

## **APPENDIX C – PERTINENT CORRESPONDENCE**





DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
P.O. BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO  
ATTENTION OF

Planning Division  
Environmental Branch

APR 08 2004

TO WHOM IT MAY CONCERN:

The U.S. Army Corps of Engineers (Corps), Jacksonville District, is gathering information to define issues and concerns that will be addressed regarding a proposed temporary deviation from the Regulation Schedule, Water Supply and Environment (WSE) for Lake Okeechobee, Florida.

Lake Okeechobee is located in south-central Florida, about 60 miles south of Orlando, and 40 miles northwest of Miami, within Okeechobee, Glades, Palm Beach, Martin, and Hendry Counties (Figure 1, location map). The area of interest includes a large watershed north of the lake, the lake itself, and several downstream natural ecosystems (St. Lucie Estuary, Caloosahatchee Estuary, Everglades Protection Area, Lake Worth Lagoon), as well as large agricultural and urban areas that use water from the lake. The lake receives water from the Kissimmee River and other tributaries located to the north, east and west and discharges water primarily to the west, east, and south via drainage canals that are part of the Central and South Florida Flood Control Project. The lake has multiple purposes including flood protection, navigation, water supply, recreation, and habitat for fish and wildlife.

The purpose of the proposed temporary deviation is to allow water managers to have the flexibility to make low volume releases of water from the lake when the WSE does not call for discharges to tidewater. The ability to make low level releases may reduce higher than desired lake levels and preclude or lessen higher volume regulatory discharges to the St. Lucie and Caloosahatchee Estuaries. The intent of the action is to improve the environmental performance of the WSE without impacting the other purposes of the water resource. This could provide substantial benefits for the lake's littoral zone and marsh while avoiding adverse effects to the estuaries. During implementation of this proposed temporary deviation, established indicators of water supply would be closely monitored to ensure that the process does not impact that use of the resource.

The details of this action will be included in an Environmental Assessment (EA) that will be prepared in compliance with the National Environmental Policy Act (NEPA). If the EA leads to a Finding of No Significant Impact (FONSI), the EA and FONSI will be circulated for review to concerned agencies, organizations and the interested public.

At this time, we welcome your comments specifically regarding the environmental analyses and environmental issues to consider as we prepare the EA. Letters of comment should be addressed to the letterhead address to the attention of the Planning Division, Environmental Branch, Special Projects Section, and received by this office within 30 days of the date of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "James C. Duck". The signature is stylized and cursive.

James C. Duck  
Chief, Planning Division

Enclosure







Jeb Bush  
Governor

# Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Colleen M. Castille  
Secretary

May 27, 2004

Mr. James C. Duck  
Chief, Planning Division  
U.S. Army Corps of Engineers  
Jacksonville District  
Post Office Box 4970  
Jacksonville, Florida 32232-0019

Re: Department of the Army, Corps of Engineers, Scoping Notice, Proposed Temporary Deviation from the Regulation Schedule, Water Supply and Environment (WSE) for Lake Okeechobee, Central and South Florida Flood Control Project Area, Florida

SAI: FL200404145900C

Dear Mr. Duck:

The Florida State Clearinghouse, pursuant to Executive Order 12372, Gubernatorial Executive Order 95-359, the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335, 4341-4347, as amended, has coordinated the review of the above-referenced proposed project.

The Department of Environmental Protection (DEP) supports the proposed temporary deviation from the Water Supply and Environment (WSE) regulation schedule for Lake Okeechobee; however, DEP recommends that the specific goals and objectives for managing the Lake's resources should reflect a balance of all competing needs and uses. DEP provides specific recommendations on water levels for the lake, and specific recommended releases to the estuaries. A monitoring plan is recommended for any necessary midcourse adjustments. Please refer to the enclosed DEP memorandum for further details.

The Florida Fish and Wildlife Conservation Commission (FWC) also recommends a specific range of water levels to protect the littoral zone of the lake, with specific recommendations on a range of water releases to the estuaries. Please refer to the enclosed FWC comments for further details.

The Florida Department of Transportation (FDOT) requests that the environmental assessment consider and address any impacts to downstream structures, as well as stormwater management systems having outfalls to the affected waterways. FDOT has other concerns regarding several bridges scheduled for construction over the Caloosahatchee River in the next 5 to 10 years and requests that the applicant coordinate with the District 4 office to discuss these concerns. Please see the FDOT comments in the Clearinghouse summary page for additional details.

The South Florida Regional Planning Council (SFRPC) expresses concern for the impacts the project could have on water quality, wildlife habitat and the overall ecological integrity of the region.

*"More Protection, Less Process"*

*Printed on recycled paper.*

Mr. James C. Duck  
May 27, 2004  
Page 2

Council staff recommends that impacts to the natural systems be minimized to the greatest extent feasible. The SFRPC has summarized the goals and policies from its Strategic Regional Policy Plan that apply to this project. Please see the attached comments from the SFRPC and specific recommendations for complying with regulatory requirements.

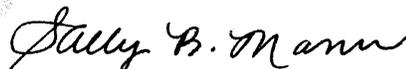
The Central Florida Regional Planning Council (CFRPC) has expressed concern for the potential project impacts to water quality, wildlife habitat, and the overall ecological integrity of the region. The CFRPC recommends that impacts to natural systems be minimized to the greatest extent feasible. Please see the CFRPC comments for additional recommendations on complying with the Council's goals and policies.

The Treasure Coast Regional Planning Council (TCRPC) indicates that the proposed temporary deviation from the Lake Okeechobee regulation schedule is not in conflict or inconsistent with its Strategic Regional Policy Plan. Please see the enclosed comments from the TCRPC.

Based on the information contained in the scoping notification and the comments provided by our reviewing agencies, as summarized above and enclosed, the state has determined that, at this stage, the above-referenced project is consistent with the Florida Coastal Management Program (FCMP). All subsequent environmental documents prepared for this project must be reviewed to determine the project's continued consistency with the FCMP. The state's continued concurrence with the project will be based, in part, on the adequate resolution of issues identified during this and subsequent reviews.

Thank you for the opportunity to review this project. If you have any questions regarding this letter, please contact Mr. Bob Hall at 850/245-2163.

Sincerely,



Sally B. Mann, Director  
Office of Intergovernmental Programs

SBM/rwh  
Enclosures

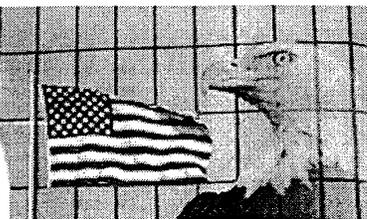
cc: Greg Knecht, MS 3560  
John Outland, MS 45  
Kim Shugar, DEP, West Palm Beach  
Herb Zebuth, DEP, West Palm Beach  
Brian Barnett, FFWCC  
John E. Hulsey, SFRPC



# Florida

Department of Environmental Protection

"More Protection, Less Process"



Categories

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Project Information	
<b>Project:</b>	FL200404145900C
<b>Comments Due:</b>	May 13, 2004
<b>Letter Due:</b>	May 28, 2004
<b>Description:</b>	DEPARTMENT OF THE ARMY, JACKSONVILLE DISTRICT CORPS OF ENGINEERS - SCOPING NOTICE - PROPOSED TEMPORARY DEVIATION FROM THE REGULATION SCHEDULE, WATER SUPPLY AND ENVIRONMENT (WSE) FOR LAKE OKEECHOBEE - CENTRAL AND SOUTH FLORIDA FLOOD CONTROL PROJECT AREA, FLORIDA.
<b>Keywords:</b>	ACOE - DEVIATION IN WSE REGULATION SCHEDULE FOR LAKE OKEECHOBEE
<b>CFDA #:</b>	12.106
Agency Comments:	
<b>CENTRAL FL RPC - CENTRAL FLORIDA REGIONAL PLANNING COUNCIL</b>	
Council staff is concerned about the project's potential impacts to water quality, wildlife habitat and the overall ecological integrity of the region. Staff recommends that the impacts to natural systems be minimized to the greatest extent feasible and that sensitive wildlife and vegetative communities be identified, protected, and mitigated as appropriate. The Strategic Regional Policy Plan goals and policies concerning the protection of Natural Resources of Regional Significance should be observed when making decisions regarding this proposal.	
<b>SW FLORIDA RPC - SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL</b>	
<b>TREASURE COAST RPC - TREASURE COAST REGIONAL PLANNING COUNCIL</b>	
The proposed temporary deviation from the Lake Okeechobee regulation schedule is not in conflict or inconsistent with the SRPP. Water quality should be closely monitored during implementation to ensure that the water releases do not negatively impact the estuaries.	
<b>SOUTH FL RPC - SOUTH FLORIDA REGIONAL PLANNING COUNCIL</b>	
Council staff is concerned about the impacts this proposal could have on the water quality, wildlife habitat and overall ecological integrity of the region. Staff recommends that impacts to natural systems be minimized to the greatest extent feasible, the extent of sensitive wildlife and vegetative communities be determined and mitigation be required for disturbed habitat. The goals and policies of the Strategic Regional Policy Plan should be observed when making decisions regarding this proposal.	
<b>ENVIRONMENTAL POLICY UNIT - OFFICE OF POLICY AND BUDGET, ENVIRONMENTAL POLICY UNIT</b>	
No Comment	
<b>COMMUNITY AFFAIRS - FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS</b>	
Released Without Comment	
<b>FISH and WILDLIFE COMMISSION - FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION</b>	
1-PAGE LETTER PLUS ENCLOSURE BY BRIAN BARNETT DATED 5/3/04.	
<b>STATE - FLORIDA DEPARTMENT OF STATE</b>	
No comment/Consistent	
<b>TRANSPORTATION - FLORIDA DEPARTMENT OF TRANSPORTATION</b>	
District One requests that the Environmental Assessment consider and address any impacts to downstream structures, as well as stormwater management systems having outfalls to the affected waterways. The district also would note that the Caloosahatchee River has been deemed a component of the Florida Strategic Intermodal System (SIS), and as such should be afforded an appropriate level of impact analyses vis-a-vis navigation, economic, and other strategic issues. District Four, headquartered in Fort Lauderdale, notes that it has several bridge construction projects scheduled for construction over the	

next 5 to 10 years. These bridges may span the St. Lucie estuary, the Everglades Protection Area, or the Lake Worth Lagoon. Most of these bridge projects require mitigation for impacts to wetlands and surface waters. District 4 is attempting to provide mitigation either within the project corridor or in the immediate vicinity of the project. Changes in salinity to the identified water bodies could change wetland systems along the waterways and have an impact on mitigation projects. Therefore, the applicant should coordinate with Mr. Pat Webster, District Permit Coordinator, at (954) 777-4344. To address environmental concerns, please contact Ms. Ann L. Broadwell, District Environmental Administrator, at (954) 777-4344. District One concerns and questions should be directed to Larry Slayback, District ICAR Coordinator, at (239) 461-4322.

**ENVIRONMENTAL PROTECTION - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DEP supports the proposed temporary deviation from the Water Supply and Environment regulation schedule for Lake Okeechobee; however, the specific goals and objectives for managing the Lake's resources should reflect a balance of all competing needs and uses. A DEP memo is attached with specific comments.

**SOUTH FLORIDA WMD - SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

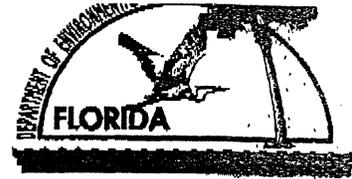
A consistency determination is not necessary. The SFWMD is a partner with the USACOE in this effort.

For more information please contact the Clearinghouse Office at:

3900 COMMONWEALTH BOULEVARD MS-47  
TALLAHASSEE, FLORIDA 32399-3000  
TELEPHONE: (850) 245-2161  
FAX: (850) 245-2190

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**Memorandum**

**TO:** Bob Hall, Florida State Clearinghouse

**THROUGH:** Greg Knecht, Administrator *ole*  
Water Quality Standards & Special Projects Program

**FROM:** Kim Shugar, Herb Zebuth, & John Outland

**DATE:** May 13, 2004

**SUBJECT:** Department of the Army, Jacksonville District Corps of Engineers, Scoping Notice, Proposed Temporary Deviation from the Regulation Schedule, Water Supply and Environment (WSE) for Lake Okeechobee, Central and South Florida Flood Control Project Area

**SAI#:** FL04-5900C

The Department has reviewed the Scoping Notice, Proposed Temporary Deviation from the Regulation Schedule, Water Supply and Environment (WSE) for Lake Okeechobee, Central and South Florida Flood Control Project Area and offers the following comments for the U.S. Army Corps of Engineers to consider when preparing the associated Environmental Assessment.

**Background**

Current operational decisions for Lake Okeechobee water levels and discharges are made in accordance with the Water Supply and Environment (WSE) Regulation Schedule adopted by the U.S. Army Corps of Engineers (Corps) and the South Florida Water Management District. When adopted, the WSE Regulation Schedule appeared to offer more flexibility in managing water levels in Lake Okeechobee. This flexibility was expected to reduce harmful high water level impacts to the lake's littoral zone, and high discharge impacts to the estuaries, while having little impact on available water supply. An important element of WSE is the operational flexibility provided in Zone D of the schedule. This zone allows the operational flexibility to lower lake water levels to reduce impacts to the lake littoral zone. It allows this excess water to be delivered to the estuaries through less harmful pulse releases and to the Everglades if conditions there allow. Another very important component of the WSE Schedule is the potential water management flexibility provided by the use of long-range weather forecasting information. This tool has the potential to allow lake water level management decisions to be made to benefit the lake's ecosystem in addition to providing flood protection and water supply.

Competing uses and conflicting demands placed on Lake Okeechobee for water supply, flood control, navigation, environmental protection, and recreation are well documented. Emphasis on maintaining lake water levels to provide drought protection for agriculture and urban areas has produced prolonged periods of high water levels in Lake Okeechobee that have caused impacts to the lake's littoral marsh and the fish and wildlife resources it supports. Ensuring protection from droughts that occur about once every ten years has resulted in great environmental damage during many of the intervening years.

There are a number of reasons that high Lake Okeechobee water levels are detrimental to the health of the lake's ecosystem. Most of the lake's marshes are below 15 feet NGVD in elevation. When water levels

rise to about 17 feet, storm generated wave action can destroy important plant communities within the marsh. To insure a healthy, diverse marsh community, the lake stage must recede below 13 feet on a fairly regular annual basis. Many of the marsh's diverse perennial plants cannot survive constant inundation. Germination of annual and perennial plant seeds is suppressed by inundation. Germination of seeds of the rapidly expanding cattail population is enhanced by inundation. Effective use of fire as a tool to reduce the abundance of the exotic pest torpedo grass and to eliminate accumulated cattail wrack is reduced under high water conditions. In addition, for successful wading bird feeding and nesting to occur, the lake stage must be receding below 15 feet during the spring.

High stages facilitate the movement of phosphorus-laden water from the turbid center of the lake to the edge of the littoral zone where light penetration is greater and algal blooms form more easily. In the competition for available phosphorus, higher stages give a decided advantage to bloom forming algae over the far more environmentally beneficial submerged aquatic plant community. Shading from turbidity and algal blooms resulting from prolonged higher stages can lead to the decline of these important submerged aquatic plant populations. Higher lake stages also allow nutrient rich water to move further into the littoral zone causing problems similar to those occurring in the Everglades.

Because of a deviation from WSE in 2000, low volume pulse releases to mimic rainfall were conducted to benefit the lake's littoral zone and submerged aquatic vegetation (SAV) community that were severely degraded by years of high lake water stages. This was the first time discharges from the lake had been made to solely benefit the lake's ecology. The lake's littoral vegetation and SAV responded favorably. The low volume releases and low rainfall conditions that followed also provided resource managers with an opportunity to control invasive exotics in the lake. A temporary deviation from WSE will again allow lake management action needed to correct mounting environmental problems.

During periods of high rainfall, maintaining higher lake stages for water supply have also resulted in the need for ecologically damaging high volume flood control discharges to both the St. Lucie and Caloosahatchee Estuaries. Discharges to the south to the WCAs have also resulted in adverse effects to native vegetation and wildlife. In order to protect the integrity of the dike and to prevent hurricane wind driven waves from overtopping it, the maximum height of water in the lake must be limited. A higher lake regulation schedule reduces the capacity of the lake to absorb higher than normal rainfall before this critical water level is reached. To protect the dike and surrounding land, mandatory flood control releases are required by the schedule. Such releases have caused drastic swings in estuarine salinity and resulted in significant harm to sea grasses, oysters and other benthic organisms, some fish species and other wildlife. Particularly in the St. Lucie Estuary, suspended organic material carried by the discharges settled to the bottom, smothering beneficial organisms.

#### **Comments**

Since its adoption, the WSE Regulation Schedule has failed to substantially reduce the problems described above and adequately provide the expected environmental benefits. The WSE's complex decision tree with its strict decision criteria has not been sufficiently flexible to allow management decisions to adequately react in response to changing or unexpected climatic conditions, or unforeseen environmental problems. It does not give adequate consideration to factors such as the previous year's lake level and condition of the littoral zone, the potential threat to the estuaries, or the cumulative effects of long-term environmental conditions.

The Department supports the Corps efforts associated with a proposed temporary deviation from the Regulation Schedule, Water Supply and Environment (WSE) for Lake Okeechobee, FL. However, the specific goals and objectives are not clearly presented. Lake Okeechobee needs to be managed in a manner that balances all of the competing needs, primarily the ecological systems, water supply, and

Mr. Bob Hall  
Page 3 of 3  
April 30, 2004

flood control. When determining the need for additional low-level releases, the water managers should consider estuarine, lake and water supply conditions. The current temporary deviation allows for an "Up to Level 1 Pulse Release". This temporary deviation has been very effective in being able to release water out of Lake Okeechobee without causing any adverse environmental impacts to the estuaries.

The Department suggests that the Corps, along with other water managers, determine the maximum release that can be utilized under this temporary deviation that will not cause significant harm to the estuaries. The Corps notice does not provide information regarding the anticipated rate of discharge to the estuaries or what lake water levels will trigger such releases. However, we suggest that lake water levels be managed to try to meet an annual hydrograph of 12.5 to 15.5 NGVD using low volume releases that mimic discharges during the annual wet season (May through October). Maximum flows should be less than 2000 cfs to the St. Lucie estuary and less than 4500 cfs to the Caloosahatchee Estuary to minimize adverse effects on estuarine ecology. These flow rates may need to be varied as local basin inflows vary. Salinity impacts to the estuaries result from a combination of lake and local basin discharges. Estuarine salinity monitoring should be implemented to allow real time adjustments to be made. To reduce the occurrence of damaging high salinity conditions in the Caloosahatchee Estuary, flows of 800 cfs in the spring and 1200 cfs in the fall are suggested for consideration.

Until construction of the projects within CERP that are intended to address lake level problems, the temporary deviation from the WSE Regulation Schedule is the best option to try to optimize the environmental benefits and reduce environmental damage achievable through adjustments to the lake regulation schedule. Increased flexibility is needed to allow water managers to release water from Lake Okeechobee when WSE does not call for releases for environmental benefits. This activity has the potential to benefit the lake's littoral zone, as well as lessen future damaging regulatory releases to the estuaries. Additionally, the WSE schedule should be flexible enough to allow for the incorporation and/or use of better tools as they become available, such as weather prediction models.

For the long term, revision of the WSE Regulation Schedule should be considered. Any revision should permanently add the needed flexibility to deal with unexpected events and adequately address environmental needs. This flexibility should be sufficient to eliminate the need for future "temporary deviation" from the WSE Regulation Schedule. It should also anticipate the completion of reservoir projects now in the planning stage and after completion, be able to take full advantage of their availability and adapt to changes in the water management system resulting from the implementation of CERP projects coming online.

If you have any questions regarding these comments, please feel free to contact Kim Shugar at (561) 681-6706.

cc: Kim Shugar (email)  
Herb Zebuth (email)  
John Outland (email)  
Jose Calas (email)  
Tim Gray (email)  
Stacey Feken (email)



# FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



RODNEY BARRETO  
Miami

SANDRA T. KAUPE  
Palm Beach

H.A. "HERKY" HUFFMAN  
Enterprise

DAVID K. MEEHAN  
St. Petersburg

JOHN D. ROOD  
Jacksonville

RICHARD A. CORBETT  
Tampa

BRIAN S. YABLONSKI  
Tallahassee

KENNETH D. HADDAD, Executive Director  
VICTOR J. HELLER, Assistant Executive Director

BRIAN S. BARNETT, INTERIM DIRECTOR  
OFFICE OF ENVIRONMENTAL SERVICES  
(850)488-6661 TDD (850)488-9542  
FAX (850)922-5679

May 3, 2004

Ms. Lauren Milligan  
Environmental Consultant  
Florida State Clearinghouse  
Florida Department of Environmental Protection  
3900 Commonwealth Boulevard, Mail Station 47  
Tallahassee, FL 32399-3000

RECEIVED

MAY 05 2004

OIP/OLGA

Re: SAI #FL200404145900C, Department of the Army, Jacksonville District Corps of Engineers – Scoping Notice – Proposed Temporary Deviation from the Regulation Schedule, Water Supply and Environment (WSE) for Lake Okeechobee – Central and South Florida Flood Control Project Area

Dear Ms. Milligan:

The Office of Environmental Services of the Florida Fish and Wildlife Conservation Commission provided comments on this project directly to Mr. James C. Duck of the U.S. Army Corps of Engineers in a letter (enclosed) dated May 3, 2004.

Sincerely,

Handwritten signature of Brian S. Barnett in black ink.

Brian S. Barnett, Interim Director  
Office of Environmental Services

bsb/tgw  
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ENV 1-3-2  
Enclosure



# FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



RODNEY BARRETO  
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KENNETH D. HADDAD, Executive Director  
VICTOR J. HELLER, Assistant Executive Director

May 3, 2004

BRIAN S. BARNETT, INTERIM DIRECTOR  
OFFICE OF ENVIRONMENTAL SERVICES  
(850)488-6661 TDD (850)488-9542  
FAX (850)922-5679

Mr. James C. Duck, Chief  
Planning Division  
Environmental Branch, Special Projects Section  
U.S. Army Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232-0019

Re: Temporary deviation from the  
Regulation Schedule, Water Supply and  
Environmental for Lake Okeechobee,  
Florida

Dear Mr. Duck:

The Office of Environmental Services of the Florida Fish and Wildlife Conservation Commission (FWC) has received your letter asking to define issues and concerns regarding a proposed temporary deviation from the Regulation Schedule, Water Supply and Environmental (WSE) for Lake Okeechobee, Florida. The temporary deviation is designed to give water managers greater flexibility to make low volume releases of water from the lake when the WSE does not call for discharges to tidewater. We have conferred with FWC's Division of Freshwater Fisheries and Florida Marine Research Institute in outlining our concerns.

## Issues and Recommendations

### FWC previously issued recommendations for Lake Okeechobee operations

The FWC recommended that lake levels be managed between 12.0 ft. and 15.5 ft. National Geodetic Vertical Datum. The lake should experience both the minimum and maximum stage within the specified range every three years. Discharge events greater than 2,000 cubic feet per second (cfs) to the St. Lucie estuary and 4,500 cfs to the Caloosahatchee estuary should be avoided to minimize adverse effects on estuarine ecology. Additionally, the Caloosahatchee estuary needs minimum flows of 800 cfs during the spring and 1,200 cfs during the fall to maintain the optimum salinity regime for submerged aquatic vegetation.

### Increased flexibility for water managers

Greater flexibility may allow water managers to keep the stages of Lake Okeechobee closer to the bottom of Zone D of the WSE regulation schedule. The lake being operated at the bottom of Zone D would be close to the lake levels that FWC has previously recommended for the benefit

Mr. James C. Duck

Page 2

May 3, 2004

of fish, wildlife, and aquatic habitats in the lake. Additionally, this greater flexibility may result in less frequent extreme high lake levels similar to those that Lake Okeechobee has experienced in recent years.

Releases of water should not negatively impact downstream habitats

Releases of water will have to be evaluated to ensure that they do not negatively impact downstream environments such as the Water Conservation Areas and the St. Lucie and Caloosahatchee estuaries.

Long-term impact of continuous low-level releases is hard to predict

The impacts of receiving continuous water releases to the St. Lucie estuary during the dry season are difficult to predict. Continuous water releases may impact species that rely on having higher salinities in specific areas of the estuary during the dry season. Persistent low salinity in areas of the estuary may impact species such as the oyster (*Crassostrea virginica*) and the spot (*Leostomus xanthurus*) that utilize those areas.

Low volume releases may help avoid emergency releases to the estuaries

Low volume water releases during dry conditions, when the schedule does not call for them, may help avoid the large-scale "emergency" releases during the wet season that have occurred in the past. These large-scale water releases cause substantial damage to the ecology of the estuarine systems.

In conclusion, we believe that the proposed temporary deviation from the WSE Regulation Schedule could result in substantial benefits for the fish, wildlife, and aquatic plants of Lake Okeechobee. As long as the water releases do not cause negative impacts to downstream environments, we believe that the deviation is a positive step until the WSE can be modified. Questions regarding our concerns and recommendations can be directed to Mr. Chris Harnden at the Everglades Protection and Restoration office in Vero Beach at (772) 778-5094. We will continue to provide comments to the Corps of Engineers and the South Florida Water Management District on issues concerning the operations of Lake Okeechobee.

Sincerely,



Brian S. Barnett, Interim Director  
Office of Environmental Services

bsb/ch

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ENV 2-16/10/2

CC: Ms. Tiffany Taylor, USACOE, Jacksonville  
Ms. Susan Gray, SFWMD, West Palm Beach  
Mr. Charles E. Collins, Regional Director, FWC, West Palm Beach

South  
Florida  
Regional  
Planning  
Council



May 4, 2004

Ms. Lauren Milligan  
Florida State Clearinghouse  
Department of Environmental Protection  
3900 Commonwealth Boulevard, Mail Station 47  
Tallahassee, Florida 32399-3000

RECEIVED

MAY 07 2004

OIP/OLGA

RE: SFRPC #04-0450, SAI #FL200404145900C - Review and comments related to a temporary deviation from the Regulation Schedule, Water Supply and Environment (WSE) for Lake Okeechobee, U. S. Army Corps of Engineers, All Counties.

Dear Ms. Milligan:

We have reviewed the proposal referenced above and have the following comments:

- Council staff is concerned about the impacts this proposal could have on the water quality, wildlife habitat and the overall ecological integrity of the region. Staff recommends that, if this proposal goes forward, 1) impacts to the natural systems be minimized to the greatest extent feasible and 2) the extent of sensitive wildlife and vegetative communities in the vicinity of the project is determined and protection and or mitigation of disturbed habitat is required. This will assist in reducing the cumulative impacts to native plants and animals, wetlands and deep-water habitat and fisheries that the goals and policies of the *Strategic Regional Policy Plan for South Florida (SRPP)* seek to protect.
- The proposal may negatively impact the Water Conservation Areas and Everglades National Park, natural resources of regional significance as designated in the *SRPP*. The goals and policies of the *SRPP*, in particular those indicated below, should be observed when making decisions regarding this proposal.

#### Strategic Regional Goal

- 3.2 Develop a more efficient and sustainable allocation of the water resources of the region.

#### Regional Policies

- 3.2.6 When reviewing proposed projects and through the implementation of the *SRPP*, discourage water management and proposed development projects that alter the natural wet and dry cycles of Natural Resources of Regional Significance or suitable adjacent buffer areas or cause functional disruption of wetlands or aquifer recharge areas.
- 3.2.7 Identify the natural system water needs for the Natural Resources of Regional Significance and suitable adjacent natural buffer areas by requiring ecological studies of these areas associated with proposed projects. Incorporate the results of the studies into the natural system management plan for the region on an annual basis.

- 3.2.8 When potential impacts to water resources is proposed, require an inventory of water quality data associated with the resource in question. Utilize the database to consolidate and construct a regional data set for the Natural Resources of Regional Significance and suitable adjacent buffer areas.
- 3.2.9 Require all inappropriate inputs into Natural Resources of Regional Significance to be eliminated through such means as; redirection of offending outfalls, suitable treatment improvements or retrofitting options.
- 3.2.10 The discharge of freshwater to Natural Resources of Regional Significance and suitable adjacent natural buffer areas shall be designed to imitate the natural discharges in quality and quantity as well as in spatial and temporal distribution.
- 3.2.11 Existing stormwater outfalls that do not meet or improve upon existing water quality or quantity criteria or standard, or cause negative impacts to Natural Resources of Regional Significance or suitable adjacent natural buffer areas shall be modified to meet or exceed the existing water quality or quantity criteria or standard. The modification shall be the responsibility of the outfall operator, permittee or applicant.
- 3.2.12 Conduct annual ecological evaluations of the identified water resource Natural Resources of Regional Significance and their direct tributaries. These evaluations must include collection and analysis of data on the water and sediment quality as well as biomonitoring. The ecological evaluations shall be made available to local governments, state agencies and water management entities.
- 3.2.15 Utilize water quality data to generate anti-degradation criteria for the identified water resource Natural Resources of Regional Significance and their direct tributaries.
- 3.2.16 Require new inputs into Natural Resources of Regional Significance and their direct tributaries to meet the anti-degradation criteria.

### **Strategic Regional Goal**

- 3.9 Restore and protect the ecological values and functions of the Everglades System

### **Regional Policies**

- 3.9.4 Restore natural volume, timing, quality and distribution of water to the Everglades, Florida Bay, Biscayne Bay, other eastern estuaries, and the Atlantic Ocean by:
  - a) supporting structural and operational modifications to the Central and Southern Flood Control Project and recommended by the US Army Corps of Engineers C&SF Feasibility Study;
  - b) supporting implementation of East Coast Buffer Plan; and
  - c) supporting a water supply plan that meets the needs of the natural system.

Ms. Lauren Milligan

May 4, 2004

Page 3

- 3.9.5 Conserve water entering the Everglades system and increase the self-sufficiency of urban and agricultural water supplies by:
- a) creating water storage areas near or within urban areas;
  - b) promoting increased efficiency of water use in agriculture, business uses and residential use; and
  - c) promoting the development of alternative water supply sources.
- 3.9.6 Restore water quality throughout the system by:
- a) requiring stormwater treatment and storage areas for existing and newly developed areas and agricultural lands; and
  - b) protecting existing wetlands, native uplands and identified aquifer recharge areas.
- 3.9.7 Include the Everglades system in the ecological studies so that the successes of restoration may be expanded and included in adaptive management of the system.

Thank you for the opportunity to comment. We would appreciate being kept informed on the progress of this project. Please do not hesitate to call if you have any questions or comments.

Sincerely,



John E. Hulsey AICP  
Senior Planner

JEH/kal

cc: Dr. Susan Markley, Miami-Dade County DERM  
Elliot Auerhahn, Broward County DPEP  
Timothy McGarry, Monroe County Growth Management





MASON

FLORIDA DEPARTMENT OF STATE  
**Glenda E. Hood**  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

Mr. James C. Duck  
Jacksonville District Corps of Engineers  
Planning Division, Environmental Branch  
P.O. Box 4970  
Jacksonville, Florida 32232-0019

May 21, 2004

RE: DHR No: 2004-4242  
Date Received: April 19, 2004  
Bal Harbour Shoreline Improvement,  
Removal & Replacement of Five Existing  
Groins  
Bal Harbour, Dade County, Florida

DHR File No.: 2004-4268  
Date Received: April 12, 2004  
Temporary Deviation from Regulation  
Schedule, Water Supply & Environment  
(WSE) for Lake Okeechobee  
Okeechobee County, Florida

Dear Mr. Duck:

Our office received and reviewed the above referenced projects in accordance with Section 106 of the *National Historic Preservation Act* of 1966, as amended, and 36 *C.F.R.*, Part 800: *Protection of Historic Properties*. The State Historic Preservation Officer is to advise and assist federal agencies when identifying historic properties (archaeological, architectural, and historical) listed, or eligible for listing, in the *National Register of Historic Places*, assessing the project's effects, and considering alternatives to avoid or minimize effects.

Our review of the Florida Master Site File indicates that no significant archaeological or historical resources are recorded within the project areas. Furthermore, because of the location and/or nature of the projects it is unlikely that any such sites will be affected.

If there are any questions concerning our comments, please contact Janice Maddox, Historic Sites Specialist, by electronic mail at [jmaddox@dos.state.fl.us](mailto:jmaddox@dos.state.fl.us), or by telephone at 850/245-6333. Thank you for your interest in protecting Florida's historic properties.

Sincerely,

*Laura R. Kammerer, Supervisor*

*for*

Frederick Gaske, Acting Director, and  
Deputy State Historic Preservation Officer

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

Director's Office  
(850) 245-6300 • FAX: 245-6435

Archaeological Research  
(850) 245-6444 • FAX: 245-6436

Historic Preservation  
(850) 245-6333 • FAX: 245-6437

Historical Museums  
(850) 245-6400 • FAX: 245-6433

Palm Beach Regional Office  
(561) 279-1475 • FAX: 279-1476

St. Augustine Regional Office  
(904) 825-5045 • FAX: 825-5044

Tampa Regional Office  
(813) 272-3843 • FAX: 272-2340





## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

---

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574  
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • [www.sfwmd.gov](http://www.sfwmd.gov)

June 1, 2004

Mr. James C. Duck  
Chief, Planning Division  
Environmental Branch  
Department of the Army  
Jacksonville District Corps of Engineers  
P.O. Box 4970  
Jacksonville, FL 32232-0019

Dear Mr. Duck:

This is a response to the U.S. Army Corps of Engineers' (Corps) scoping letter, dated April 8, 2004, regarding a proposed temporary deviation from the Water Supply and Environment (WSE) Regulation Schedule for Lake Okeechobee. As local sponsor of the C&SF Project, the South Florida Water Management District (District) fully supports the Corps proposal to add increased flexibility to Lake Okeechobee operations. This year we witnessed great benefits to the Lake's littoral zone and the flora and fauna of the Caloosahatchee and St. Lucie Estuaries due to sound adaptive management of the Lake. The District and Corps staff have discussed in some detail various mechanisms for providing even further flexibility in the regulation schedule, in order to achieve further benefits for the environment while not impacting other project purposes.

Specifically, the District supports the concept of low volume releases (Level I pulse or below) to the estuaries when the Lake regulation schedule does not specifically require those releases, but when sound scientific information indicates that they will benefit the Lake and/or estuaries and not impact water supply. The District supports the concept of partial pulses or lower volume releases at times that are critical to estuary ecology, and the concept of releases of differing volumes to the two estuaries, based on current and accurate information about their environmental conditions, and as specified in the Adaptive Protocols for Lake Okeechobee Operations.

The District looks forward to further execution of this and other pro-active adaptive management strategies in the proposed temporary deviation and expects that the same high-quality technical information that guided the 2003-04 operation will be used for this new effort. That strategy included input from scientists and engineers regarding climate outlook, oyster spawning, estuary vegetation, littoral zone health, and water supply risk. The District will continue to work with the Corps to provide the technical expertise to facilitate that process, and also will support the Environmental Assessment (EA) process, as needed, by providing regional hydrologic model output and evaluation for alternatives analysis.

---

### GOVERNING BOARD

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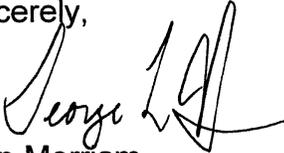
### EXECUTIVE OFFICE

Henry Dean, *Executive Director*

Mr. James C. Duck  
June 1, 2004  
Page 2

We look forward to working with the Corps on this important project.

Sincerely,



Chip Merriam  
Deputy Executive Director  
Water Resources  
South Florida Water Management District

CM/sg

c: Henry Dean, SFWMD  
George Horne, SFWMD  
Alvin Jackson, SFWMD  
Pam Mac'Kie, SFWMD  
Carol Wehle, SFWMD  
Sheryl Wood, SFWMD

Down - Action

MASON  
(MUM)  
5/21/04

May 18, 2004

Mr. James C. Duck  
Chief, Planning Division  
Dept. of the Army  
Jacksonville District Corps of Engineers  
P.O. Box 4970  
Jacksonville, FL 32232-0019

RE: Lake Okeechobee, WSE, temporary deviation

Dear Mr. Duck:

A lower lake level is beneficial to the Lake and St. Lucie and Caloosahatchee estuaries.

Synchronized management of the Upper Chain of Lakes and Kissimmee River with Okeechobee lake levels could significantly improve the performance of the WSE system. Historically, we have found the actual Lake level to track the upper end of the chart with no apparent appreciation that the performance chart also allows for acceptable lower levels.

In addition to the environmental benefits, lower lake levels were not shown to be harmful to water supply for agriculture nor municipalities nor to navigational interest.

Continued lowered lake levels is requested.

Sincerely



Ed Fielding  
103 SW Linden St.  
Stuart, FL 34997-6332  
(772) 286 6131





**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Southeast Regional Office  
9721 Executive Center Drive North  
St. Petersburg, Florida 33702-2432

May 6, 2004

Mr. James Duck, Chief  
Planning Division, Environmental Branch  
South Florida Section  
Jacksonville District  
Department of the Army, Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232-0019

Dear Mr. Duck:

The National Marine Fisheries Service (NOAA Fisheries) has reviewed the Notice of Intent (NOI) to prepare an environmental assessment (EA) for the proposed temporary deviation from the Regulation Schedule, Water Supply and Environment (WSE) for Lake Okeechobee. Lake Okeechobee is located within Okeechobee, Glades, Palm Beach, Martin, and Hendry Counties, Florida. According to the NOI, the purpose of the temporary deviation is to allow water managers to have the flexibility to make low volume releases of water from the lake when the WSE does not call for discharges to tidewater. The ability to make low level releases may reduce higher than desired lake levels and preclude or lessen higher volume regulatory discharges into the St. Lucie and Caloosahatchee estuaries.

According to the NOI, the area of interest includes the large watershed located to the north of Lake Okeechobee, the lake itself, and several downstream estuaries, including the St. Lucie and Caloosahatchee estuaries, the Everglades Protection Area, and the Lake Worth Lagoon. Several of these estuaries support living marine resources, including essential fish habitat (EFH). Based on our preliminary review of the NOI, it appears that the proposed low volume releases would be preferable to higher volume regulatory discharges in terms of both short-term and long-term impacts on living marine resources in downstream estuaries.

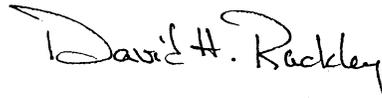
In connection with our review of the planned EA, NOAA Fisheries will need to be informed of both direct and indirect impacts to living marine resources. Therefore, we recommend that the EA include an evaluation of potential impacts to living marine resources including, but not limited to, mangroves, seagrasses, live bottom communities, and the marine/estuarine water column. The evaluation may include anticipated benefits to these resources as well as any potential detrimental impacts (both short-term and long-term) the project may have on these resources. If significant detrimental impacts to living marine resources are anticipated, then mitigation must be provided.



If the proposed action might adversely impact EFH or other living marine resources, those impacts and any related mitigation should be fully described in the environmental impact statement or assessment for the project. Requirements concerning EFH coordination and management are contained in the Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (P.L. 104-267). The regulations for implementing coordination are found at 50 CFR 600.920. EFH is defined as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity." If there are foreseeable direct and/or indirect impacts to EFH associated with the proposed project, an EFH assessment should be prepared. The EFH assessment must include 1) a description of the proposed action; 2) an analysis of anticipated direct, indirect, and cumulative impacts of the proposed action on EFH, federally managed species, and associated species by life history state; and 3) the federal agency's views regarding the effects of the proposed project on EFH.

We appreciate the opportunity to provide these comments. Related correspondence should be addressed to the attention of Audra Livergood at our Miami Office. She may be reached at 11420 North Kendall Drive, Suite #103, Miami, Florida 33176, or by telephone at (786) 263-0028.

Sincerely,



 Miles M. Croom  
Assistant Regional Administrator  
Habitat Conservation Division

cc:

EPA, West Palm (Attn. Ron Miedema)  
SFWMD, West Palm (Attn. Ron Peekstock)  
F/SER4, Mark Sramek  
F/SER45, Livergood



SERVE • CONSERVE

MIAMI-DADE WATER AND SEWER DEPARTMENT

P.O. Box 330316, Miami, Florida 33233-0316 • 3071 S.W. 38 Ave, Miami, Florida 33146 • Tel: 305-665-7471

May 5, 2004

Mr. James C. Duck  
Chief, Planning Division  
Environmental Branch  
Department of the Army  
Jacksonville District Corps of Engineers  
P.O. Box 4970  
Jacksonville, Fl 32232-0019

***RE: Comments on the proposed temporary deviation from the Regulation Schedule, Water Supply and Environment (WSE) for Lake Okeechobee.***

Dear Mr. Duck:

The Miami-Dade Water and Sewer Department (MDWASD) appreciates the opportunity to provide comments on the proposed temporary deviation from the regulation schedule for Lake Okeechobee. The MDWASD recognizes the difficult task the Army Corps of Engineers (ACOE) and the South Florida Water Management District (SFWMD) have of maintaining the delicate balance of Lake Okeechobee to promote a healthy environment while maintaining an adequate amount of water to prevent salt intrusion and meet water supply needs.

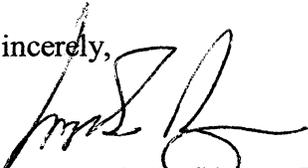
The MDWASD respectfully requests that the ACOE extend the comment period so that the SFWMD can complete the necessary modeling to determine the possible effects of this proposed temporary deviation from the schedule. Once the modeling is complete, the different stakeholders and agencies can have a better understanding of what the temporary deviation will have on the entire system. The modeling may also show an alternative method for operating the Lake Okeechobee, which could provide more environmental protection and water supply assurances. An extension of the comment period would also allow the ACOE to hold a workshop in order to further explain the temporary deviation from the WSE schedule and its effects on the environment and water supply.

Until the MDWASD has the opportunity to review the Environmental Assessment (EA), the MDWASD can only provide general comments and concerns about the operation of Lake Okeechobee. MDWASD is pleased with the positive environmental results that the current deviation from the WSE schedule has had this past year. By allowing for early releases from Lake Okeechobee, the ecosystems of the Caloosahatchee and St. Lucie River estuaries have not been stressed by the larger releases that were done in the past. However, MDWASD is concerned that the earlier releases and subsequent lower Lake Okeechobee level could create an unnecessary water shortage situation. Any discharge decisions made need to ensure that there will be enough water in storage to release flows to the Miami-Dade County during the dry season.

As long as the release of water do not lower the Lake Okeechobee stages below the gravitationally available storage to levels that would hinder the ability to convey Lake Okeechobee water down the Miami Canal to recharge the coastal wellfields during the dry season and maintain coastal canal levels at the stages required to prevent inland movement of the salt front, MDWASD considers that, the overall idea of the temporary deviation from the WSE schedule, would be environmentally desired. The main concern at this time is that the regulatory schedule for Lake Okeechobee and the Conservation Areas be maintained at the stages needed to insure wellfield safety.

The MDWASD will be pleased to contribute to the development of the EA report and to review the report when it is produced. Thank you for the opportunity to provide comments. Should you have any questions, please feel free to contact me at (786) 552-8102 or Ms. Bertha Goldenberg, P.E. at (786) 552-8120.

Sincerely,



Mr. Jorge S. Rodriguez, P.E.  
Assistant Director- Water  
Miami-Dade Water and Sewer Department

Cc: Carlos Espinosa, DERM

2252 SW 22<sup>nd</sup> Circle  
April 19, 2004

Attn: Planning Division, Environmental Branch  
Special Projects Section  
Department of the Army  
Jacksonville District Corps of Engineers  
P. O. Box 4970  
Jacksonville, Florida 32232-0019

Re: Deviation from WSE Schedule in managing Lake Okeechobee levels

Dear Mr. Duck:

I feel that a deviation allowed from WSE schedule is extremely helpful for the health of the lake as has been shown for the last several months. I am on the lake several times a week and have seen drastic improvement in its plant life since the low volume releases began when the deviation started earlier in the year.

It seems wise to me to allow reason to prevail, with the decision being made jointly between SFWMD and the Corps, rather than being tied to a complex set of decision boxes and forecasts programmed into a computer. WSE was sold to many of us on the basis of its flexibility and with the idea of keeping the lake between 13.5 and 15.5 feet. If it takes reasonable people in addition to WSE is this so bad?

Thanks for the opportunity to comment.



Carroll Head, Member  
SFWMD Water Resources Advisory Commission



SEMINOLE TRIBE OF FLORIDA

CRAIG D. TEPPER  
Director

6300 STIRLING ROAD  
HOLLYWOOD, FLORIDA  
33024  
PHONE (954) 967-3402  
FAX (954) 967-3501

WEBSITE:  
<http://www.seminoletribe.com>



*J. M. W.*  
*11 May 04*

**Tribal Officers:**

**MITCHELL CYPRESS**  
Chairman

**MOSES B. OSCEOLA**  
Vice Chairman

**PRISCILLA D. SAYEN**  
Secretary

**MICHEAL D. TIGER**  
Treasurer

**WATER RESOURCE MANAGEMENT**

May 5, 2004

James C. Duck  
Chief, Planning Division  
Environmental Branch, Special Projects Section  
Department of the Army  
Jacksonville District Corps of Engineers  
P.O. Box 4970  
Jacksonville, FL 32232

**RE: Proposed Temporary Deviations from the Lake Okeechobee  
Regulation Schedule**

Dear Mr. Duck:

On behalf of the Seminole Tribe of Florida, I have reviewed your scoping letter dated April 8, 2004 regarding the proposed temporary deviation from the Water Supply and Environment (WSE) Regulation Schedule for Lake Okeechobee, and have identified several concerns that the Seminole Tribe has with the proposed activity. However, the Seminole Tribe suggests that a more appropriate and meaningful method by which to obtain stakeholder concerns regarding this effort would be for the US Army Corps of Engineers (Corps) to conduct a workshop with the public before any further action is taken. In the event that such a workshop cannot be scheduled, please review the Seminole Tribe's comments regarding the proposed temporary deviation provided below.

Pursuant to the *Agreement Between the South Florida Water Management District and the Seminole Tribe of Florida Providing for Water Quality, Water Supply and Flood Control Plan for the Big Cypress Seminole Indian Reservation and the Brighton Seminole Indian Reservation, Implementing Sections V.C. and VI.D. of the Water Rights Compact (Agreement)*, the Tribe depends on Lake Okeechobee as its primary source of water supply for its Big Cypress Reservation, and as its backup source for its Brighton Reservation when Lake Istokpoga is in declared drought or water shortage conditions. This Agreement provides for certain assurances that the State, acting through the South Florida Water Management District (SFWMD), must provide to the Tribe regarding its water supply entitlement, as articulated therein. And, *as this Agreement "[has] the force and effect of Federal law for the purposes of enforcement" (See 25 USC 1772e)*, the Seminole Tribe understands that the Federal government, in this instance acting

May 5, 2004

Page 2

through the Corps, will not take any action that will cause the local sponsor of its Central & Southern Florida Flood Control Project, the SFWMD, to operate this system in contravention of this Agreement. To that end, the Seminole Tribe requests that the Corps address the following concerns regarding the proposed temporary deviation from the WSE Regulation Schedule:

- (1) Your letter states that “the proposed temporary deviation is to allow water managers to have the flexibility to make low volume releases of water from the lake when the WSE does not call for discharges to tidewater.” Please clarify how long the “temporary” deviations from the WSE Schedule are anticipated to occur, and whether such deviations will be of a duration to have the effect of lowering the overall level of Lake Okeechobee by one (1) foot or greater. If the proposed deviations are expected to result in an overall decrease in the level of Lake Okeechobee, the Seminole Tribe requests that a detailed analysis be conducted to ensure that this decrease will not cause adverse impacts to the Tribe’s water supply entitlement, pursuant to the Agreement.
- (2) Your letter states that “[d]uring the implementation of this proposed temporary deviation, established indicators of water supply would be closely monitored to ensure that the process does not impact that use of the resource.” As it is unclear whether the ability of the Tribe to obtain its water supply entitlement amount will serve as an indicator, please identify the established indicators to which your letter refers, and how these indicators will be used to ensure that the Seminole Tribe’s water supply entitlement is not impacted as a result of the temporary deviations from the WSE Schedule.

Similarly, the Seminole Tribe requests that separate detailed analyses be conducted for the Brighton and Big Cypress Reservations to evaluate whether the temporary deviations from the WSE Schedule will increase the percentage of times when water supply demands will not be met for these respective Reservations in times of drought and water shortage. The Seminole Tribe understands that any such diminished ability of the Tribe to obtain its entitlement amount due to changes in the WSE Schedule must be mitigated for pursuant to Section D.4 of the Agreement.

- (3) The Seminole Tribe requests that if the detailed analysis above indicates that adverse impacts to the Tribe’s water supply entitlement, existing flood protection, or an increase in the demands-not-met percentage for water supply during conditions of water shortage or drought is expected to occur, that the State and Federal government will coordinate with the Tribe and move forward with the implementation of necessary mitigation measures, such as (1) efforts to improve conveyance, (2) exotic species management, (3) efforts to ensure the integrity of conveyance structures, (4) installation of additional pump stations to ensure water deliveries at lower lake stages, (5) and any other mitigation measures that will ensure that compliance with the terms of this Agreement, are achieved.

May 5, 2004

Page 3

- (4) The Brighton Seminole Indian Reservation is supplied with water from Lake Okeechobee by the G-207 and G-208 pump stations at the S-71 and S-72 structures, located on the C-41 and C-40 canals, respectively. Pursuant to the Agreement, the State, acting through the SFWMD, is required to maintain optimum canal levels in the C-40 and C-41 canals to sustain the delivery of the surface water entitlement to these Tribal pump stations. In addition, the Agreement states that "a sufficient volume of water from Lake Okeechobee shall be reserved and set aside in order to satisfy the District's obligations . . . and shall not be available for other users of water." The Seminole Tribe requests clarification as to how these requirements will be met during the proposed temporary deviation from the WSE Schedule in accordance with the *Agreement Between the South Florida Water Management District and the Seminole Tribe of Florida and Water Supply Plan for the Brighton Reservation Implementing Section VI.B. of the Water Rights Compact and Subparagraph 3.3.3.2.A.3 of the Criteria Manual (Agreement No. C-4121)*.
- (5) In a like manner, the Seminole Tribe requests clarification on how optimum levels of the Miami Canal will be maintained in order to deliver surface water supply to the G-404 and G-409 pumps, which supply water the Big Cypress Seminole Indian Reservation, during the proposed temporary deviation from the WSE Schedule.

The Seminole Tribe remains supportive of State and Federal efforts to operate Lake Okeechobee for the benefit of all users and the environment. In addition, the Seminole Tribe understands that it shares adversity with other users during drought and water shortage conditions; however, these comments are submitted to ensure that the proposed temporary deviation from the WSE Schedule does not achieve its benefits to the environment at the expense of the Tribe's water supply entitlement pursuant to the Agreement. Please contact me at (954) 967-3402 if you have any questions or wish to discuss these issues in further detail.

Sincerely,

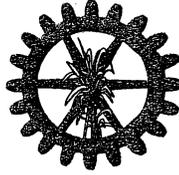


Craig D. Tepper  
Director - Water Resource Management Department

- c: Henry Dean, Executive Director, South Florida Water Management District  
Stacy Myers, South Florida Water Management District  
Susan Gray, South Florida Water Management  
Colonel Robert Carpenter, U.S Army Corps of Engineers  
Dennis Duke, U.S Army Corps of Engineers  
Beth Carlson Lewis, U.S Army Corps of Engineers  
Jim Shore, General Counsel, Seminole Tribe of Florida  
Stephen Walker, Esquire, Lewis, Longman & Walker, P.A.  
Ken Dodge, Esquire, Lewis, Longman & Walker



**Sugar Cane Growers Cooperative of Florida**



POST OFFICE BOX 666

BELLE GLADE, FLORIDA

33430-0666

May 3, 2004

Mr. James C. Duck  
Chief of Planning Division  
Jacksonville District  
U.S. Army Corps of Engineers  
P.O. Box 4970  
Jacksonville, FL 32232-0019

Subject: Lake Okeechobee Regulation Schedule

Dear Mr. Duck:

This is in response to your letter of April 8, 2004 regarding the regulation schedule for Lake Okeechobee. Sugar Cane Growers Cooperative of Florida is a grower-owned organization with 75,000 acres of irrigated agricultural land that depends on Lake Okeechobee for supplemental water supply. Many of our members' families were farming in this area prior to the construction of the Herbert Hoover Dike by the Corps in the 1930s. We value the Lake a critical environmental, recreational and economic asset whose multiple uses continue to supply essential benefits to south Florida.

Since your letter does not explain what you plan to do, or what you mean by "temporary" our comments will be limited. In general, we support the existing regulation schedule and are not comfortable with changes to the rules without a full economic and environmental evaluation. We did not oppose the temporary deviation that was used this year because the proposed operations were well documented, and the limited duration of the deviation reduced the risk of unintended consequences. We cannot support the indefinite extension of these operations or the approval of a new set of "temporary" rules until we have seen the supporting evidence.

Please keep us informed as you go through this process and make sure we are included on the distribution of any documents on this subject. We are very interested in the outcome of your environmental analysis and request

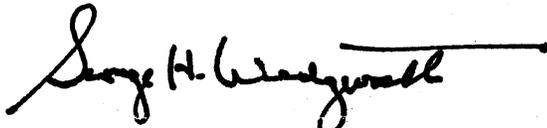
Mr. James C. Duck  
Army Corps of Engineers

May 3, 2004  
Page 2

that your schedule includes sufficient time for affected interests to thoroughly review and comment on the draft Environmental Assessment when it is made available to the public.

Thank you for considering these comments.

Sincerely,

A handwritten signature in black ink, reading "George H. Wedgworth". The signature is written in a cursive style and is followed by a horizontal line that extends to the right.

George H. Wedgworth  
President

GHW:swd  
G:\Shelley\2004\GHWSGCG-LO deviation scoping letter response.doc

cc: Col. Robert Carpenter

17 April 2004

DEAR SIR

I AM FOR THESE RELEASES, AS LONG AS, IT DOES NOT CAUSE US TO HAVE A WATER SORT FALL, THIS SUMMER COMING UP SOON. WHILE I AM AT IT CAN YOU SEND ME FIGURE 1 LOCATION MAP, NOT SOME COPY LIKE HERE, IN THE LETTER, BUT ONE WITH COLOR IN IT. WHAT EVER HAPPENED TO THE T.M.D'S FOR LAKE OKEECHOBEE 40PPB AND 140 METRIC TONS.

WHILE I AM ALSO WRITING TO YOU, I DO NOT PUT MUCH FAITH IN THE 2015 DEAD LINE FOR WATER QUALITY. I LIVE <sup>4485</sup> ON RIND CANAL, HAVE WATER IN MY BACK YARD. I DO NOT SEE ANY IMPROVEMENT IN WATER QUALITY, TO LAKE OKEECHOBEE, I ALSO SEE SOME ALGIE BLOOM IN WATER COLUMN.

Robert M Norton  
ECOSYSTEM WATER  
LAKE OKEECHOBEE



LANDERS & PARSONS, P.A.

ATTORNEYS AT LAW

DAVID S. DEE  
WILLIAM L. HYDE  
RONALD A. LABASKY  
JOSEPH W. LANDERS, JR.  
JOHN T. LAVIA, III  
FRED A. McCORMACK  
PHILIP S. PARSONS  
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TELECOPY (850) 224-5595  
www.landersondparsons.com

May 4, 2004

James C. Duck, Chief of Planning Division  
U.S. Army Corps of Engineers, Jacksonville District  
P.O. Box 4970  
Jacksonville, FL 32232-0019

Re: Lake Okeechobee Regulation Schedule  
Scoping Letter

Dear Mr. Duck:

I am writing on behalf of the grower and processor members of the Florida Sugar Cane League, Inc. ("FSCL") in response to your letter of April 8, 2004 which provided notice of the Corps' interest in proposing a temporary deviation from the regulation schedule for Lake Okeechobee.

Our members depend on the Central and Southern Florida Project for flood protection and water supply for supplemental irrigation and other needs. We have been active participants in every stakeholder process relating to Lake Okeechobee including the multi-year process to adopt the present WSE Regulation Schedule.

Your letter does not indicate what you plan to propose or the duration of any temporary deviation. For that reason we are not able to offer any specific comments. The FSCL supported the WSE schedule and questions the need to change it given so little experience with its application. We question the need for change also in light of the Lake Okeechobee Protocols adopted by the South Florida Water Management District that added flexibility for environmental purposes.

It appears to us more prudent to document the environmental and economic benefits and impacts all allow full public review of the data before any proposal to go beyond the Lake Okeechobee Protocols is considered. Likewise, we find no basis to extend the deviation that has been in place this year or to adopt any other plan to deviate from the existing set of operating rules.

## LANDERS & PARSONS

The management of Lake Okeechobee is of vital interest to the FSCL. We will review the Environmental Assessment when it is available and provide our comments. Please allow enough time for your staff to perform and document the necessary environmental and economic analyses and time for the affected interests to conduct a meaningful review.

We appreciate the opportunity to comment on this issue.

Sincerely,

A handwritten signature in cursive script that reads "Philip S. Parsons". The signature is written in dark ink and is positioned below the word "Sincerely,".

Philip S. Parsons  
For the Florida Sugar Cane League, Inc.

Mr. James Duck  
Planning Division  
Environmental Branch

April 14, 2004

Re: Temporary Deviation WSE Lake Okeechobee

Dear Mr. Duck,

The deviation is needed to lower Lake O water levels. The WSE Schedule, as you are aware, has been in place since the Lake O Recession and drought resulting in Lake O water levels of less than nine feet. Since then, Lake O has risen to 17 foot elevation with elevations of 15 feet or more for a year, with average rainfall during this time frame in the upper, lower Kissimmee and Okeechobee Basins. These high water levels of long duration adversely impact the littoral zone of the Lake and put the Saint Lucie and Caloosahatchee Estuaries at risk of high volume flood control releases during the June-Nov. hydro-periods.

The WSE Regulation Schedule was put to a excellent test the last 3 years, with Lake O at record low levels, average rainfall in the Kissimmee and Okeechobee Basins. Simply put, it is too reactive and needs to be amended , if Lake O and the estuaries are going to remain in their present environmental state.

Lake Okeechobee should not be at 15 feet elevation on June 1<sup>st</sup>, both from environmental concerns and safety issues. In recent years the system has been restricted in its' ability to release water both to the South and the estuaries, the Cape Sable Sparrow stops as much as 3/4 of a foot of Lake O water on an annual basis. The water levels in the WCAs have been at regulation or above, resulting in reduce releases. WCA1 has not been able to accept releases due to high phosphorous loads. Even more importantly, the C43 system is being restricted more every year with regional runoff, during wet periods . Rainfall events in the Caloosahatchee Basin during the June to Nov. Hydro-period are using a large percentage of the flood control release design for longer durations.

The WSE has not performed well the last three years with average rainfall. Imagine the problems we would have with above average seasonal rainfall with the impact from a tropical system in the Kissimmee/ Lake O Basins added into the equation.

You have my full support on the temporary deviation and future changes to the WSE that would lower Lake O water levels.

Respectively,



Frank Marsocci  
1505 State Road 78 West  
Okeechobee, Fl. 34974





Post Office Box 1319  
LaBelle, Florida 33975  
Phone: 863-675-2180  
Fax: 863-675-8087

May 3, 2004

Mr. James C. Duck, Chief  
Planning Division  
Department of the Army  
Jacksonville District Corps of Engineers  
P. O. Box 4970  
Jacksonville, Florida 32232-0019

Dear Mr. Duck:

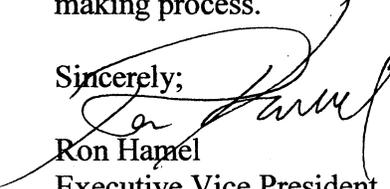
On behalf of the Gulf Citrus Growers Association of Southwest Florida including over 150 citrus growers and over 170,000 acres of citrus in Charlotte, Collier, Glades, Hendry and Lee Counties, this letter is in response to public comment on your April 8, 2004 letter regarding a proposed temporary deviation from the Regulation Schedule, Water Supply and Environment (WSE) for Lake Okeechobee, Florida.

As you may be aware, many of our region's citrus growers are extremely dependent on Lake Okeechobee for their irrigation water supply and take any modifications to existing regulation schedules for the lake very seriously. We respectfully request that the Corps of Engineers take the necessary time needed to adequately study the many ramifications to all parties before moving forward as indicated in your "Scoping Letter" of April 8<sup>th</sup>. We further understand that the South Florida Water Management District is modeling some of the proposed modifications to the existing WSE, but that information and data will not be available until sometime in June.

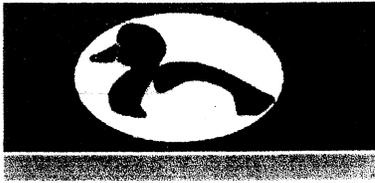
Our citrus growers are excellent water managers and have managed very well even through severe droughts like the one a few years ago. Many feel that they were negatively impacted unnecessarily due to hasty decisions by the Corps and the SFWMD to reduce the levels of the lake. Presently, we feel comfortable with the existing WSE schedule and feel it is working for both the users and the environment.

We respectfully request a time delay to collect and study the modeling and other data regarding any proposed changes. Thank you for your request for input into this decision making process.

Sincerely;

  
Ron Hamel  
Executive Vice President





## United Waterfowlers - Florida

P.O. Box 550801  
Jacksonville, FL 32255  
[www.unitedwaterfowlersfl.org](http://www.unitedwaterfowlersfl.org)

May 6, 2004

James C. Duck  
Chief, Planning Division  
Department of the Army  
Jacksonville District Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232-0019

Dear Mr. Duck,

We are writing to address the proposed temporary deviation from the regulation schedule, Water Supply and Environment (WSE) for Lake Okeechobee, Florida.

### **Lake Levels**

It is widely accepted that the ideal lake levels for Lake Okeechobee range from a low of 12 feet to a high of 15 feet. These levels exercise influence well beyond the Hoover dike. In fact, the environmental health of the entire south Florida ecosystem is directly tied to the operation of the Lake. It is critical to the marshes of the lake to have the annual wet-dry cycle operate within these ranges. Extended high lake levels not only burden the marsh, the resultant large scale discharges to tide can have devastating effects of the St. Lucie and Caloosahatchee estuaries. We realize that until the additional storage capacities of CERP come online that the lake will have to be kept at a level that will meet the storage demand. We believe that the bottom of the zone D regulation schedule (13.5 – 15.5) is the appropriate target at this time.

### **Proactive Management**

United Waterfowlers – Florida, Inc. (UW-F) supports the temporary deviation to allow water managers to be more proactive in their discharge decisions. Continuous low level or level 1 pulse discharges to the St. Lucie estuary are apparently not having a negative affect on the health of that river system. Additionally, level 1 discharges to the Caloosahatchee river are needed to control saltwater intrusion. We encourage the South Florida Water Management District (SFWMD) to fully model the performance of these

*The VOICE of Florida Waterfowlers*

discharge levels taking into account historical and predicted weather patterns. The WSE does not allow water levels to be maintained at the bottom of zone D because discharges are rarely called for. The result is a tendency for water levels to raise to the top of zone D which invariable leads to high level discharges to tide and does not allow the proper cycle in the Lake Okeechobee marsh to facilitate productive waterfowl foraging. UW-F would recommend a subdivision of zone D into three parts. Zone D1 would be the bottom third and level 1 pulse discharges to tide would be appropriate. Likewise, zone D2 would be the middle third and would lead to level 2 pulse discharges. The top third would be zone D3 and level 3 discharges to tide would be in order. All discharge decisions in each sub zone would still be influenced by inflow rates and predicted weather patterns.

### **Sharing the Burden**

UW-F is fully supportive of the agricultural interests in Florida. We believe they are a vital part of our economy. We do feel however that current Lake regulation schedules serve to insure against drought conditions that are relatively rare at the expense of the South Florida ecosystem. The impacts of droughts can be dealt with by use of crop insurance and often relief for severe weather related crop damage is given in the subsequent year's Farm Bill. We encourage the agricultural community to assume a slightly higher risk level and support modestly lower lake levels.

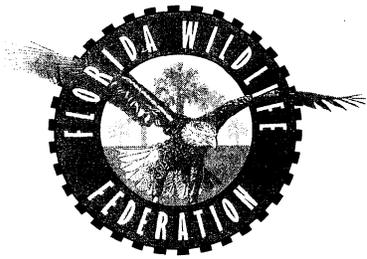
### **System wide Management.**

UW-F was disappointed to see the Lake Toho drawdown proceed when Lake Okeechobee stood at over 15.5 feet. In the coming years we would hope that similar projects would be put on hold until Lake Okeechobee is ready to receive the additional inflows. We commend the SFWMD staff and private land owners for coming together and developing a solution that surely saved the estuaries from farther harm. This is the type of partnership that is needed now and into the future.

Sincerely,



**David Lithgow**  
**United Waterfowlers - Florida, Inc.**



# FLORIDA WILDLIFE FEDERATION

*Affiliated With National Wildlife Federation*

Manley K. Fuller, III, President  
2545 Blairstone Pines Drive, Tallahassee, FL 32301  
Post Office Box 6870, Tallahassee, FL 32314-6870

Phone: (850) 656-7113  
Fax: (850) 942-4431  
e-mail: wildfed@aol.com  
website: www.flawildlife.org

May 7, 2004

Mr. James C. Duck, Chief  
Planning Division – Environmental Branch  
Jacksonville District Corps of Engineers  
P.O. Box 4970  
Jacksonville, FL 32232-0019

RE: Request for comments on a proposed temporary deviation from the  
Regulation Schedule, Water Supply and Environment (WSE) for Lake  
Okeechobee, Florida

Dear Mr. Duck:

The enclosed letter to Mr. John Paul Woodley, Jr., Assistant Secretary of the Army for Civil Works, dated May 4, 2004, constitutes the comments of Florida Wildlife Federation on the proposed temporary deviation. Would you please include them in the published record of the Corps consideration of this deviation.

Thank you.

Sincerely yours,

Paul C. Parks, Ph.D.  
Lake Okeechobee Project Director





# FLORIDA WILDLIFE FEDERATION

*Affiliated With National Wildlife Federation*

Manley K. Fuller, III, President  
2545 Blairstone Pines Drive, Tallahassee, FL 32301  
Post Office Box 6870, Tallahassee, FL 32314-6870

Phone: (850) 656-7113  
Fax: (850) 942-4431  
e-mail: wildfed@aol.com  
website: www.flwildlife.org

May 4, 2004

Mr. John Paul Woodley, Jr.  
Assistant Secretary of the Army for Civil Works  
3400 Defense Pentagon  
Washington, D.C. 20301-3400

Dear Secretary Woodley:

The Jacksonville District is letting the tail wag the dog in South Florida. The Local Sponsor is being allowed to make a critical decision for which the Corps will be held responsible. The result is likely to harm the Corps' reputation and blemish the environmental record of the Administration.

By going along with the Local Sponsor, the Corps is setting itself up to be the target of intense public displeasure. The unquestioning agreement of the Jacksonville District with the Local Sponsor on Lake Okeechobee operation is reducing employment and business income in South Florida. Recreational opportunities are diminishing in a region that stretches from Ft. Myers on the Gulf Coast to Stuart on the Atlantic Coast. Tourism and real estate are affected. Some 2.3 million people live in the counties most affected.

There is a growing movement to politicize this issue, to take it directly to elected officials. The public is demanding change. At the end of the summer rainy season, if the waters of Lake Okeechobee again rise to last year's levels, public displeasure will be intense and it will be directed toward the Corps and the appointed and elected officials who ultimately control it.

At the request of the Local Sponsor, the Corps is piling up water far in excess of reasonable need in Lake Okeechobee for possible use to irrigate crops. Excessive depth harms lake and estuary interests. The tradeoff is unbalanced because the benefits of deep storage may be realized only once every hundred years while its harms are frequent. Of course, the Project should store water for irrigation, but not this much.

The cure is for the Jacksonville District to act on its authority and responsibility to fairly distribute the benefits of the C&SF Project. It's one thing to cooperate with the Local Sponsor; it's another thing to agree without exercising independent judgment.

The solution begins when the Corps asserts that the authorized level of drought protection is the same as the Project level of flood protection, - protection from an event that occurs once every ten years on average. There can be no engineering solution to this political problem without a defined level of drought protection. Without it, this sore will continue

to fester. If you were to insist that the level of drought protection be defined, you'd be performing a great service for the Corps.

The next step is for the Corps to use its own engineering expertise to determine the volume of storage that corresponds to the authorized Project level of drought protection. This trouble began when the Corps failed to thoroughly examine the Local Sponsor's excessively large numbers.

The final step is for the Jacksonville District to begin the public process of changing the Lake Okeechobee Operations Schedule to reflect its independent determination of the volume of stored irrigation water required to meet the authorized purposes of the Project. The Jacksonville District's present path of "temporary deviation" from a deeply flawed Operations Schedule is likely to become a public relations disaster for the Corps and the Administration. Its intensity is likely to peak at the end of the summer rainy season.

Florida Wildlife Federation appreciates the good things the Corps is doing in Florida, especially its work on Kissimmee River and Everglades Restoration. The Federation has a major interest in outdoor recreation on Lake Okeechobee and the St. Lucie and Caloosahatchee Estuaries. Chronic mismanagement threatens the natural systems that make this recreation possible. Corps management of Lake Okeechobee needs a mid-course correction. We urge you to work expeditiously and pledge our cooperation.

Thank you.

Sincerely yours,



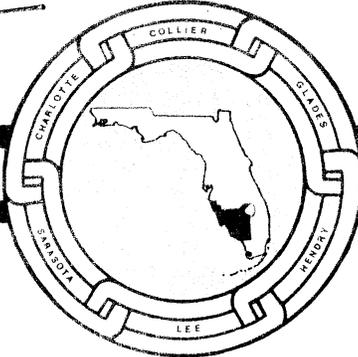
Manley K. Fuller, III  
President



Paul C. Parks  
Lake Okeechobee Project Director

cc.

Major General Carl A. Strock, Chief of Engineers  
Brigadier General Randal R. Castro, Commander South Atlantic Division  
Col. Robert M. Carpenter, District Engineer



## Southwest Florida Regional Planning Council

4080 Bayline Drive, 4th Floor N. Ft. Myers, FL 33917-3909 (239) 656-7720

P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX (239) 656-7724

May 25, 2004

James C. Duck  
Planning Division  
Dept of Army Jacksonville Army Corps of Engineers  
PO Box 4970  
Jacksonville, FL 32232

RE: IC&R Project #2004-027  
State Clearinghouse #FL200404145900C

Department of the Army scoping notice -- proposed temporary deviation from the regulation schedule, water supply, and environment (WSE) for Lake Okeechobee -- Central and South Florida Flood Control Project area -- all counties

Dear James C. Duck :

The staff of the Southwest Florida Regional Planning Council reviews various proposals, Notifications of Intent, Preapplications, permit applications, and Environmental Impact Statements for compliance with regional goals, objectives, and policies, as determined by the Strategic Regional Policy Plan. The staff reviews such items in accordance with the Florida Intergovernmental Coordination and Review Process (Chapter 29I-5, F.A.C.), and adopted regional clearinghouse procedures.

These designations determine Council staff procedure in regards to the reviewed project. The four designations are:

Less Than Regionally Significant and Consistent no further review of the project can be expected from Council.

Less Than Regionally Significant and Inconsistent Council does not find the project of regional importance, but will note certain concerns as part of its continued monitoring for cumulative impact within the noted goal area.

Regionally Significant and Consistent project is of regional importance, and appears to be consistent with Regional goals, objectives, and policies.

To: James C. Duck  
Date: May 25, 2004  
Re: SWFRPC #2004-027  
Page: 2

Regionally Significant and Inconsistent project is of regional importance and does not appear to be consistent with Regional goals, objectives, and policies. Council will oppose the project as submitted, but is willing to participate in any efforts to modify the project to mitigate the concerns.

The above referenced document has been reviewed by this office, based on the information contained in the document, and on local knowledge, has been found **No Comment** with adopted goals, objectives, and policies of the Strategic Regional Policy Plan.

Should you or any other party request this finding to be reconsidered, please contact Nichole L. Gwinnett, IC&R Coordinator, with this request, or any questions concerning staff review of this item. This recommendation will be discussed at the next scheduled Council meeting. Should Council action differ from the staff recommendation, you will be notified.

Sincerely,

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL**



David Y. Burr  
Executive Director

DYB/MEM

cc: Lauren Milligan, Clearinghouse Coordinator

Board of Directors

F.D. "Bud" Jordan

Lawrence E. Crary, III

Stella Boland

Michael J. Brown, Jr.

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Timothy J. Kinane

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Edward R. Weinberg

Kevin Henderson  
Executive Director

Beverly Bevis Jones, A.P.R.  
Director of Development & Public Relations

May 20, 2004

James C. Duck, Chief  
Planning Division  
Environmental Branch, Special Projects Division  
Jacksonville District Corps of Engineers  
P. O. Box 4970  
Jacksonville, FL 32232-0019

Dear Mr. Duck:

St. Lucie River Initiative submits these comments on the temporary deviation from the WSE Lake Okeechobee regulation schedule. We are pleased the Corps agrees that flexibility in implementing the goals of WSE is inherent within the schedule itself, as reflected in the temporary deviation, and look forward to seeing further improvements both inside the existing WSE format and in a new schedule.

In either event, our experience with WSE to date proves that more active management of Lake O water levels is both desirable and necessary to balance protection of Lake and estuaries with water supply interests. This balance has not been reached in the past. The Lake and estuaries have suffered severe harm while water supplies to the sugar industry remain near perfect.

We enclose our November 2003 version of "Feasibility of Lower Lake Okeechobee Water Levels" for your consideration. Please note that the largest water user supplied by Lake Okeechobee is the sugar industry.

This industry's production in tons of cane per acre and tons of sugar per acre has consistently increased since 1971, as have total acres in production. There is no evidence of a loss of yield in any year due to drought. Nor is there loss of crop yield due to lack of drainage in wet years. The relevant graphs of USDA data are in the Appendix of the White Paper.

Contrast this with the experience of Lake O and the Caloosahatchee and St. Lucie Estuaries, repeatedly damaged over the same time period by extended high water levels in the Lake and high discharges to tide via estuaries. The Lake and estuaries require years to recover. Under the present WSE schedule, and Run 25 before it, the St. Lucie Estuary never recovers, as the high discharges occur too frequently.



We also enclose a copy of our "Safe Lake Okeechobee Level Plan, February 2004" for a more complete list of past problems and possible solutions. In short, the Lake must be more actively managed to lower average levels, and we cannot wait for CERP.

Many of the ideas in our February 2004 White Paper require modeling before the full extent of benefits and weaknesses of various approaches can be appreciated. One of the problems with modeling Lake Okeechobee regulation alternatives is that the model used by SFMWD is so complicated, and written for accuracy rather than user friendliness, that major code changes are required for every new model run.

If the existing model is that laborious to run, it is functionally removed from the public domain by default. Only a few experts can use it, and peer review is difficult.

We recommend one of the standard Federally-approved flood evaluation models be set up for Lake O regulation schedule evaluation, so that the existing model inertia does not continue to restrict effective public policy. Lake regulation options should be compared in a smaller, more concise model before running those with the most potential through the whole South Florida (SFWMM) model.

We note that the SFWMM model continues to treat inputs to Lake O as if upstream controls and management options did not exist, and again request Kissimmee Valley Lakes be integrated into a new model so their active management can be considered in the context of Lake O regulation. Integrating the Kissimmee lakes into the SFWMM model will further complicate and delay model runs, so updating the modeling process with a simpler tool is doubly recommended.

Our review of the documentation of the SFWMM model suggests it is not as well calibrated to predicting irrigation demand on Lake O from the EAA over the past 10 years as it was for the prior 15. We suspect overestimation of irrigation demand in the EAA is now occurring because BMP's implemented during the past 10 years have reduced irrigation demand by the sugar industry. This is additional evidence that the SFWMM model generally overstates the irrigation needed to grow healthy sugar crops.

Thank you for this opportunity to comment. We look forward to making real progress in managing Lake Okeechobee and the Caloosahatchee and St. Lucie Estuaries to better health.

Sincerely,



Kevin Henderson, P.E.  
Executive Director

C: Henry Dean

James C. Duck, Chief  
Planning Division  
Environmental Branch, Special Projects Division  
Jacksonville District Corps of Engineers  
P. O. Box 4970  
Jacksonville, FL 32232-0019

May 14, 2004

Dear Mr. Duck:

Audubon submits these comments in response to the Corps' scoping letter of April 8, 2004, requesting comments on a proposed temporary deviation from the Lake Okeechobee regulation schedule, "WSE." First, we are pleased to take this opportunity to applaud the Corps' implementation of the WSE temporary deviation in the dry season of 2003-2004. The Corps and SFWMD have succeeded in lowering Lake Okeechobee significantly before the wet season resumed, and did so with minimal impacts to the estuaries. Particularly successful practices included delaying pulses for brief periods in response to salinity needs of the estuaries, using fractional pulses, sending different pulse patterns to either estuary when appropriate, and quantifying releases at the structure nearest the estuary, rather than at the lake. These actions have put Lake Okeechobee and the estuaries back on a healthier course, and were accomplished without creating impacts to water supply. These successful strategies should be included in the proposed temporary deviation.

The guiding principle for the proposed deviation should be for Lake Okeechobee to follow the bottom line of Zone D (13.5-15.5 feet). Simply stated, when in Zone D, pulses would occur at an appropriate rate to lower the lake while minimizing impacts to the estuaries. If the lake drops into Zone E, regulatory releases would be discontinued, although water supply releases for the health of the Caloosahatchee Estuary should continue.

It is important to note that following the bottom of Zone D (13.5'-15.5') is a compromise between environmental benefits and ensuring adequate water supplies. This level is deeper than the ideal levels envisioned in the Restudy, which recommended that spring recessions should result in dry season water levels dropping close to 12 feet, once CERP is implemented. However, in the present system, we do not request regulatory releases when Lake Okeechobee is below the 13.5'-15.5' line (i.e., in Zone E). As for water supply assurances, the attached position analysis for Lake Okeechobee shows that if Lake Okeechobee is near the top of Zone E at the beginning of the dry season (November), there is no projected possibility (during the 31-year period of record) of dropping into Supply-side Management (water rationing) during the ensuing dry season ([http://www.sfwmd.gov/org/pld/hsm/reg\\_app/opln/PA/01NOV2002/UPA/sfwmm\\_quan\\_1534.pdf](http://www.sfwmd.gov/org/pld/hsm/reg_app/opln/PA/01NOV2002/UPA/sfwmm_quan_1534.pdf)).

James C. Duck  
Page 2  
May 14, 2004

While following the bottom of Zone D is not as low as would be ideal (it is a compromise), the attached comments to the South Florida Water Management District about possible WSE modifications emphasize the biological importance (using wading birds as an example) of not allowing the lake to rise significantly above that compromise level. Levels above the 13.5-15.5 line not only create various types of biological harm in Lake Okeechobee, they also increase the risk of large regulatory releases, and degrade the integrity of the Hoover Dike. Lake Okeechobee and the estuaries have suffered considerable harm during the past two years, therefore it is additionally important that management during 2004-2005 be conducted with a goal of stabilizing, and hopefully restoring, these systems.

An ongoing concern about "routine" WSE management is chronic harm to the Caloosahatchee River and estuary. The EIS that recommended WSE, projected that MFL violations to the Caloosahatchee River would occur in about 49% of the months of the dry season (MFL violations over a 31-year modeling period were projected in 107 months, assuming violations will not occur during the rainy season, there are 217 months possible between November and May in 31 years). The MFL is 300 cfs and is a level considered to create "significant harm" (harm that takes several years to recover) to the estuary. Considering MFL violations take years to recover from, and they are projected to happen in half the dry season months, it is likely the Caloosahatchee would almost never be healthy. The deviation could avoid this by making environmental water supply releases of a minimum of 500-800 cfs to the estuary when Lake Okeechobee is in Zone D. Once in Zone E, flows could be reduced to 500 cfs, but at no point should drop below 300 cfs, unless Supply-side Management were implemented. Allowing an MFL violation in the Caloosahatchee when no other user is experiencing any rationing should not be allowed.

In conclusion, we recommend the proposed deviation adopt a guiding principle of following the bottom line of Zone D to protect the health of Lake Okeechobee's littoral zone. Estuary health and water supply considerations would guide release decisions when above and below this line. Thank you for the opportunity to comment, we look forward to working with your staff on this deviation.

Sincerely,

Paul N. Gray, Ph.D.

**MAILING LIST  
LAKE OKEECHOBEE  
August 2004**

**FEDERAL AGENCIES**

**CHIEF  
US ARMY CORPS OF ENGINEERS  
SOUTH FLORIDA OPERATIONS OFFICE  
525 RIDGE LAWN ROAD  
CLEWISTON, FL 33440-5399**

**JOAN A. BROWDER, PH.D.  
RESEARCH ECOLOGIST  
SOUTHEAST FISHERIES SCIENCE CENTER  
75 VIRGINIA BEACH DRIVE  
MIAMI, FL 33149**

**REGIONAL DIRECTOR  
NATIONAL PARK SERVICE  
75 SPRING STREET SW  
ATLANTA, GA 30303 (2 CYS)**

**RICHARD HARVEY  
U.S. EPA, REGION 4  
400 N. CONGRESS AVENUE, SUITE 120  
WEST PALM BEACH, FL 33401**

**EVERGLADES NATIONAL PARK  
40001 STATE ROAD 9336  
HOMESTEAD, FL 33034 (2 CYS)**

**REGIONAL DIRECTOR  
U.S. FISH AND WILDLIFE SERVICE  
1875 CENTURY BLVD.  
ATLANTA, GA 30345-3301**

**SUPERVISOR  
SOUTH FLORIDA ECOSYSTEM OFFICE  
U.S. FISH AND WILDLIFE SERVICE  
1339 20<sup>th</sup> STREET  
VERO BEACH, FL 32960-3559**

**REFUGE MANAGER  
ARTHUR R. MARSHALL  
LOXAHATCHEE NWR  
U.S. FISH AND WILDLIFE SERVICE  
10216 LEE ROAD  
BOYNTON BEACH, FL 33437-9741**

**REFUGE MANAGER, J.M. DING DARLING  
NATIONAL WILDLIFE REFUGE  
1 WILDLIFE DRIVE  
SANIBEL, FL 33957**

**BOB PACE  
U S FISH AND WILDLIFE SERVICE  
1339 20<sup>TH</sup> STREET  
VERO BEACH FL 32960-3559**

**STATE CONSERVATIONIST  
NATURAL RESOURCES  
CONSERVATION SERVICE  
U.S. DEPARTMENT OF AGRICULTURE  
P.O. BOX 141510  
GAINESVILLE, FL 32614-1510**

**T. MCAILILEY, TRIAL ATTORNEY  
U.S. DEPARTMENT OF JUSTICE  
ENVIRONMENTAL AND NATURAL  
RESOURCE DIVISION  
99 NE 4<sup>TH</sup> STREET  
MAIMI, FL 33132-2111**

**BUREAU OF INDIAN AFFAIRS  
6075 STIRLING ROAD  
HOLLYWOOD, FL 33024**

**REGIONAL DIRECTOR  
NATIONAL MARINE FISHERIES SERVICE  
9721 EXECUTIVE CENTER DR. N  
ST. PETERSBURG, FL 33702-2449**

**SUBDISTRICT CHIEF  
WATER RESORCES DIVISION  
U.S. GEOLOGICAL SURVEY  
9100 NW 36<sup>TH</sup> STREET SUITE 106  
MAIMI, FL 33178**

**NATIONAL MARINE FISHERIES SERV  
HABITAT CONSERVATION DIV.  
11420 N. KENDALL DR., SUITE 103  
MIAMI, FL 33131**

**REGIONAL ADMINISTRATOR  
NATIONAL MARINE FISHERIES SERVICE  
HABITAT CONS DIVISION  
SOUTHEAST REGIONAL OFFICE  
9721 EXECUTIVE CENTER DRIVE N  
ST PETERSBURG FL 33702**

**NAT. MARINE FISHERIES SERVICE  
CHIEF PROTECTED SPECIES BRANCH  
9721 EXECUTIVE CENTER DR. NORTH  
ST. PETERSBURG, FL 33702-2449**

**STATE AGENCIES**

**J. D. WYKERT  
FL GAME & FRESH WATER COMM  
AQUATIC PLANT SECTION  
3900 DRANE FIELD ROAD  
LAKELAND, FL 33811**

**KARL HAVENS  
SO FL WATER MANAGEMENT DIST  
P. O. BOX 24680  
WEST PALM BEACH, FL 33416-4680**

**FLORIDA STATE CLEARINGHOUSE  
FL DEPT OF ENV PROTECTION  
ATTN: Bob Hall  
3900 COMMONWEALTH BLVD  
MAIL STATION 47  
TALLAHASSEE FL 32399-3000 (16CY)**

**SUSAN GRAY, PH.D.  
SOUTH FLORIDA WATER MGMT DISTRICT  
P.O. BOX 24680  
WEST PALM BEACH, FL 33416-4680**

**DISTRICT HEADQUARTERS  
SOUTHWEST FLORIDA WATER MGMT DIST  
2379 BROAD STREET  
BROOKSVILLE, FL 34604-6899**

**BRIAN S. BARNETT  
OFFICE OF ENVIRONMETNAL SERV.  
FL FISH AND WILDLIFE CONSERVATION  
COMMISION  
620 SOUTH MERIDIAN STREET  
TALLAHASSEE, FL 32399-1600**

**COMMISSIONER  
DEPARTMENT OF AGRICULTURE AND  
CONSUMER SERVICES  
3125 CONNER BLVD. ROOM 269  
TALLAHASSEE, FL 32399-1650**

**SECRETARY  
INTERGOVERNMENTAL AFFAIRS POLICY UNIT  
THE CAPITOL, ROOM 1603  
TALLAHASSEE, FL 32399-0001**

**PETER DOERING**  
SOUTH FL WATER MANAGEMENT DISTRICT  
P. O. BOX 24680  
3301 GUN CLUB ROAD  
WEST PALM BEACH, FL 33419-4680

**DON FOX**  
FLORIDA GAME & FRESH WATER FISH  
COMM  
FISHERIES SECTION  
3991 S.E. 27<sup>TH</sup> CT.  
OKEECHOBEE, FL 33974

**DIRECTOR**  
OFFICE OF ECOSYSTEM PLANNING  
FLORIDA DEPT OF ENVIRON. PROTECTION  
3900 COMMONWEALTH BLVD MS 45  
TALLAHASSEE, FL 32399-3000

**MR. HERBERT H. ZEBUTH**  
SOUTHEAST DISTRICT  
FLORIDA DEPT OF ENVIRON. PROTECTION  
P.O. BOX 15425  
WEST PALM BEACH, FL 33416

**EXECUTIVE DIRECTOR**  
FLORIDA GAME AND FRESH WATER  
FISH COMMISSION  
620 S. MERIDIAN STREET  
TALLAHASSEE, FL 32399-1600

**EVERGLADES PROTECTION & REST.  
PROGRAM**  
FL FISH & WILDLIFE CONSERV. COMMISSION  
255 154<sup>TH</sup> AVENUE  
VERO BEACH, FL 32968-9041

**ENVIRONMENTAL OFFICE (MS-37)**  
FLORIDA DEPARTMENT OF  
TRANSPORTATION  
605 SUWANEE STREET  
TALLAHASSEE, FL 32399-0450

**STATE HISTORIC PRESERVATION OFFICER**  
DIVISION OF HISTORICAL RESOURCES  
R.A. GRAY BUILDING  
500 SOUTH BRONOUGH STREET  
TALLAHASSEE, FL 32399-0250

**PAUL GRAY**  
WATERFOWL MGMT SECTION  
FL GAME & FRESHWATER FISH COMM  
3991 SE 27<sup>TH</sup> COURT  
OKEECHOBEE, FL 34974

**SOUTH FL WATER MANAGEMENT DISTRICT**  
OKEECHOBEE FIELD STATION  
1000 N. E. 40<sup>TH</sup> AVENUE  
OKEECHOBEE, FL 34972

**TROY HAVARD**  
SOUTH FLORIDA WATER MANAGEMENT  
DIST  
CLEWISTON FIELD STATION  
RR#1 BOX 103  
CLEWISTON, FL 33440

**RICK BRUST**  
FLORIDA GAME & FRESH WATER COMM.  
3200 T.M. GOODWIN ROAD  
FELLESMEERE, FL 32948

**MR. CHARLES ALLER**  
FLA DEPT OF AG & CONSUMER SVCS  
THE CAPITAL, PL10  
TALLAHASSEE, FL 32399-0810

## **COUNTY AGENCIES**

**ROMAN GASTERI**  
MIAMI-DADE COUNTY  
OFFICE OF THE COUNTY MANAGER  
111 NW FIRST STREET, SUITE 2910  
MIAMI, FL 33128-1994

**MIAMI-DADE COUNTY DERM**  
33 SW SECOND AVE.  
MIAMI, FL 33130-1540

**LEIGH E. DUNSTON, CHAIR**  
ECONOMIC COUNCIL, PALM BEACH CTY  
1555 PALM BEACH LAKES BLVD SUITE 400  
WEST PALM BEACH, FL 33401-2375

**COUNTY COORDINATOR**  
GLADES COUNTY ADMINISTRATION  
P.O. BOX 1018  
MOORE HAVEN, FL 33471

**COUNTY ADMINISTRATOR**  
HENDRY COUNTY ADMINISTRATION  
P.O. BOX 1760  
LABELLE, FL 33935-1760

**COUNTY ADMINISTRATOR**  
HIGHLANDS COUNTY ADMINISTRATION  
P.O. BOX 1926  
SEBRING, FL 33871-1926

**COUNTY ADMINISTRATOR**  
MARTIN COUNTY ADMINISTRATION  
2401 SE MONTEREY ROAD  
STUART, FL 34996

**COUNTY ADMINISTRATOR**  
OKEECHOBEE COUNTY ADMINISTRATION  
304 NW 2<sup>ND</sup> STREET  
OKEECHOBEE, FL 34972

**COUNTY MANAGER**  
OSCEOLA COUNTY ADMINISTRATION  
17 S. VERNON AVE., ROOM 117  
KISSIMMEE, FL 34741-5488

**COUNTY ADMINISTRATOR**  
PALM BEACH COUNTY ADMINISTRATION  
301 N. OLIVE AVE.  
WEST PALM BEACH, FL 33401-4705

**COUNTY MANAGER**  
POLK COUNTY ADMINISTRATION  
DRAWER CA01 P.O. BOX 9005  
BARTOW, FL 33831

**COUNTY ADMINISTRATOR**  
ST. LUCIE COUNTY ADMINISTRATION  
2300 VIRGINIA AVE.  
FORT PIERCE, FL 34982

**COUNTY MANAGER**  
METRO-DADE CENTER  
OFFICE OF THE CITY MANAGER SUITE 2910  
111 NW 1<sup>ST</sup> STREET  
MIAMI, FL 33128

**MR. ROLAND OTTOLINI**  
DIRECTOR, LEE COUNTY DIVISION OF  
NATURAL RESOURCES  
P.O. BOX 398  
FORT MYERS, FL 33902-0398

**PLANNING DIRECTOR**  
MIAMI-DADE COUNTY PLANNING DEPT  
111 NW FIRST STREET SUITE 1220  
MIAMI, FL 33128-1972

**ECONOMIC COUNCIL OF**  
OKEECHOBEE COUNTY INC.  
P.O. BOX 718  
OKEECHOBEE, FL 34973

GLADES CITY BOARD OF COUNTY COMM  
P.O. BOX 10  
MOORE HAVEN, FL 33471

POLK COUNTY BOARD OF  
COUNTY COMMISSIONERS  
P.O. BOX 60  
BARTOW, FL 33830

MR. ARNOLD MONROE  
OKEECHOBEE FARM BUREAU  
14627 NW 34<sup>TH</sup> TERRACE  
OKEECHOBEE, FL 34972

## ASSOCIATIONS

PAUL GRAY  
NATIONAL AUDUBON SOCIETY  
100 RIVERWOODS CIRCLE  
LORIDA, FL 33857

BOARD MEMBER  
ST. LUCIE RIVER INITIATIVE  
P.O. BOX 2082  
STUART, FL 34995

LOUIS E. LARSON, SR., PRESIDENT  
LARSON DAIRY, INC.  
P.O. BOX 1242  
OKEECHOBEE, FL 34973

NATIONAL AUDUBON SOCIETY  
444 BRICKELL AVE. #850  
MIAMI, FL 33131

MR. GREG CARLTON  
U.S. SUGAR CORPORATION  
P.O. DRAWER 1207  
CLEWISTON, FL 33440-1207

FLORIDA WILDLIFE FEDERATION  
1549 LIVE OAK DRIVE  
TALLAHASSEE, FL 32301

EVERGLADES COORDINATING COUNCIL  
3845 SW 103<sup>RD</sup> AVENUE APT 101  
MIAMI, FL 33165

AUDUBON SOCIETY OF THE EVERGLADES  
10308 HERITAGE FARMS  
LAKE WORTH, FL 33467

TROPICAL AUDUBON SOCIETY, INC.  
5530 SUNSET DRIVE  
MIAMI, FL 33143

TROPICAL AUDUBON SOCIETY  
201 S. BISCAYNE BLVD (SUITE 1402)  
MIAMI, FL 33131

RIDGE AUDUBON SOCIETY  
1122 CIRCLE DRIVE  
LAKE WALES, 33853

FRIENDS OF THE EVERGLADES  
244-A WESTWARD DRIVE  
MIAMI SPRINGS, FL 33166

SIERRA CLUB, LOXAHATCHEE  
298 NW 11<sup>TH</sup> STREET  
BOCA RATON, FL 33432

WORLD WILDLIFE FUND  
P.O. BOX 19630  
PLANTATION, FL 33318

CHAIRPERSON  
DEFENDERS OF WILDLIFE  
1101 14<sup>TH</sup> STREET, NW SUITE 1400  
WASHINGTON, DC 20005

1000 FRIENDS OF FLORIDA  
1833 SE HIDEAWAY CIRCLE  
PORT ST LUCIE, FL 34952

CALOOSAHATCHEE RIVER  
CITIZENS ASSOCIATION  
12491 COCONUT CREET COURT  
FORT MYERS, FL 33908

THE WILDERNESS SOCIETY  
4203 PONCE DE LEON BLVD  
CORAL GABLES, FL 33146

STATE DIRECTOR  
THE NATURE CONSERVANCY  
222 S. WESTMONTE DRIVE (SUITE 300)  
ALTAMONTE SPRINGS, FL 32714-4269

MR. ROBERT DANIELS  
S.FLA. REGIONAL PLANNING COUNCIL  
3440 HOLLYWOOD BLVD, SUITE 140  
HOLLYWOOD, FL 33021

SAVE THE MANATEE  
P.O. BOX 8776  
NAPLES, FL 34101-8776

FL SPORTSMEN CONSERVATION ASSOC.  
7407 SOUTHERN BLVD.  
WEST PALM BEACH, FL 33908

ENVIRONMENTAL COALITION OF  
BROWARD COUNTY  
10400 GRIFFIN ROAD, SUITE 304  
COOPER CITY, FL 33328

ENVIRONMENTAL DEFENSE FUND  
1875 CONNECTICUTT AVE. NW  
WASHINGTON, DC 20009

THE FLORIDA BIODIVERSITY PROJECT  
1120 NW 1<sup>ST</sup> AVENUE  
FT. LAUDERDALE, FL 33311

MS. RUTH CLARK  
LEAGUE OF WOMEN VOTERS, BROWARD  
651 SW 6<sup>TH</sup> STREET, #215  
POMPAHO, FL 33060-7797

NATIONAL PARKS AND  
CONSERVATION ASSOC.  
1546 POLK STREET  
HOLLYWOOD, FL 33020-5426

FLORIDA AUDUBON SOCIETY  
1331 PALMETTO AVE., SUITE 110  
WINTER PARK, FL 32789

F. D. JORDAN  
ST LUCIE RIVER INITIATIVE INC.  
P.O. BOX 2471  
STUART, FL 34995

FLORIDA WILDLIFE FEDERATION  
P.O. BOX 6870  
TALLAHASSEE, FL 32314-6870

TRUST FOR PUBLIC LANDS  
7900 RED ROAD SUITE 25  
MIAMI, FL 33143

MR. JOHN RAINS, JR.  
IZAAK WALTON LEAGUE  
5314 BAY STATE ROAD  
PALMETTO, FL 32561-9712

NATIONAL RESOURCES  
DEFENSE COUNCIL  
40 WEST 20<sup>TH</sup> STREET (11 FLOOR)  
NEW YORK, NY 10011

MR. ANDREW SCHOCK  
NATIONAL WILDLIFE FEDERATION  
1330 WEST PEACHTREE ST (SUITE 475)  
ATLANTA, GA 30309

DR. SEYMORE GOLDWEBBER  
DADE COUNTY AGRICULTURAL COUNCIL  
7900 SW 126<sup>TH</sup> TERRACE  
MIAMI, FL 33156

## AGRICULTURAL INTERESTS

ELIZABETH S. JOHNSTONE  
STITT RANCH INC.  
ROUTE 2 BOX 170  
CLEWISTON, FL 33440-9747

VEE PLATT  
FRIERSON FARM  
P.O. BOX 1686  
CLEWISTON, FL 33440

MR. ART DARLING  
DAIRY FARMERS INC.  
166 LOOKOUT PLACE SUITE 100  
MAITLAND, FL 32751

MS. BARBARA MIEDEMA  
SUGAR CANE GROWERS COOPERATIVE  
P.O. BOX 666  
BELLE GLADE, FL 33430-5556

FLORIDA CITRUS MUTUAL  
P.O. BOX 89  
LAKELAND, FL 33802

MR. JOHN W. DUNCKELMAN  
FLORIDA SUGAR CANE LEAGUE, INC.  
P.O. DRAWER 1208  
CLEWISTON, FL 33440-1208

MR. TOM JONES  
SOUTH FLORIDA  
AGRICULTURAL COUNCIL  
P.O. BOX 68  
LABELLE, FL 33935

MR. JOE PEARCE  
FLORIDA CATTLEMAN'S ASSOCIATION  
P.O. BOX 421929  
KISSIMMEE, FL 34742-1929

MR. JOE PEARCE  
FLORIDA CATTLEMAN'S ASSOCIATION  
P.O. BOX 421929  
KISSIMMEE, FL 34742-1929

MR. PHIL STRAZZULLA  
INDIAN RIVER CITRUS LEAGUE  
P.O. BOX 519  
7925 20<sup>TH</sup> STREET  
VERO BEACH, FL 32961-0519

LEWIS FRIEND FARMS, INC.  
ATTN: LEWIS FRIEND  
460 STATE MARKET ROAD  
PAHOKEE, FL 33476

UNITED STATES SUGAR CORP.  
ATTN: MR. FRANKLYN JONES, P.E.  
DIRECTOR, ENGINEERING PLANNING  
P.O. DRAWER 1207  
CLEWISTON, FL 33440

BRYAN BEER  
GUTWEIN GROVES, INC.  
P.O. BOX 158  
LABELLE, FL 33935

JOHN DUNKLEMAN  
FLA SUGAR CANE LEAGUE  
P.O. DRAWER 1208  
CLEWISTON, FL 33440

DAVE QUIRING  
BERRY GROVE CORPORATION  
P.O. BOX 459  
LABELLE, FL 33935

PRESIDENT  
ATLANTIC SUGAR ASSOC., INC.  
P.O. BOX 1570  
BELLE GLADE, FL 33430

BUBBA WADE  
111 PONCE DE LEON  
CLEWISTON, FL 33440

LAWRENCE D. WORTH  
DIRECTOR OF ENGINEERING  
U.S. SUGAR CORPORATION  
P.O. DRAWER 1207  
CLEWISTON, FL 33440

BRIAN MCMAHON  
LYKES BROTHERS INC.  
AGRICULTURAL GROUP  
7 LYKES ROAD  
LAKE PLACID, FL 33852

## **NATIVE AMERICAN TRIBES**

**MR JAMES BILLIE, CHAIRMAN  
SEMINOLE TRIBE OF FLORIDA  
6300 STIRLING ROAD  
HOLLYWOOD FL 33024-2198**

**MR BILLY CYPRESS, CHAIRMAN  
MICCOSUKEE TRIBE OF INDIANS OF FLORIDA  
P O BOX 440021 TAMIAMI STATION  
MIAMI FL 33144**

**MR. GENE DUNCAN  
MICCOSUKEE TRIBE OF INDIANS  
P.O. BOX 440021  
TAMIAMI STATION  
MIAMI, FL 33144**

**MR. CRAIG TEPPER  
SEMINOLE TRIBE OF FLORIDA  
6073 STIRLING ROAD  
HOLLYWOOD, FL 33024**

## **OTHER**

**GLENN HEATH  
S.W. FLA REGIONAL PLANNING COUNCIL  
P.O. BOX 3455  
N. FT. MYERS, FL 33918**

**ROBERT M. NORTON  
4200 HWY 441 SE  
OKEECHOBEE, FL 34974**

**LESLEY S. SMITH  
TOWN COUNCIL PRESIDENT  
TOWN OF PALM BEACH  
360 SOUTH COUNTY ROAD  
PALM BEACH, FL 33480**

**LEE CHAMBERLAIN, PRESIDENT  
EVERGLADES COORDINATING COUNCIL  
7901 WEST 25<sup>TH</sup> COURT  
HIALEA, FL 33016**

**FRIENDS OF LAKE OKEECHOBEE  
2252 SW 22<sup>ND</sup> CIRCLE  
OKEECHOBEE, FL 34974**

**EMILY DRAKE  
DRAKE RANCH  
ROUTE 2 BOX 173  
CLEWISTON, FL 33440**

**MR. KEVIN STINETTE  
INDIAN RIVERKEEPER  
TREASURE COAST ENV. DEFENSE FUND  
P.O. BOX 1812  
JENSON BEACH, FL 34958**

**CATHY HILLIARD  
LADIES OF THE LAKE, U.S.A.  
P.O. BOX 1686  
CLEWISTON, FL 33440**

**ARDIS HAMMOCK  
P.O. BOX 1928  
CLEWISTON, FL 33440**

**GENERAL MANAGER  
PAHOKEE WATER CONTROL DISTRICT  
P.O. BOX 896  
BELLE GLADE, FL 33430**

**ELIZABETH JOHNSTONE  
STITT RANCH  
ROUTE 2 BOX 170  
CLEWISTON, FL 33440**

**THE CONSERVANCY OF SOUTHWEST  
FLORIDA  
1450 MERRIHUE DRIVE  
NAPLES, FL 34102**

**DISTRICT II  
COUNTY COMMISSIONER  
301 NORTH OLIVE AVENUE  
12<sup>TH</sup> FLOOR  
WEST PALM BEACH, FL 33401**

**UTILITY DIRECTOR  
WATER UTILITIES DEPARTMENT  
PALM BEACH COUNTY  
BOX 16097  
WEST PALM BEACH, FL 33416-6097**

**LARSEN & ASSOCIATES  
LIMESTONE MINING COALITION  
200 SOUTH BISCAYNE BLVD SUITE 2940  
MIAMI, FL 33131**

**MR. PHILLIP PARSONS  
LANDERS & PARSONS  
P.O. BOX 271  
TALLAHASSEE, FL 32302-0271**

**MR. THOMAS MACVICAR  
MACVICAR, FREDERICO & LAMB, INC.  
4524 W. GUN CLUB ROAD SUITE 201  
WEST PALM BEACH, FL 33415**

**MS. RUTH CLARK  
LEAGUE OF WOMEN VOTERS, BROWARD  
651 SW 6<sup>TH</sup> STREET, #215  
POMPANO, FL 33060-7797**

**OKEECHOBEE WATERWAY ASSOCIATION  
ATTN: GAIL A BYRD  
P.O. BOX 2756  
CLEWISTON, FL 33440**

**CITY OF PAHOKEE  
ATTN: KENNETH N. SCHENCK  
CITY MANAGER  
171 N. LAKE AVE.  
PAHOKEE, FL 33476**

**PAHOKEE MARINA  
ATTN: SUSAN SELTNER  
190 NORTH LAKE DRIVE  
PAHOKEE, FL 33476**

**THE HONORABLE JOSEPH SPRATT  
HENDRY COUNTY BOARD  
OF COUNTY COMMISSIONERS  
P.O. BOX 1760  
LABELLE, FL 33935-1760**

**BRIAN OULETTE  
16086 E. ALAN BLACK BLVD  
LOXAHATCHEE, FL 33411**

**PALMER TUTHILL  
INDIANTOWN DRAINAGE DISTRICT  
P.O. BOX 806  
INDIANTOWN, FL 34956**

M. KENT BOWEN  
MCARTHUR FARMS INC.  
1550 NE 208<sup>TH</sup> STREET  
OKEECHOBEE, FL 34972

RON HAMEL  
GULF CITRUS GROWERS ASSOCIATION  
P.O. BOX 1319  
LABELLE, FL 33935

JOHN ED BURDESHAW  
OKEECHOBEE CHAMBER OF COMMERCE  
55 SOUTH PARROTT AVENUE  
OKEECHOBEE, FL 34972

LACE K. VITUNAC  
CONSERVATION ALLIANCE  
ST LUCIE COUNTY  
810 KITTERMAN ROAD  
PORT ST LUCIE, FL 34952-9017

THE HONORABLE CHARLES W. HARVEY  
OKEECHOBEE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
304 NW 2<sup>ND</sup> STREET ROOM 106  
OKEECHOBEE, FL 34972

TERRANCE C. SALT, EXECUTIVE DIRECTOR  
SO FL ECOSYSTEM RESTORATION TASK  
FORCE  
FLORIDA INTERNATIONAL UNIVERSITY  
OE BUILDING, RM. 148  
MIAMI, FL 33199

KEN LANGELAND, UNIV OF FLORIDA  
INST OF FOOD & AGRI SCIENCES  
CENTER FOR AQUATIC PLANTS  
7922 N. W. 71<sup>ST</sup> STREET  
GAINESVILLE, FL 32601

SALLY BLACK  
TREASURE COAST REG PLANNING  
COUNCIL  
3228 SW MARTIN DOWNS BLVD  
PALM CITY, FL 34990

JEFF KRAUSKOPF  
MARTIN BOARD OF COUNTY COMM  
2401 SE MONTEREY ROAD  
STUART, FL 34996

WAYNE NELSON  
12911 NW 160<sup>TH</sup> STREET  
OKEECHOBEE, FL 34972

NATHANIEL REED  
BOX 375  
HOBE SOUND, FL 33455

DR. PATRICK J. GLEASON  
CAMP DRESER & MCKEE, INC  
1601 BELVEDERE ROAD  
SUITE 211-SOUTH  
WEST PALM BEACH, FL 33406

STEVE BAUMGARTNER  
CHAMBER OF COMMERCE  
115 E. MAIN STREET  
PAHOKEE, FL 33476

CHARLES SCHOECH  
HIGHLANDS GLADES DRAINAGE DIST  
P.O. BOX 2775  
PALM BEACH, FL 33480-4306

RICAARDO A. LIMA  
OKEELANTA CORPORATION  
P.O. BOX 86  
SOUTH BAY, FL 33493

LARS LARSEN  
OKEECHOBEE WATERWAY ASSOC,  
1402 SW 54 TERRACE  
CAPE CORAL, FL 33914

ANTHONY J. CLEMENTE, P.E., DIRECTOR  
MIAMI-DADE WATER AND SEWER DEPT  
4200 SALZEDO STREET  
CORAL GABLES, FL 33146

THE ARTHUR MARSHALL FOUNDATION  
AND THE FLORIDA ENV INST, INC.  
P.O. BOX 2621  
PALM BEACH, FL 33480

## MARINA AND FISH CAMP POSTING

TWIN PALM RESORT  
RT. 6 BOX 885  
LAKEPORT, FL 33471

OKEECHOBEE AIRBOAT RIDES  
220 HWY 78  
OKEECHOBEE, FL 34974

BUCKHEAD RIDGE MARINA  
OKEECHOBEE, FL 34974

ANGLER'S GUIDE SERVICE  
1 SIXTH STREET  
OKEECHOBEE, FL 34974

OKEE TANTIE BAIT & TACKLE  
10430 HWY 78 WEST  
OKEECHOBEE, FL 34974

FAST BREAK  
1505 HWY 78 WEST  
OKEECHOBEE, FL 34974

BAIT & TACKLE  
8591 HWY 78 WEST  
OKEECHOBEE, FL 34974

J & S FISH CAMP  
9500 S.W. CONNERS'S HWY, #15  
OKEECHOBEE, FL 34974

PARKER'S BAIT AND TACKLE  
11486 S. E. HWY 441  
OKEECHOBEE, FL 34974

LITTLE BIG MAN'S  
630 721 LOOP ROAD  
MOORE HAVEN, FL 33471

SPORTSMAN'S VILLAGE MARINA  
1<sup>ST</sup> STREET NORTH  
MOORE HAVEN, FL 33471

ALVIN'S BAIT & TACKLE  
FLORIDA AVE.  
MOORE HAVEN, FL 33471

FISHERMAN'S VILLAGE  
1<sup>ST</sup> STREET NORTH  
MOORE HAVEN, FL 33471

UNCLE JOE'S MARINA & MOTEL  
LIBERTY POINT  
CLEWISTON, FL 33440

ANGLER'S GUIDE SERVICE  
1 SIXTH STREET  
OKEECHOBEE, FL 33974

JOLLY ROGER MARINA  
HWY 27 EAST  
CLEWISTON, FL 33440

FISHERMAN'S HEAVEN  
CUSTOM LURE'S BY SAM  
MOORE HAVEN, FL 33471

PAHOKEE MARINA  
200 UPPER W. LAKEVIEW DRIVE  
PAHOKEE, FL 33476

SPORTMAN'S VILLAGE MARINA  
1<sup>ST</sup> STREET NORTH  
MOORE HAVEN, FL 33471

ALVIN'S BAIT & TACKLE  
FLORIDA AVENUE  
MOORE HAVEN, FL 33471

OKEE TANTI BAIT & TACKLE  
10430 HWY 78 WEST  
OKEECHOBEE, FL 34974

FAST BREAK  
1505 HWY 78 WEST  
OKEECHOBEE, FL 34974

BAIT & TACKLE  
8591 HWY 78 WEST  
OKEECHOBEE, FL 34974

WET WYLLIES  
11486 S. E. HWY 441  
OKEECHOBEE, FL 34974

OKEECHOBEE AIRBOATS RIDES  
220 HWY 78  
OKEECHOBEE, FL 33974

J & S FISH CAMP  
9500 S. W. CONNER'S HWY, #15  
OKEECHOBEE, FL 34974

GARRARD'S BAIT AND TACKLE  
4259 HWY 441 SOUTH  
OKEECHOBEE, FL 34974

BUCKHEAD RIDGE MARINA  
OKEECHOBEE, FL 34974

TAYLOR CREEK LODGE  
2730 S. E. HWY 441  
OKEECHOBEE, FL 34974

CALOOSA LODGE  
RT 2 LOT # 31  
LAKE PORT, FL 33471  
C/O GREG CLOSE

NIX'S FISHING HEADQUARTERS  
3235 S. E. HWY 441, SUITE A  
OKEECHOBEE, FL 34974

CARROLL & LOUISE HEAD  
2252 SW 22<sup>ND</sup> CIRCLE NORTH  
OKEECHOBEE, FL 34974-5702

## OTHER

DAVID SUTTON  
UNIVERSITY OF FLORIDA  
IFAS RESEARCH CENTER  
3205 S. W. COLLEGE AVENUE  
FT. LAUDERDALE, FL 33314

WARREN BROWN  
ROUTE 2 BOX 42  
MOORE HAVEN, FL 33471

RED ALTMAN  
1508 S. E. 6<sup>TH</sup> STREET  
OKEECHOBEE, FL 34974

LISA B BEEVER, PH.D.  
CHARLOTTE HARBOR NEP  
4980 BAYLINE DRIVE  
N. FT. MYERS FL 33917-3909

RON RAMSEY  
404 S. E. 6<sup>TH</sup> STREET  
OKEECHOBEE, FL 34973

WILLIAM G WINTERS, MANAGER  
LAKE WORTH DRAINAGE DISTRICT  
13081 MILITARY TRAIL  
DELRAY BEACH FL 33484-1105

MIKE BODLE  
SOUTH FL. WATER MANAGEMENT DIST  
P. O. BOX 24680  
WEST PALM BEACH, FL 33419-4680

JEFF SCHARDT  
FL DEPT OF ENV PROTEC  
BUREAU INVASIVE PLANT MGMT  
2051 EAST DIRAC DRIVE  
TALLAHASSEE, FL 32310

**TED CENTER  
US DEPT OF AGRICULTURE  
AQUATIC PLANT LAB  
3205 S. W. COLLEGE AVE  
FT. LAUDERDALE, FL 33314**

**JIM RODGERS  
FL GAME & FRESH WATER FISH COMM  
WILDLIFE RESEARCH LAB  
4005 S MAIN STREET  
GAINESVILLE, FL 32601**

**DAVE EGGEMAN  
FL GAME & FREASH WATER FISH  
COMMISSION  
620 SOUTH MERIDIAN  
TALLAHASSEE, FL 32399-1600**

**VERNON VANDIVER  
UNIVERSITY OF FLORIDA, AGRI SCIENCES  
3205 S.W. COLLEGE AVENUE  
FT. LAUDERDALE, FL 33314**

**STEVE SMITH  
DUPUIS RESERVE  
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