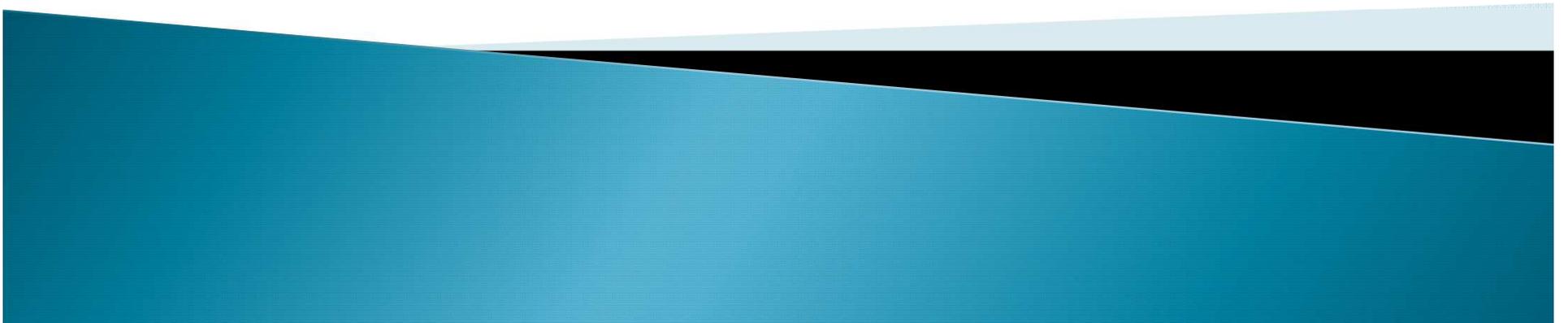


Restoration of the Western Everglades Natural System

Seminole Tribe of Florida

December 7, 2012



Restoration Goal

- ▶ Provide enough water to the Big Cypress Reservation and the Big Cypress National Preserve to allow rehydration of the natural systems and to restore a healthy, diverse ecosystem sooner than later.
- ▶ Consistent with the purpose of the Big Cypress Reservation Critical Project.



Why this is so important to the Seminole Tribe of Florida

“Traditional Seminole cultural, religious, and recreational activities, as well as commercial endeavors, are dependent on a healthy Everglades ecosystem. In fact, the Tribe's identity is so closely linked to the land that Tribal members believe that if the land dies, so will the Tribe.”



What is the Natural System?

According to Federal Law:

WRDA 2000, Section 601 (a)

(3) NATURAL SYSTEM. – ...

(B) INCLUSIONS.—The term “natural system” includes—...

(v) Big Cypress National Preserve;...

and

(vii) any tribal land that is designated and managed or conservation purposes, as approved by the tribe.



Seminole Water History



Relevant Federal Water Law

▶ Winter's Doctrine

- In Winters v. United States, the Supreme Court held in 1908 that Congress creates an Indian reservation, the water necessary to fulfill the reservation's purposes is reserved implicitly.

▶ Seminole Tribe's Water Compact

- Enacted into federal and state law in 1989, in exchange for its Winter's Doctrine claim and state reservation land, the Tribe secured prescribed water supply for human and agriculture consumptive use.



What are Reservation Lands?

Federal Lands – Land owned and fully controlled by the Federal government.

v.

Lands held in trust for Tribes by the Federal government.



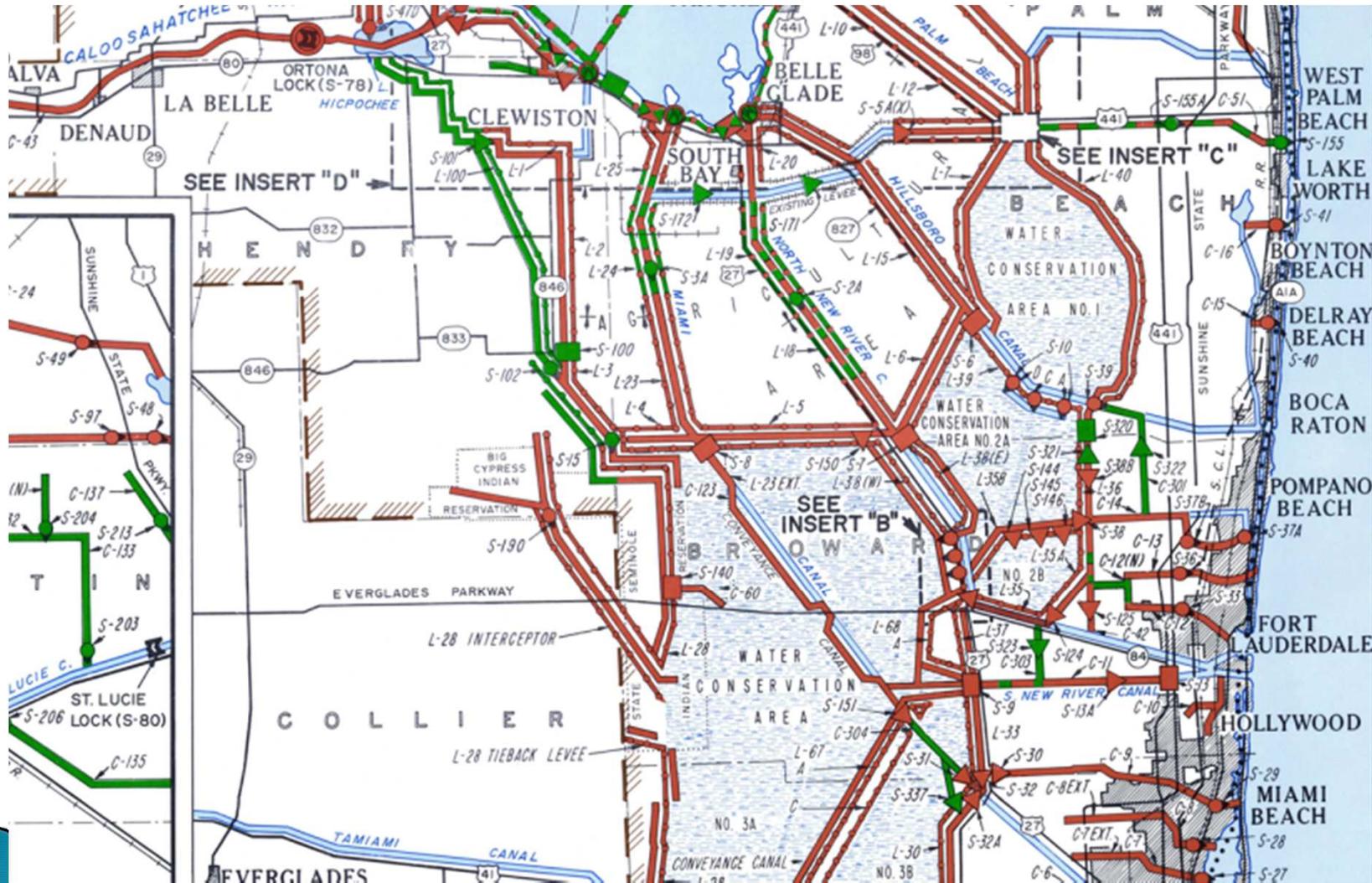


The Need

- ▶ Efficiently deliver enough clean water to the Big Cypress Reservation to allow environmental sustainability
- ▶ Current situation as described by a tribal official:
 - “We don’t get enough water most of the year, and when it does come, it is filthy.”



Promises Made; Never Delivered



CS&F Project, November 1975

**CENTRAL AND SOUTHERN
FLORIDA PROJECT
FOR FLOOD CONTROL AND OTHER PURPOSES**

PART 1

**AGRICULTURAL AND CONSERVATION AREAS
SUPPLEMENT 48--GENERAL DESIGN MEMORANDUM
HENDRY COUNTY AREA
WITH DETAIL DESIGN APPENDIX ON STRUCTURE 239
AND CANALS 139 AND 139 SOUTH**



**DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA**

FEBRUARY 1977

SERIAL NO. 10



**DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
P. O. BOX 4870
JACKSONVILLE, FLORIDA 32201**

SAJEN-RF

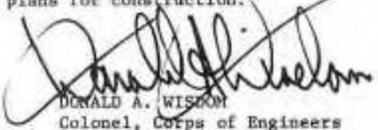
17 February 1977

SUBJECT: Central and Southern Florida Project, Transmittal of Report,
Part I, Supplement 48 -- General and Detail Design Memorandum,
Hendry County Area, and Draft EIS

Division Engineer, South Atlantic
ATTN: SADFD

1. Twelve copies of the subject design memorandum and Draft Environmental Impact Statement are forwarded herewith for review and approval as a basis for further planning and design.
2. The proposed plan is designed to eliminate or substantially reduce flooding during the once in ten years flood and provide means for transferring irrigation water from Lake Okeechobee to a 150-square-mile area, including a major portion of the Big Cypress Indian Reservation.
3. It is recommended that the plan presented in this report be approved as a basis for further planning; and that the detail design for Structure 239 and related canals, given in Appendix-A, be approved as a basis for preparing contract plans for construction.

- 2 Incl
1. G&DDM, Hendry Co.,
Part I, Supp. 48 (12 cys
Ser. Nos. 1 - 12)
2. Draft EIS (12 cys)


DONALD A. WISNOM
Colonel, Corps of Engineers
District Engineer

CERP Scheduling

	Band 1	Band 2	Band 3	Band 4	Band 5	Band 6	Band 7
Southwest Florida Region	2005-2009	2010-2014	2015-2019	2020-2024	2025-2029	2030-2034	2035-2039
#04 - C-43 Basin Storage Reservoir - Part 1 (D P1)		x					
#06 - Caloosahatchee Backpumping with Stormwater Treatment (DDD)				x			
#10 - Big Cypress / L-28 Interceptor Modifications (CCC)			x				
#30 - Southern Golden Gate Estates Hydrologic Restoration (OPE)	x						
#93 - Henderson Creek / Belle Meade Restoration (OPE)			x				
#94 - Lakes Park Restoration (OPE)		x					
#96 - Seminole Tribe Big Cypress East				x			
#96 - Seminole Water Conservation Plan				x			

MISP May 2004



Restudy and CERP

- ▶ The Seminole Tribe repeatedly requested meaningful monitoring and modeling of the lands adjacent to the Big Cypress Reservation to allow full assessment of proposed project impacts and to consider needed projects.
- ▶ This request was never addressed.

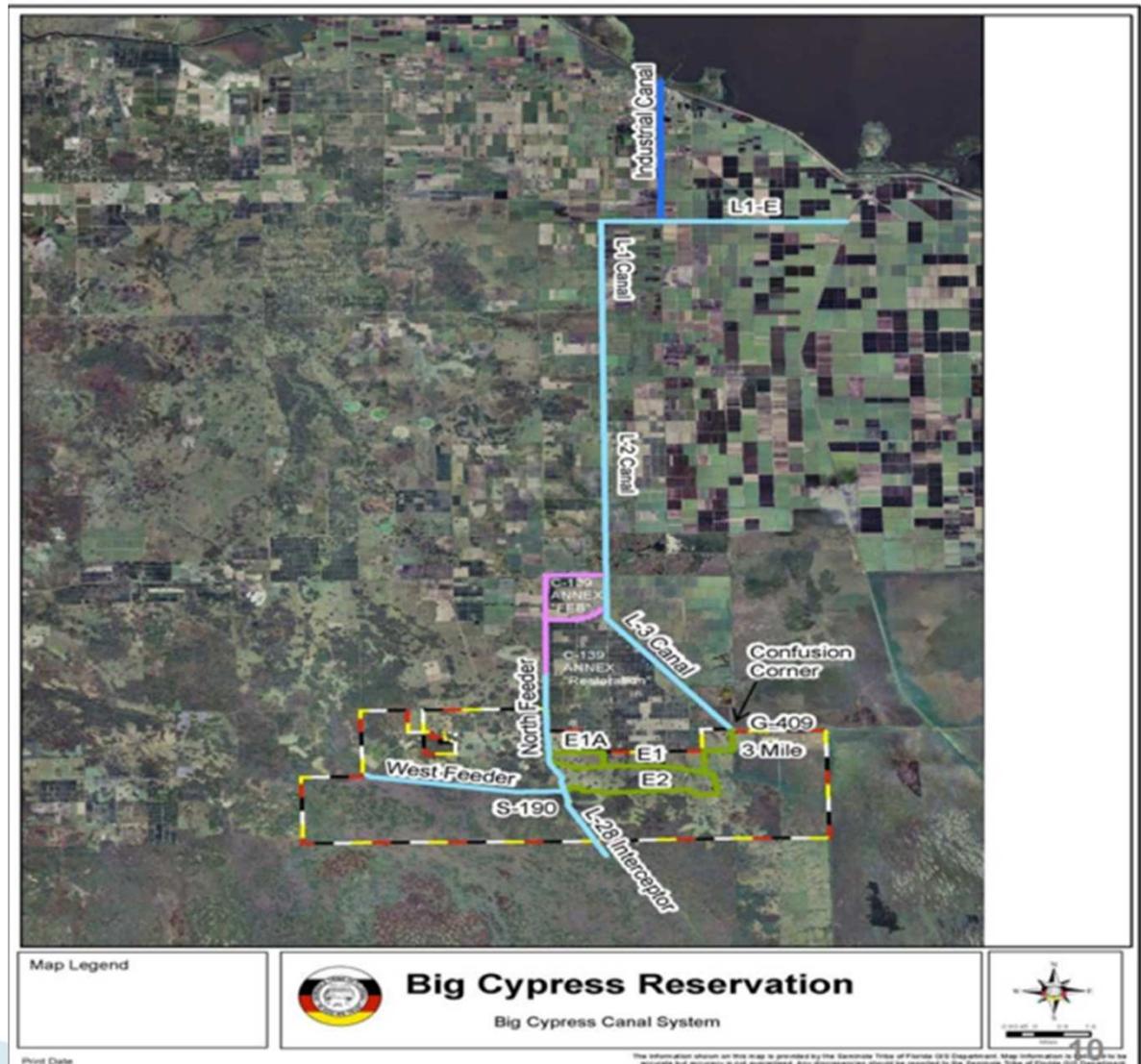


CEPP- Outside of the Red Line



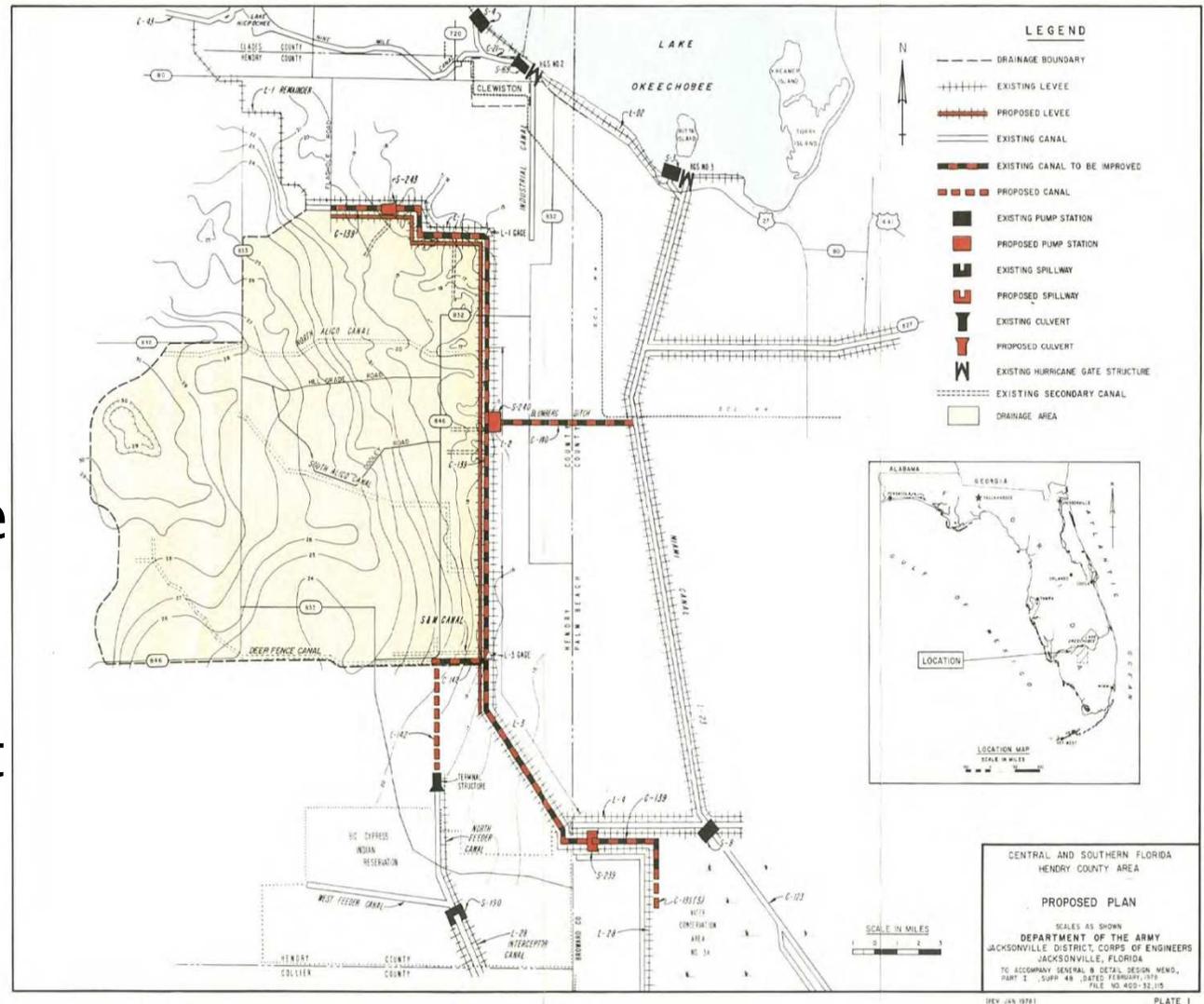
First Step Needed – Data and Plan

- ▶ Monitor and Model the Western basins and plan project to bring Lake Okeechobee water south through the western basins.



The Construction Fix

- ▶ Deliver water from Lake Okeechobee through the Western Basins of the Everglades to the Big Cypress Reservation, the Big Cypress National Preserve, and lands northwest of Big Cypress.



The Final Fix – Water Reservation

- ▶ A sufficient supply of clean water will be required to rehydrate the Big Cypress Reservation and the Big Cypress National Preserve.
- ▶ Rehydration will make the Big Cypress Critical Project work.
- ▶ Adequate water supply delivered to the Tribe will fulfill the Federal government's trust responsibility to the Seminole Tribe.



Thank you for your attention.

Questions?

