

Press Release

For Immediate Release

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**Federal Lawsuit to Stop Discharges
Wins Support from Everglades Foundation**

A federal lawsuit aimed at stopping massive discharges from Lake Okeechobee into the St. Lucie estuary has won key support from the Everglades Foundation, an environmental group that has been active for many years in efforts to restore the Everglades.

The Foundation approved \$25,000 for the suit, with a prospective additional \$25,000 to follow. Additionally, board member Paul Tudor Jones donated a supplementary sum of \$50,000 for the case now pending in the Court of Federal Claims in Washington.

"We feel this is an extremely important case that can have tremendous repercussions in forcing government to better manage Lake Okeechobee, our coastal estuaries and the Everglades," said Foundation President Bob Smith, a former U.S. senator from New Hampshire who was instrumental in drafting the original comprehensive plan for the Everglades. Smith and many others believe that significant changes are now needed to accomplish sheetflow drainage in the Lake Okeechobee watershed.

The recently filed lawsuit is based on an "historic new weapon" claiming that 22 waterfront-owning plaintiffs in the Stuart area have a constitutional riparian right to enjoy waters free of pollution. According to the action, the defendant U.S. Army Corps of Engineers, is guilty of taking this property right without compensation due to the Corps releasing vast amounts of polluted fresh water in most years from Lake Okeechoobee into the estuary.

The individual plaintiffs have formally waived any claims for personal compensation, however, because the goal is to stop the discharges, not obtain particular damages. The properties are appraised at \$50 million and other like property in Martin County alone is valued at more than \$6 billion.

"The case is on behalf of all citizens because any remedy will benefit everyone," noted Leon Abood, chair of the Rivers Coalition Defense Fund in Martin County, which filed the federal complaint.