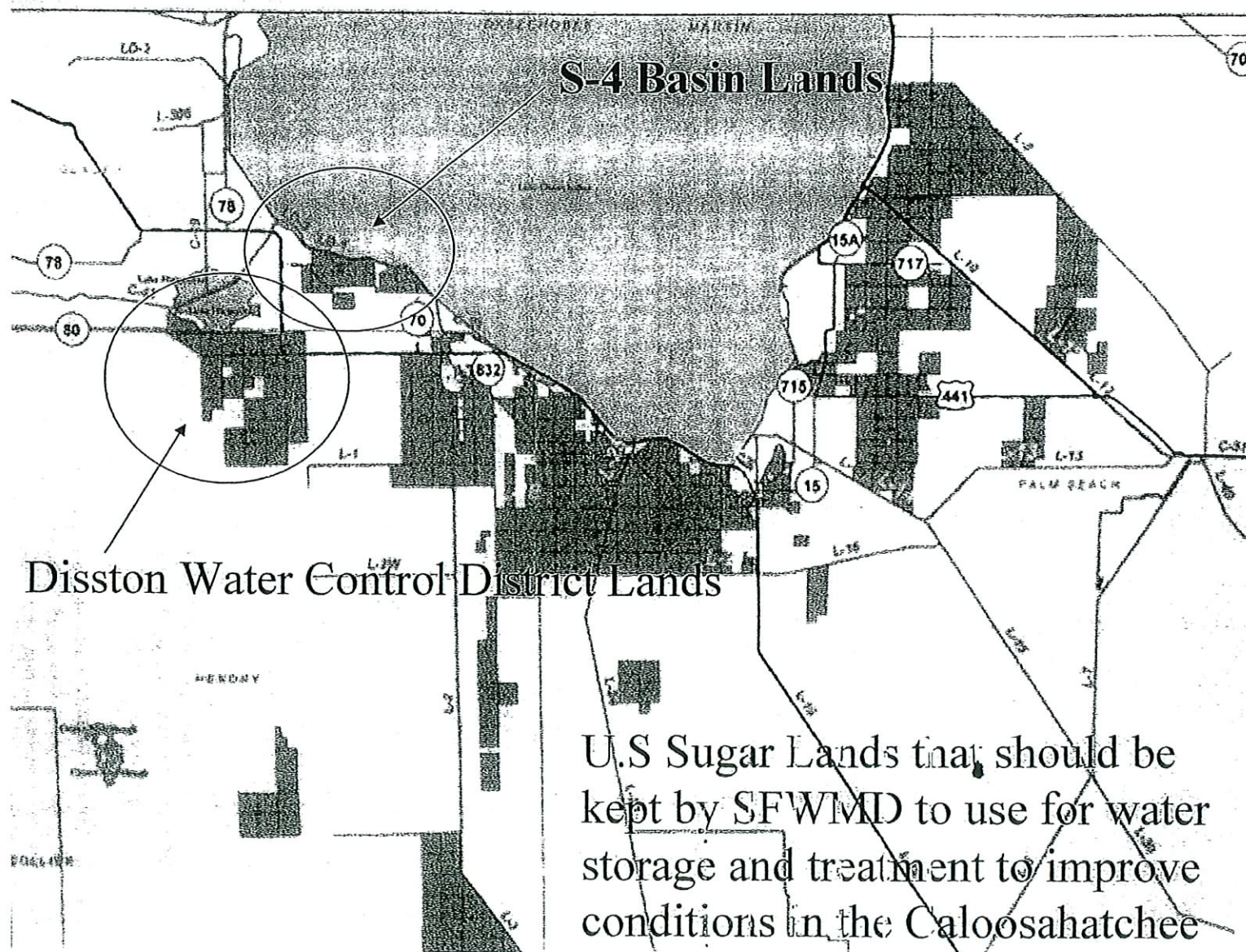
Aye   
Jim Humphrey  
Mayor

FILED in the Office of the City Clerk this 5th day of January, A.D.,  
2009.

  
Marie Adams, CMC  
City Clerk

I DO HEREBY CERTIFY THAT THE ABOVE  
AND FOREGOING IS A TRUE AND CORRECT  
COPY OF THE ORIGINAL THEREOF ON FILE  
IN MY OFFICE. WITNESS MY HAND AND  
SEAL OF SAID CITY THIS 6th DAY  
OF January, A.D. 2009.

  
DEPUTY CITY CLERK, CITY OF FORT MYERS, FLORIDA



U.S Sugar Lands that should be kept by SFWMD to use for water storage and treatment to improve conditions in the Caloosahatchee