

## APPENDIX E – PERTINENT CORRESPONDENCE

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

REPLY TO  
ATTENTION OF

CESAJ-PD-ES (1110-2-1150a)

12 July 2000

MEMORANDUM FOR Commander, U.S. Army Publishing and Records  
Management, Records Management Division  
Attn: SAIS-PRP-DR (Mr. Showalter)  
6000 6<sup>th</sup> Street, Fort Belvoir, Virginia  
22060-5576

SUBJECT: Notice of Intent to Prepare a Draft Environmental  
Impact Statement.

Enclosed for publication in the Federal Register are three  
signed copies of a Notice of Intent to Prepare a Draft EIS on  
the Lake Tohopekaliga Extreme Drawdown and Habitat Enhancement,  
Osceola County, Florida. The billing code is 3710-AJ.

FOR THE COMMANDER:

A handwritten signature in black ink that reads "James C. Duck".

Encl

JAMES C. DUCK  
Chief, Planning Division

Copy Furnished (w/encl):

Commander, South Atlantic Division (CESAD-ET-PR)

Mr. Paul Whalen, South Florida Water Management District  
Post Office Box 24680, West Palm Beach, Florida 33416-4680

DEPARTMENT OF DEFENSE

CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

3710-AJ

JACKSONVILLE DISTRICT, JACKSONVILLE, FL.

Intent to Prepare a Draft Environmental Impact Statement (DEIS) for the Lake Tohopekaliga Extreme Drawdown and Habitat Enhancement, Osceola County, Florida.

AGENCY: U.S. Army Corps of Engineers, DOD.

ACTION: Notice of intent.

SUMMARY: The Jacksonville District, U.S. Army Corps of Engineers (Corps), the Florida Fish and Wildlife Conservation Commission, and the South Florida Water Management District intend to prepare a Draft Environmental Impact Statement (DEIS) on the feasibility of implementing a plan for the Lake Tohopekaliga Extreme Drawdown and Habitat Enhancement Project, Osceola County, Florida.

ADDRESS: Questions about the proposed action and DEIS may be addressed to Ms. Heather Carolan or Ms. Lizabeth R. Manners, U.S. Army Engineer District, P.O. Box 4970, Jacksonville, Florida 32232-0019; Telephone 904-232-2016/3923.

## SUPPLEMENTARY INFORMATION

a. **Proposed Project:** Lake Tohopekaliga, located in Central Florida, has previously undergone three extreme drawdowns in 1971, 1979 and 1987. The drawdowns are designed to improve aquatic habitat that has been negatively impacted by flood control practices, which have resulted in detrimental stable lake levels and nutrient enrichment. Following refill of Lake Tohopekaliga after the three previous drawdowns the numbers of fish food organisms, sport fish and forage fish increased significantly; new aquatic vegetation communities became established; and organic sediments decreased in the lakes.

The purpose of this project is to improve the environmental ecosystem of Lake Tohopekaliga and thus provide quality habitat for fisheries, birds and other wildlife. Beneficial effects associated with the drawdown plan include bottom substrate improvements as organic build-up is reduced. Reduction of muck will lead to an increase in diversity and density of desirable vegetation. The drawdown will also allow the control of nuisance aquatic plants, such as hydrilla, water hyacinth, cattails, alligator weed, smartweed and pickerelweed, which proliferate under the unnatural static lake level conditions. In addition, the water quality of Lake Tohopekaliga will be enhanced by the nutrient uptake and filtration abilities by the

recruitment of native plant species. Restoring littoral habitat, which favors bass, will increase native fish species.

Approximately 2,844 acres (40%) of shoreline along Lake Tohopekaliga will be exposed during the drawdown. Organic bottom sediments should compact and consolidate during the scheduled low water period. Coverage of beneficial aquatic vegetation such as knotgrass, maidencane and bulrush should increase following refill due to germination of seeds exposed during the drawdown. The subsequent increase in vegetation communities should significantly increase fish food organisms and sport fish populations.

Muck removal will be performed to enhance aquatic habitat and improve boating conditions. Approximately 5 million cubic yards of organic material will be removed. The material will be disposed of on upland sites or used to create in-lake wildlife islands. Wildlife islands serve as excellent rookery sites for wading birds and also serve as resting and basking areas for reptiles.

**b. Alternatives:** Several drawdown alternatives will be identified and evaluated during the study.

Potential environmental resources and issues to be evaluated in the DEIS include project impacts on:

Fish and wildlife resources  
Wetlands resources  
Wildlife habitat & values  
Vegetation  
Water quality  
Surface & groundwater resources  
Endangered or threatened species  
Historical or archeological resources  
Aesthetics  
Nuisance and exotic plant species  
Downstream effects  
Air quality & noise  
Soils  
Navigation and recreation  
Freeze protection  
Local tropical fish farms

Because of the magnitude and duration of this project the U.S. Army Corps of Engineers, the Florida Fish and Wildlife Conservation Commission and the South Florida Water Management District have determined that a DEIS should be prepared for the Project pursuant to the National Environmental Policy Act (NEPA).

**c. Scoping:** The scoping process as outlined by the Council on Environmental Quality will be utilized to involve Federal, State, and local agencies; and other interested persons and organizations. A scoping letter will be sent to interested Federal, State, local agencies and interested parties requesting comments and concerns regarding issues to consider during the study. Responses to this letter will help identify the potential environmental impacts to be evaluated in the DEIS. Additional comments are welcome and may be provided to the above address. Public meetings may be held in the future. Exact dates, times and locations will be published in local papers.

**d. Schedule:** It is estimated that the DEIS will be available to the public by the spring of 2001.

DATE:

7/24/00



JAMES C. DUCK  
Chief, Planning Division



**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

NOV 02 2000

TO WHOM IT MAY CONCERN:

The U.S. Army Corps of Engineers (Corps), Jacksonville District is beginning to gather information to help identify issues and concerns to be addressed in a Draft Environmental Impact Statement (DEIS) for the Lake Tohopekaliga (Lake Toho) Extreme Drawdown and Habitat Enhancement Project, Osceola County, Florida (refer to enclosure 1). Water levels on Lake Toho are regulated by water control structures constructed by the Corps as a part of the Central and Southern Florida Project and operated and maintained by the South Florida Water Management District (SFWMD) based on criteria approved by the Corps.

The proposed action is to modify the water regulation schedules for Lake Toho and other water bodies to include periodic extreme low water stages on Lake Toho. The term "extreme" is relative to the existing Lake Toho regulation schedule, but is not extreme compared to historic lake water levels. The purpose of the action is to enhance Lake Toho's environmental resources and improve the lake's physical and chemical characteristics. Habitat enhancement activities would involve lowering water levels in Lake Toho to elevation 48.5 feet NGVD. This would consolidate bottom sediments and allow desirable aquatic plant communities to expand. The extreme drawdown of this lake would more closely mimic low water conditions that historically occurred about every seven to ten years prior to the lake being used for flood control. The regulation schedules for Lake Kissimmee, Hatchineha, Cypress, and possibly East Lake Toho would also be modified to facilitate water removal from Lake Toho.

Habitat enhancement activities on Lake Toho are recommended by the Florida Fish and Wildlife Conservation Commission (FWC) which would obtain required permits including a Department of the Army permit. FWC or others working under its permit(s) would perform the habitat enhancement work. Enhancement activities may include muck removal, as well as burning, disking

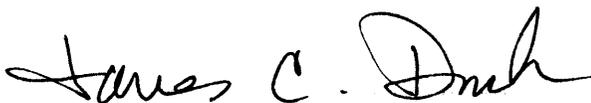
and herbicide application to reduce dense vegetation, tussock formation and organic build-up on the lake bottom.

The DEIS will consider the effects of the proposed action on wetlands, aesthetics, water quality, water supply, endangered and threatened species, fish and wildlife habitats and values, and historical or archeological resources. Other resources and issues to be included in the DEIS may be identified during the scoping process.

We welcome your views, comments and information about resources, study objectives and important features within the study area, as well as any suggested improvements. If you know of anyone else who may wish to comment, please notify them of this opportunity.

Letters of comments or inquiry should be addressed to the letterhead address to the attention of the Planning Division, Environmental Studies Section and should be received by this office within 30 days of the date of this letter. At this time, we are also asking individuals who wish to be kept on the mailing list and receive the DEIS to return the enclosed postage paid card by December 31, 2000. Questions may be addressed to Ms. Catherine Byrd, telephone 904-232-2016 or Ms. Lizabeth Manners, telephone 904-232-3923.

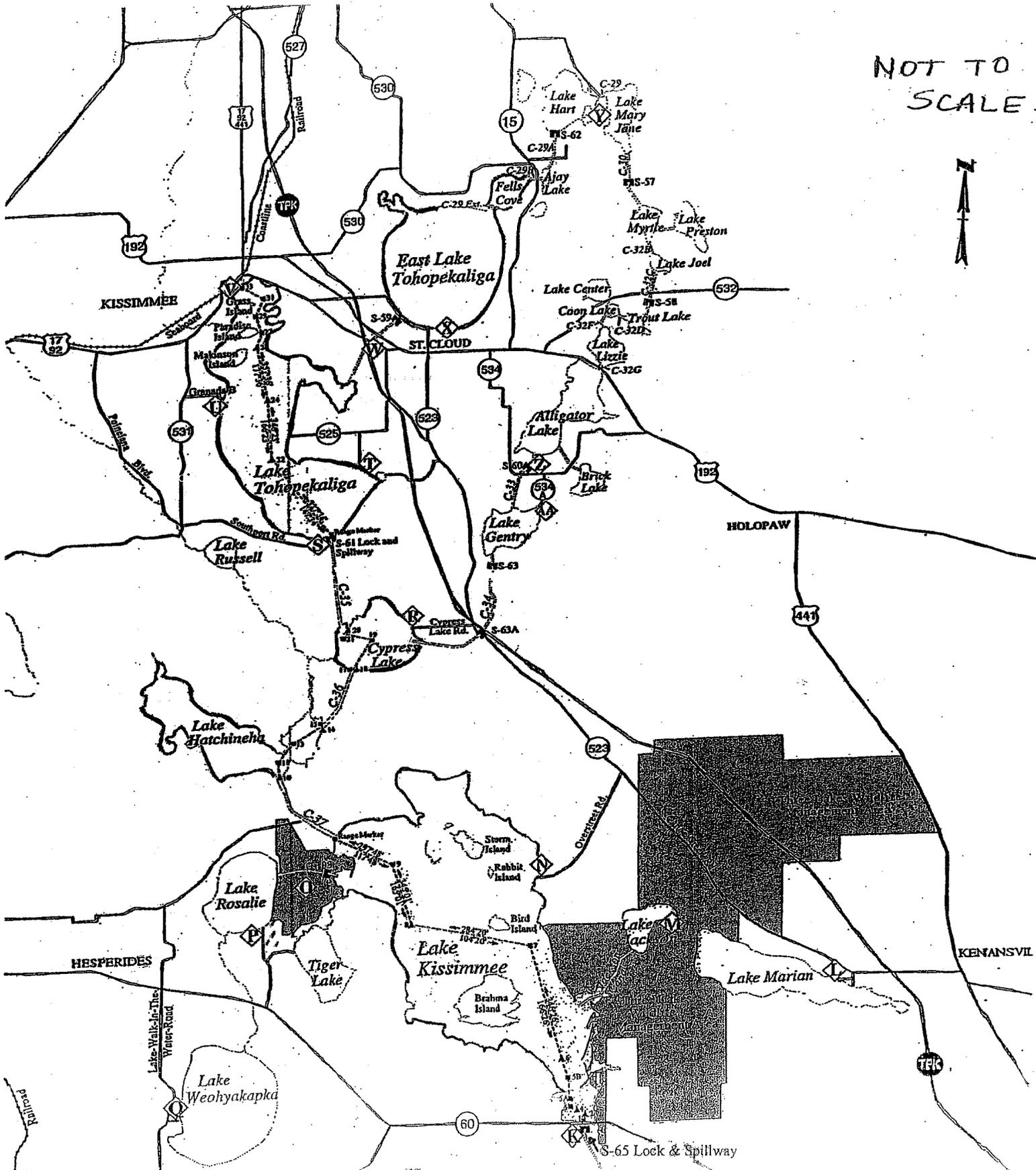
Sincerely,

A handwritten signature in black ink that reads "James C. Duck". The signature is written in a cursive style with a large, looped "D" at the end.

James C. Duck  
Chief, Planning Division

Enclosures

NOT TO SCALE



KISSIMMEE  
CHAIN OF LAKES

E-9

Encl 1

**COMMENT LETTERS RECEIVED FROM TOHO SCOPING LETTER**

FROM	DATE	LETTER ON PAGE	RESPONSE ON PAGE
United States Department of the Interior Fish and Wildlife Service	09/22/00	E-1 1	E-57
Alligator Lake Chain Homeowners Association	11/07/00	E-13	E-57
James Kelly	11/09/00	E-14	E-57
Robert Schafer, Jr	11/10/00	E-16	E-58
Moonlight Fishery, Marvin Johnson	11/13/00	E-17	E-58
Craig Lynch	11/15/00	E-18	E-59
Lloyd Geier	11/17/00	E-19	E-59
Sam Dower	11/29/00	E-20	E-59
National Marine Fisheries Service	12/15/00	E-22	E-60
Florida Department of State Division of Historical Resources	12/15/00	E-23	E-60
Florida State Clearinghouse	01/19/01	E-25	E-60
Mike Rogers	01/25/01	E-45	E-62
Arlyne & William O'Gara	02/19/01	E-46	E-62
South Florida Water Management District	02/20/01	E-47	E-62
Ross Gwin	04/23/01	E-54	E-63
United States Environmental Protection Agency	05/09/01	E-55	E-63



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
South Florida Ecological Services Office  
P.O. Box 2676  
Vero Beach, Florida 32961-2676



September 22, 2000

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

RE: Notice of Intent to Prepare a Draft Environmental Impact Statement for the Lake Tohopekaliga Extreme Drawdown and Habitat Enhancement (ER 00/0623)

Dear Mr. Duck:

The Fish and Wildlife Service (Service) has reviewed the *Notice of Intent to Prepare a Draft Environmental Impact Statement for the Lake Tohopekaliga Extreme Drawdown and Habitat Enhancement, Osceola County, FL.*, in the Federal Register, Volume 65, No. 151, published on August 4, 2000. Accordingly, we have prepared comments about our concerns regarding this action.

The Service generally supports periodic drawdowns in the Kissimmee Chain of Lakes of central Florida. Properly timed, these actions can contribute to wetland resource enhancement by reducing excessive density of aquatic and wetland vegetative communities, thereby providing benefits to fish and wildlife populations. However, we have concerns regarding implementation of this action and potential impacts to the endangered Everglade snail kite (*Rostrhamus sociabilis plumbeus*) and water quality of Lake Tohopekaliga. 1

Snail kites typically nest between February and May, requiring calm open water interspersed with shallow marsh habitat (0.2 - 1.3 meters deep). Nesting almost always occurs on small trees (*i.e.*, willow, bald cypress, pond cypress, sweetbay, red bay, pond apple, and dahoon holly) and emergent vegetation over open water. The Service recommends that the proposed drawdown be completed by the end of December to maintain nesting habitat availability for snail kites, while minimizing potential incidental take of eggs and/or nestlings. 2

The Notice of Intent describes the establishment of in-lake islands composed of a portion of the estimated 5 million cubic yards of organic spoil material (lake sediment). This spoil material has a very high load of concentrated nutrients (nitrogen and phosphorus) which accumulated in the sediment over several decades. When exposed to an aerobic aquatic environment and wave action, these nutrients will readily go into solution with waters in the lake, thereby contributing to

E-11

eutrophication of the lake. Although we certainly support the concept of establishing fish and wildlife habitats such as these proposed islands, the Service could not support actions which contribute to long-term impacts to aquatic resources from eutrophication. We believe adverse impacts to the lake's ecosystem resulting from eutrophication would outweigh any benefits attributed to enhancements associated with these islands. The Service recommends that organic spoil materials removed from the lake be disposed entirely in uplands outside of the lake. 3

We appreciate the opportunity to provide comments on this project. Thank you for your cooperation in the effort to protect wetlands and fish and wildlife resources. If you have any questions regarding our views of this project, please contact Robert Pace at (561) 778-0896, extension 11.

Sincerely yours,



James J. Slack  
Field Supervisor  
South Florida Ecological Services Office

cc:

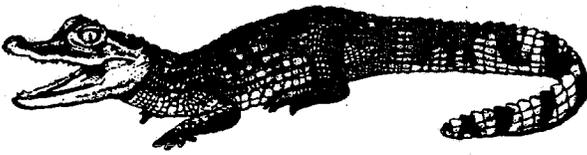
FWC, Vero Beach, FL (Mary Anne Poole)  
USFWS, Region 4 (Bruce Bell)  
USFWS, Region 9 BFA (Dan Smalley)

Alligator, Brick, Center, Coon, Lizzie, Trout

a non-profit corporation

P.O. Box 701953

St. Cloud, Florida 34770-1953



To: James Duck/ Environmental Branch, Planning Division.  
Army Corps Of Engineers  
P.O. Box 4970  
Jacksonville, FL 32232

From: Kerry Broaddus/ Alligator Lake Homeowners Association

Date: November 7, 2000

Subject: Proposed Draw down, West Lake Toho

As President of the Alligator Lake Chain Homeowners Association representing over three hundred member in and around the Alligator Lake Chain, I would like to offer the following comments regarding the Lake Toho draw down.

1 The ALCHA membership fully endorses the draw down of Lake Toho. Having the same draw down and Enhancement project just completed on the Alligator Chain Of Lakes, our members know first hand the benefits of these projects to our lakes. This was the most positive public works project I have ever had the pleasure to be associated with. To have over three hundred homeowners all agree on a public project, as you well know, is truly astounding.

The many inter-agency meetings I have attended over the years has shown a unique ability to come together and help resolve the many challenges facing our lake system today. I am amazed at the level of cooperation between the different agencies and I hope that level of cooperation continues in the future.

I was very pleased to hear the Corps is taking a more active role in these enhancement projects and I hope the increased participation will also include some much needed funding as well.

2 In conclusion, draw down and enhancements projects of our lakes must be done on a regular eight to ten year cycle to simulate Mother Nature. With the event of flood control structures years ago, this is the only viable concept man has available to maintain the health and integrity of our lakes. The Corps must take a leadership role to achieve that goal.

Sincerely,

Kerry Broaddus  
President/ ALCHA

Cc: Congressman Dave Weldon

E-13

ATTENTION  
PLANNING DIVISION

ENVIR. STUDIES

11/8/00

ENVIRONMENTAL BRANCH  
(DEPT. OF THE ARMY  
JACKSONVILLE DIST. GRPS OF ENV

DEAR ~~SHERS~~  
MS. CATHERINE BYRD?

P.O. BOX 4970  
JACKSONVILLE, FL 32232-0019

I HAVE A VIEW REGARDING THE  
FURTHER DRAW DOWN OF LAKE TOHO. -  
ALREADY LOW LEVELS HAS CAUSED  
1 MY HOME <sup>WATER</sup> PUMP TO STOP PROVIDING  
WATER. FURTHER REDUCED LEVELS  
WILL WORSEN THAT. I UNDERSTAND  
THAT LOWER LEVELS WILL IMPROVE  
THE HEALTH OF THE LAKE BUT I  
BELIEVE IN PREVENTION OF PROBLEMS, -  
2 PLEASE STATE THE CAUSES OF THE  
PROBLEM AND FIX SAME!

3 ~~THE~~ PLEASE INFORM ME EVERY  
STEP OF THE WAY IN YOUR PROCESS.  
4 MY WELL HAS WORKED FOR OVER  
50 YEARS AND THE CURRENT LOW  
LEVEL OF THE LAKE REFLECTS  
THE <sup>CURRENT</sup> FAILURE OF THE WELL. How  
a FAR ARE YOU <sup>E-14</sup> PLANNING TO

DRAWING DOWN THE LAKE RELATIVE TO THE CURRENT LOW LEVEL?

b. SHOULD I ~~DIG~~ DIG A NEW WELL NOW? - How LONG WILL

c. YOU KEEP THE LAKE DOWN?

d. DESCRIBE THE "PERIODIC EXTREME LOW WATER STAGES" PLEASE MAKE A SPECIAL EFFORT

TO KEEP ME INFORMED AS YOU

GO FORWARD(?)

I WOULD LIKE TO SEE THE <sup>EXTREME WATER</sup> ANNUAL LEVELS FOR EACH YEAR THAT DATA IS AVAILABLE.



THANKS

CAN YOU SUPPLY SAME

JAMES KELLY

1202 S. LAKESIDE DR,

LAKE WORTH, FL

33460-5602

YEAR	AVERAGE	LO	HI
1999	✓	✓	✓
1998	✓	✓	✓
1997	✓	✓	✓
1996	✓	✓	✓
⋮	⋮	⋮	⋮
1958	⋮	⋮	⋮

November 10, 2000

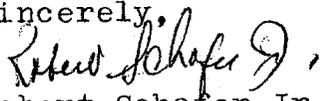
Department of the Army  
Jacksonville Dist. Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232-0019

RE: Planning Division - Environmental Branch

Dear Sirs,

1 I'm writing this letter in response to the letter I received about extreme drawdown of Lake Toho. I live on the Alligator Chain and fish the lakes during the winter months. On the last drawdown of Lake Toho and Lake Kississimmee, there were so many big bass taken from holes around the lakes that congregate there because of low water, it was a shame. Every fisherman in St. Cloud was talking about it and some were doing it. If your going to have other drawdowns, you should make it catch and release until water levels come back up. Thanks for the oppertunity to voice my opinion.

Sincerely,

  
Robert Schafer Jr.  
1340 S. Shore Drive  
St. Cloud, Florida 34771

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Marvin D. Johnson  
Moonlight Fishery  
6458 Hickory Tree Road  
St. Cloud FL 34772

November 13, 2000

Department of the Army  
District Corps of Engineers  
Planning Division  
P O Box 4970  
Jacksonville FL 32232-0019

RE: Kissimmee Chain of Lakes Drawdown Schedule

Dear Sir or Madame:

Please be advised, I am in receipt of your letter dated 11/2/00 regarding the above captioned subject.

I would like to take this opportunity to make you aware of my loss of business and property value due to the Alligator Lake drawdown which was conducted on January 20, 2000 and concluded on June 1, 2000.

1

I was a tropical fish farmer with 30 acres of property consisting of 100 ponds of tropical fish. During this draw down I lost all my ponds of fish, due to the low water level and trying to run enough water to maintain a viable habitat for maintaining fish i.e., water temperature and oxygen levels.

Thus, unable to fight ACOE, SFWMD, GFC and nature, I subsequently lost \$2.7 Million Dollars of fish stock and potential sales/income.

2

To date, I filed a claim with GFC and was denied, I have tried to contact legal department of SFWMD to no avail. I am actively restocking and trying to build my stock and my business as well. This is a slow and expensive venue. Another drawdown such as Lake Gentry would completely devastate my farm and my livelihood.

I am located between, C33 canal, Lake Gentry and Alligator Lake. I would appreciate any assistance in recouping my losses. If you could give me any information as to any other avenues to receive some type of claim moneys or financial assistance available, it would be greatly appreciated.

I would like to maintain my mailing status of any and all future drawdowns.

Thanking you in advance.

Sincerely,



Marvin D. Johnson  
Moonlight Fishery

E-17

Nov 15, 2000

Phone call from

Craig Lynch  
1003 Shore Drive  
Kissimmee, FL 34744  
407-870-0544

1 Regarding Lake Toho project. Stated that areas of concern to him were Partin canal, which connects Fish Lake to Lake Toho. It is at the North End of the Lake, and has a lot of muck. Mr. Lynch supports the Lake Toho Project.

I told him that if he was interested in performing any muck removal to call Marty Mann at FWC for permit issues.

Mr. Lynch remains on our mail list.

E-18

Department of The Army  
Jacksonville District Corps of Engineers  
P.O. Box 4970  
Jacksonville, Florida 32232-0019  
Attention: Planning Division, Environmental Studies Section

Mr. Lloyd Geier  
27 Westchester Drive  
Kissimmee, Florida 34744  
(407) 847-3996  
November 17, 2000

To Whom It May Concern:

We live at the northern end of Lake Tohopekaliga. Our portion of the lake is north of the Neptune Road bridge. I believe it is referred to as "Mill Slough".

We have resided here since 1981 and have witnessed the steady increase of pollution and decline of fishing and water quality. Adding to the environmental problems we have witnessed, the man made swamp that the Department of Environmental Regulation created off of Oak Street brings us yet another dilemma. This swamp borders a small stream which dumps urban runoff into our lake (Mill Slough). Since development of this man made swamp in 1994, Mill Slough has experienced a great influx of decomposing plant life, silt, muck and green slime. To top it off, the Southern Florida Water Management personnel have had an ongoing problem of spraying to reduce the lily pads introduced to Mill Slough via the swamp, which at times, (since 1994) has nearly covered all the open water. I am suggesting that during the draw down, all of these lily pads and other plant life detrimental to a navigable lake, be removed.

Secondly, I would like to request that Mill Slough be included in the muck removal, burning, disking, and herbicide application.

This will be the third draw down we have witnessed. Prior to the second one, we had clear water, good fishing and few weeds. Then, for one reason or another, weeds began sprouting and floating islands began to develop. The islands were removed but the hydrilla and lily pads took over and the silt buildup is horrendous! Most of Mill Slough cannot be navigated by a boat powered by an outboard motor.

Basically, we're requesting that Mill slough not be neglected in the planned drawdown as it has been in the past; and the DER's man made swamp be monitored for its contribution to the demise of Mill Slough and subsequently the main body of Lake Toho by appropriate authorities.

Lastly, we would like to have the two canals in Mill Slough dredged and cleared of weeds, restoring them to their pre-second drawdown condition.

Thank you for the opportunity to be heard.

Name: <u>Lloyd Geier</u>	Name: <u>Robert Mill</u>	Name: <u>Mary Slaw</u>
Address: <u>27 Westchester Dr.</u>	Address: <u>29 WESTCHESTER DR.</u>	Address: <u>30 WESTCHESTER DR.</u>
Name: <u>Evelyn Baker</u>	Name: <u>Joyce Johnston</u>	Name: <u>Phyllis L. Lascara</u>
Address: <u>710 NEPTUNE</u>	Address: <u>28 WESTCHESTER DR.</u>	Address: <u>16 Westchester Dr.</u>
Name: <u>Robert L. Pol</u>	Name: <u>Joe B. S.</u>	Name: <u>W. C. Thompson</u>
Address: <u>26 WESTCHESTER DR.</u>	Address: <u>21 WESTCHESTER DR.</u>	Address: <u>12 Westchester Court</u>
Name: <u>Dan &amp; Audrey</u>	Name: <u>Trish Abell</u>	Name: <u>Frank DeLeon</u>
Address: <u>17 Westchester Dr.</u>	Address: <u>19 Westchester Dr.</u>	Address: <u>17 Westchester Dr.</u>
Name: <u>He Louddy</u>	Name: <u>R J KESLER</u>	Name: <u>Barbara Anderson</u>
Address: <u>24 Westchester</u>	Address: <u>22 WESTCHESTER DR.</u>	Address: <u>704 NEPTUNE RD</u>
Name: <u>David A Zolinski</u>	Name: <u>Kenneth M. Raduazzo</u>	Name: <u>Joe Prigani</u>
Address: <u>20 WESTCHESTER DR.</u>	Address: <u>14 Westchester Ct.</u>	Address: <u>700 WEST ME RD</u>
Name: <u>CAROL GORRELL</u>	Name: <u>Verlin Lewis</u>	Name: <u>Agmar Ernesto Lopez</u>
Address: <u>18 Westchester Dr.</u>	Address: <u>708 Neptune Rd.</u>	Address: <u>23 Westchester Dr.</u>
Name: <u>Barry West</u>	Name: _____	Name: _____
Address: <u>25 Westchester Kiss</u>	Address: _____	Address: _____

Sam Dower • 917 Illinois Ave • St Cloud, FL 34769  
407-957-1153

11/29/2000

to: Mr. James Duck, C.O.E. Environmental Branch, Planning Div.  
P.O. Box 4970, Jacksonville, FL 32232-0019

re: Proposed Drawdown, West Lake Toho

This is to endorse the concept of a Drawdown Schedule for West Lake Toho. Perhaps you might call it 'Environmental Enhancement Drawdown' or some similarly innocuous term in lieu of 'Extreme'. 'Habitat enhancement' is also a fine term, but even if these lakes were nothing more than sterile saucers, the largest possible area of their shorelines, (and if necessary, below the littoral zone) should be cleaned so as to restore them as nearly as possible to their original contours.

Is your proposed starting date of mid-2001 realistic? Given the experience from the Alligator Chain Drawdown, will you be prepared for legal challenges. I believe a year was lost in this project because legal responses were either not timely nor effective. Be prepared for firmer, even proactive procedures to deal with legitimate complaints and dismiss the frivolous.

The Corps' proposed financial participation is a rare bit of good news. It's long been my contention that if the Corps is charged with managing these water bodies, they ought also be responsible for the results of this regulation. Whether the money is actually appropriated is a political matter. The most important thing is that the Corps has clearly indicated its intent.

While you are busy establishing schedules of lake levels, there are a number of ancillary issues that I believe you and the cooperating agencies should write into policy:

1. 'Spoil Islands' may be a satisfactory disposal area for 'private' lakes, such as Jackson, or large, shallow lakes with little prospect of high density development, i.e. Lakes Kissimmee, Cypress, and Hachinaha. As a continuing policy, this will prove to be unsustainable on such lakes as East and West Toho and the Alligator Chain.
2. Before there are any more real estate conflicts such as caused by the Kissimmee River Project, the Corps and associated agencies should establish 'high-water lines'. In addition, these lines should be carefully marked on the ground. so Developers and other land-owners would be fully aware.
3. During drawdowns, wide expanses of exposed lakeshore are open for examination for runlets indicating discharges from small sewage treatment plants, private ditches, roads and parking lots, all of which may add polluted runoff. Most drainage retrofits are prohibitively expensive, but perhaps some wide lakeside wetlands could be diked to provide settling ponds or act as filtration 'kidneys'.
4. The Corps, along with local governments and agencies, must come to a coherent policy regarding *non-owned* canals. Every one of you claims some measure of jurisdiction, but none of you will assume responsibility. Adjoining property owners have generally been cooperative, but logistics and cost are often beyond their means. Ducking this responsibility or doing work on a 'time-available' basis will not be the answer in a time of emergency.

E-20

Sam Dower • 917 Illinois Ave • St Cloud, FL 34769  
407-957-1153

p. 2 Lake Toho, 11/29/2000

Finally, as a general commentary to all this, please consider the 'Clean Water Act' which is so often referenced in your Permit Applications and documents from other agencies. When applied to surface water, the public thinks of sparkling, pure, ready-to-drink water in a lake or waterway. Unfortunately, Local Property Owners are already paying a 0.1 mil levy for having 'sent polluted water to the Everglades'. On a regular, almost routine basis, the Corps, County, and DEP approve developments and road work which in every case have an environmental impact. Incrementally, these impacts are so slight as to be negligible. Added together, the characteristics of entire watersheds are drastically revised. Mitigation applied to some far distant watershed is no mitigation. Even forgetting nature and wildlife concerns, developing these large areas results in direct dumping of runoff into downstream conduits. This lack of retention and filtration is then absolutely contrary to the Planners' computations which were used for approvals of this work in the first place. What will the Upper Kissimmee Basin be assessed if we send some really polluted water down the River?

Over the years, I've participated in many 'Inter-Agency' meetings and applauded the spirit of co-operation which has made possible the Drawdowns and other environmental improvements. But when the bulk of these Agencies ignore some of the basic conflicts between environment and growth, the result is much like a conspiracy, against which the public has little effective recourse.

Please be sure that a final check of all your planning decisions has a positive response to the question, "Will this be a sustainable policy leading to a continued healthy environment?"





**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office  
9721 Executive Center Drive North  
St. Petersburg, Florida 33702

December 15, 2000

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

Dear Mr. Duck:

The National Marine Fisheries Service (NMFS) has reviewed your staff's letter, dated November 2, 2000, requesting information on issues to be addressed in an Environmental Impact Statement for the proposed Extreme Drawdown and Habitat Enhancement Project for Lake Tohopekaliga in Osceola County, Florida. Based on the information provided, we have determined that the resources affected are not ones for which the NMFS is responsible and, therefore, we do not have any comments to provide regarding this project. 1

We appreciate the opportunity to provide you with our comments. If we can be of further assistance, please advise. Related comments, questions or correspondence should be directed to Mr. David N. Dale in St. Petersburg, Florida. He may be contacted at 727/570-5311 or at the letterhead address above.

Sincerely,

for Andreas Mager, Jr.  
Assistant Regional Administrator  
Habitat Conservation Division

cc:  
F/SER4  
F/SER43



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DIVISIONS OF FLORIDA DEPARTMENT OF STATE

- Office of the Secretary
- Office of International Relations
- Division of Elections
- Division of Corporations
- Division of Cultural Affairs
- Division of Historical Resources
- Division of Library and Information Services
- Division of Licensing
- Division of Administrative Services



- MEMBER OF THE FLORIDA CABINET
- State Board of Education
  - Trustees of the Internal Improvement Trust Fund
  - Administration Commission
  - Florida Land and Water Adjudicatory Commission
  - Siting Board
  - Division of Bond Finance
  - Department of Revenue
  - Department of Law Enforcement
  - Department of Highway Safety and Motor Vehicles
  - Department of Veterans' Affairs

FLORIDA DEPARTMENT OF STATE  
**Katherine Harris**  
 Secretary of State  
 DIVISION OF HISTORICAL RESOURCES

December 15, 2000

Department of the Army  
 Jacksonville District Corps of Engineers  
 Planning Division  
 Environmental Studies Section  
 P. O. Box 4970  
 Jacksonville, Florida 32232-0019

Re: Draft Environmental Impact Statement  
 Lake Tohopekaliga Drawdown and Habitat Enhancement Project  
 Florida Fish and Wildlife Conservation Commission  
 Osceola County, Florida  
 DHR Project File No. 2000-09909

To Whom It May Concern:

In accordance with the agency's responsibilities under Section 267.061 Florida Statutes, and the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), we have reviewed the referenced project for possible impact to historic properties listed, or eligible for listing, in the National Register of Historic Places. Based on a November meeting between staff from the Florida Fish and Wildlife Conservation Commission and this agency, it was decided to deal with all current and future lake drawdown projects in a consistent manner, which is described below.

Because of the fact that the proposed habitat enhancement project may adversely affect potentially significant archaeological resources, it is the opinion of this agency that an archaeological consultant be retained to develop a plan for the protection of cultural resources. The archaeological consultant should identify sensitive areas of the lake which should be avoided by project activities including assessing transportation routes, and should periodically be on site to monitor the project. Furthermore, the monitor should develop a short informational training session for the heavy equipment operators explaining what might be expected to be found during the demucking activities and steps that should be taken. The consultant should be the contact person should any local residents or the media have questions regarding the cultural resources aspects of this project.

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R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250 • <http://www.flheritage.com>

- Director's Office  
(850) 488-1480 • FAX: 488-3355
- Archaeological Research  
(850) 487-2299 • FAX: 414-2207
- Historic Preservation  
(850) 487-2333 • FAX: 922-0496
- Historical Museums  
(850) 488-1484 • FAX: 921-2503
- Historic Pensacola Preservation Board  
(850) 595-5985 • FAX: 595-5989
- 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

Corps of Engineers  
December 15, 2000  
Page 2

Lastly, the consultant must obtain a Chapter 1A-32 Archaeological Research Permit from the Division of Historical Resources, Bureau of Archaeological Research. The contact for this permit is Dr. Ryan Wheeler, Archaeology Supervisor, at (850) 487-2299.

Thus, conditioned upon the above referenced stipulations, it is the opinion of this office that the proposed project will have no effect on historic properties listed, or eligible for listing in the National Register of Historic Places, or otherwise of historical or archaeological value. The project may proceed.

If you have any questions concerning our comments, please do not hesitate to contact Susan Harp at (850) 487-2333. Your interest in protecting Florida's archaeological and historic resources is appreciated.

Sincerely,

*Frederick P. Gaska, Chief*  
*Bureau of Historic Preservation*

*J* Janet Snyder Matthews, Ph.D., Director  
Division of Historical Resources

JSM/smh

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STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**

*"Dedicated to making Florida a better place to call home"*

JEB BUSH  
 Governor

STEVEN M. SEIBERT  
 Secretary

January 19, 2001

Ms. Catherine Byrd  
 Department of the Army  
 Jacksonville District Corps of Engineers  
 Post Office Box 4970  
 Jacksonville, Florida 32232-0019

RE: Department of the Army - Jacksonville District Corps of Engineers - Information Gathering to Help Identify Issues and Concerns to be Addressed in a Draft Environmental Impact Statement for the Lake Tohopekaliga (Lake Toho) Extreme Drawdown and Habitat Enhancement Project - Osceola County, Florida  
 SAI: FL200011160743C

Dear Ms. Byrd:

The Florida State Clearinghouse, pursuant to Presidential 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 a review of the above-referenced project.

The Department of Environmental Protection (DEP) offers a number of comments regarding the proposed project and notes that the Florida Natural Areas Inventory (FNAI) has found several Element Occurrences mapped within the proposed area. DEP has enclosed a summary of the elements recorded for Osceola County. FNAI recommends that a site-specific survey be conducted to determine the current presence or absence of rare, threatened, or endangered species. Upon completion of the survey, a plan should be developed to protect these listed species. DEP also notes that the project, as described in the materials, would not require an Environmental Resource Permit. Please refer to the enclosed DEP comments and attachment.

The Florida Fish and Wildlife Conservation Commission (FWC) notes that it is fully supportive of this effort and that it would be responsible for obtaining necessary permits and performing the habitat enhancement work. The FWC is working with the U.S. Army Corps of Engineers and the South Florida Water Management District on this needed project. Please refer to the enclosed FWC comments.

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2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100  
 Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781  
 Internet address: <http://www.dca.state.fl.us>

CRITICAL STATE CONCERN FIELD OFFICE  
 2796 Overseas Highway, Suite 212  
 Marathon, FL 33050-2227  
 (305) 289-2407

COMMUNITY PLANNING  
 2555 Shumard Oak Boulevard  
 Tallahassee, FL 32399-2100  
 (850) 488-2256

EMERGENCY MANAGEMENT  
 2555 Shumard Oak Boulevard  
 Tallahassee, FL 32399-2100  
 (850) 413-0000

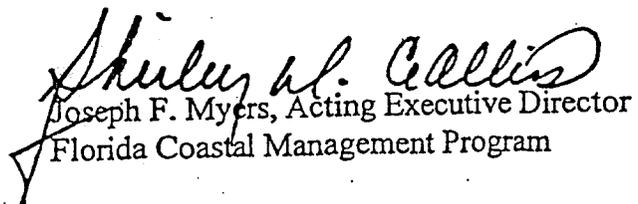
HOUSING & COMMUNITY DEVELOPMENT  
 2555 Shumard Oak Boulevard  
 Tallahassee, FL 32399-2100  
 (850) 488-7555

Ms. Catherine Byrd  
January 19, 2001  
Page Two

Based on the information contained in the above-referenced scoping notice and the enclosed comments provided by our reviewing agencies, 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 the scoping notice. If you have any questions regarding this letter, please contact Ms. Cherie Trainor, Clearinghouse Coordinator, at (850) 414-5495.

Sincerely,

  
Joseph F. Myers, Acting Executive Director  
Florida Coastal Management Program

JFM/cc

Enclosures

cc: Marlane Castellanos, Department of Environmental Protection  
Bradley Hartman, Fish and Wildlife Conservation Commission

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# Department of Environmental Protection

Twin Towers Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

DEC 22 2000

David B. Struhs  
Secretary

December 14, 2000

State of Florida Clearinghouse

Cherie Trainor  
State Clearinghouse  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

RECEIVED DEC 19 2000  
MAILED TO FNAI  
BY MISTAKE JB

RE: US COE/Information Gathering for Draft EIS for the Lake Tohopekaliga Extreme  
Drawdown and Habitat Enhancement Project, Osceola County

SAI: FL00-0743C

Dear Ms. Trainor:

The Florida Department of Environmental Protection (FDEP) has completed its review of the above-referenced project and we offer the following comments:

The channelization of the Kissimmee River and installation of numerous weirs and other control structures between lakes was undertaken by the US Army Corps of Engineers to alleviate flooding in the region and provide, in essence, year-round navigational opportunities for the boating public. This effort is authorized under the Central and South Florida Project. Lake Tohopekaliga (Lake Toho) is situated near the northern edge of this region and is connected to East Lake Toho and Lake Kissimmee via canals.

Control structures are used to maintain water elevations so that 'extreme high' lake levels are eliminated, as are 'extreme low' levels. Areas that historically flooded as a result of large storm events or a series of storms, avoid being flooded because the regulation schedule requires water be released prior to its reaching that historic flood elevation. Similarly, areas of lake bottom which historically would have dried out naturally during droughts generally still have some water covering them because the control structures keep more water in the lake, thereby maintaining navigation.

Lakes on which water levels have been stabilized are affected in a number of ways. Organic materials which previously would have been carried away or possibly washed up with floodwaters into higher, infrequently inundated areas, will instead settle in the lake. Organic materials on the lake bottom, which previously would have been compacted during droughts, remain on the bottom, often re-suspended by waves or the propellers of motorboats. The lakes in effect have become nutrient sinks, unable to flush those materials out except as occurs when the control structures are open.

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"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Modifying the water regulation schedule to provide for an extreme drawdown is a method of roughly mimicking the drying out of portions of lake-bottom that naturally occurred during droughts. While the lake bottom is exposed and sufficiently firm to support heavy equipment, the accumulated sediments can be bulldozed into windrows, loaded into trucks and hauled offsite. {Note: Occasionally the sediments and vegetation scraped from the bottom are piled into 'islands' waterward of the lake's high water line. These islands have been shown to provide habitat for a variety of plant and animal species. Care should be taken in design of these islands to prevent stagnated areas and areas where water movement would be restricted}. The newly exposed lake bottom, now devoid of a mucky layer, provides better fisheries habitat. Furthermore, more desirable emergent vegetation can become established in the sand bottom and the growth of pre-existing roots and/or seeds of desirable species are encouraged. Water quality also is enhanced as a result of the removal of the organics.

There are other facets of a drawdown to consider. Admittedly, a lake undergoing an extreme drawdown and removal of the muck is not aesthetically pleasing. In addition, the fish camps, marinas and other boating and fishing-related businesses situated near or adjacent to a drawn-down lake do suffer some financial hardships. Generally, however, the business owners are willing to tolerate the short-term inconvenience and hardship to gain the long-term benefits of improved water quality, improved fisheries and some degree of improved navigation.

In addition, there are some concerns regarding the impacts of a drawdown on groundwater resources in the immediate area. This concern was expressed prior to a previous and similar project, the Alligator Chain of Lakes. Several tropical fish farmers feared the drawdown would adversely affect their businesses by drawing down their lake levels, along with the other lakes in the project. A hydrogeological study conducted by South Florida Water Management District concluded that only one or two of the farms would be affected within that study area, and then only in drought situations.

Since Lake Toho is part of the larger South Florida drainage system, a thorough evaluation of the effects of a drawdown and habitat enhancement should be undertaken, including water quantity and quality as well as the effects on habitat. Extreme drawdowns of upstream lakes have the potential to add nutrient loads to downstream systems. Lake Toho is connected to the Kissimmee Chain of Lakes which drains into Lake Okeechobee. Lake Okeechobee is currently under study for evaluation of compliance with the Total Daily Maximum Load (TMDL). Care should be taken to avoid the addition of damaging amounts of nutrients to this Lake. Special attention should be given to the rate of recession to minimize the short term transport of nutrients from Lake Toho. However, it is anticipated that this project will provide for enhanced water storage and water quality improvements that will reduce nutrient loads to Lake Okeechobee once the project is completed and therefore provide benefits to the larger restoration of the Everglades ecosystem. ①

Also crucial to the watershed, Lake Toho provides upstream storage capacity. During the water level recession plan authorized by the South Florida Water Management District (SFWMD) to improve water quality and habitat in Lake Okeechobee, upstream drawdowns were stopped to allow the damaging high water levels in Lake Okeechobee to recede. Drawdowns for

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restoration purposes should consider the effects to downstream water levels in Lake Okeechobee since drawdowns may lead to an untimely rise in water levels. Untimely rises in levels could lead to environmentally damaging water releases from the lake to the St. Lucie and Caloosahatchee estuaries.

An extreme drawdown (combined with muck removal) is important in terms of its impact on snail kites, an endangered species. Stabilized water levels encourage increased growth of aquatic vegetation in littoral zones. Snail kites are sight feeders. If the vegetation grows too thick, the kites literally can't see the snails upon which they feed. Less dense vegetation improves their likelihood of a successful foray for food.

Snail kites generally nest around the end of February or the beginning of March, and continue through early June. There are reports, however, of some snail kites nesting year round. Once a nest is built, as a drawdown proceeds, the bullrushes and cattails (in which the nests are situated) collapse because the substrate no longer can support the vegetation. Therefore, the Department recommends that the drawdown begin late in the year (November/December) or very early in the year (January) before nesting season. Although the US Fish and Wildlife Service may issue a permit allowing the Florida Fish and Wildlife Conservation Commission to 'take' (destroy) a few nests during the process, it's nonetheless important to have the drawdown underway prior to the onset of nesting activities.

Absent the natural and occasional 'high highs' and 'low lows' on a lake without a control structure, the occasional extreme drawdown provides an opportunity for organic sediments to be oxidized, natural sand bottoms to be revegetated with desirable species, fish and wildlife habitat improved, and water quality enhanced.

Paradise and possibly Makinson Island support populations of exotic wildlife such as Capybaras which were established on these Islands several years ago when they were used as a small wildlife safari attraction. An extreme drawdown such as that proposed, may allow these exotic animals to escape the confines of the island and become established along the shoreline of Lake Tohopekaliga. Therefore, it is suggested that the animals be removed from the island prior to the drawdown to reduce the likelihood of their escape to the mainland.

The Florida Natural Areas Inventory (FNAI) has notified this Department that it has found several Element Occurrences mapped within the proposed area. For this reason, it is recommended that a site-specific survey be conducted to determine the current presence or absence of rare, threatened, or endangered species. Once this survey is completed, a plan should be developed to protect these listed species. Only individuals familiar with Florida's flora and fauna should conduct surveys. For your convenience, a summary of the elements recorded for Orange County is enclosed. Because the data from FNAI is not always based on comprehensive or site-specific field surveys, it should not be regarded as a final statement on the biological resource of the site being considered, nor should it be substituted for on-site surveys.

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Ms. Cherie Trainor  
December 14, 2000  
Page Four

The project as described in the materials would not require an Environmental Resource Permit (ERP) pursuant to Chapter 373 Florida Statutes.

Thank you for the opportunity to comment on this project. If I can be of further assistance, please contact me at (850) 487-2231.

Sincerely,

MC

Marlane Castellanos  
Office of Intergovernmental Programs

MC/  
Enclosure

E-30

# FLORIDA NATURAL AREAS INVENTORY

1018 Thomasville Road, Suite 200-C · Tallahassee, Florida 32303 · (850) 224-8207 · FAX (850) 681-9364 · www.fnai.org

December 1, 2000

Marlane Castellanos  
Department of Environmental Protection  
Office of Legislative and Governmental Affairs  
3900 Commonwealth Blvd., MS 47  
Tallahassee, FL 32399-3000

RECEIVED

DEC 04 2000

OIP/OLGA

Dear Ms. Castellanos:

Thank you for your request for information from the Florida Natural Areas Inventory (FNAI). Your data request, received on November 27, 2000, specified an area located in Township 26S, Range 29E, Section 1 and Township 25S, Range 30E, Section 16, in Osceola County.

A search of our maps and database indicates that currently we have several Element Occurrence Records mapped within one mile of the study area (see enclosed map and table). The map legend indicates the precision of the element occurrence location, defined as second (within about 300 feet), minute (within about one mile), or general (within about 5 miles). Also note the locations of breeding colony sites identified by the Florida Game and Fresh Water Fish Commission Breeding Bird Atlas Project.

Please note that Potential Natural Areas are located near the site. These are private lands which are not managed for conservation, but which may have features of environmental significance, as determined by FNAI scientists. Potential Natural Areas should be considered useful information for planning purposes. Please see the enclosed explanation sheet for more information.

The Inventory always recommends that a site specific survey be conducted to determine the current presence or absence of rare, threatened, or endangered species. Surveys should be conducted by individuals familiar with Florida's flora and fauna. For your convenience, a summary of the elements recorded for Osceola County is enclosed.

The database maintained by the Florida Natural Areas Inventory is the single most comprehensive source of information available on the locations of rare species and other significant ecological resources. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. Inventory

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The Nature Conservancy and the Florida Department of Environmental Protection

Marlane Castellanos  
December 1, 2000  
Page 2

data are designed for the purposes of conservation planning and scientific research, and are not intended for use as the primary criteria for regulatory decisions.

Information provided by this database may not be published without prior written notification to the Florida Natural Areas Inventory, and the Inventory must be credited as an information source in these publications. FNAI data may not be resold for profit.

Thank you for your use of FNAI services. If I can be of further assistance, please give me a call at (850) 224-8207.

Sincerely,



Jonathan Oetting  
Information Coordinator

JO:stk

encl

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# Florida Natural Areas Inventory

Township 26S, Range 29E, Section 1 and Township 25S, Range 30E, Section 16, Osceola County



**LEGEND**

**Element Occurrences:**

Precision:  
sec min gen

- Animals
- Plants
- ▲ Natural Communities
- ▲ Other

● FL Game & Fresh Water Fish  
Breeding Bird Atlas Project

● US Fish & Wildlife Service  
Scrub Jay Survey

**Managed Areas:**

- Federal
- State
- Local
- Private
- Aquatic Preserves

**Land Acquisition Projects:**

- Water Management District
- Save Our Rivers Projects
- Conservation and Recreation Lands (CARL) 2000 Projects

**Non-managed Areas:**

- Potential Natural Areas
- Areas of Conservation Interest

▾ Principal highways

▾ Secondary highways

▾ Local roads

▾ County boundaries

□ Water

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FNAJ ELEMENT OCCURRENCE RECORDS ON OR NEAR SITE

GIS ID	SCIENTIFIC NAME	COMMON NAME	GLOBAL STATE		FEDERAL STATE		DATE		OBSERVED	DESCRIPTION	COMMENTS
			RANK	RANK	STATUS	STATUS	YEAR	YEAR			
281330001	ROSTRHAMUS SOCIABILIS PLUMBEUS SNAIL KITE		G4G5T1	S1	LE	LE	1992-12		Freshwater lake with a relatively narrow littoral zone.	Foraging and nesting area. Kites began nesting at East Lake Tohopekalga during the 1980s in response to droughts and low water levels in south Florida (Everglades and Lake Okeechobee). Considered a drought-related area (versus primary or secondary areas)	
281330002	HALIAEETUS LEUCOCEPHALUS	BALD EAGLE	G4	S3	(PS)	LT	1995		NO GENERAL DESCRIPTION GIVEN	NEST; 1995: ACTIVE, PRODUCED 0 YOUNG; 1994: PRODUCED 1 YOUNG; 1993: ACTIVE, PRODUCED 0 YOUNG; 1992: PRODUCED 1 YOUNG; 1991: PRODUCED 2 YOUNG; 1990: PRODUCED 1 YOUNG; 1989: PRODUCTIVITY UNKNOWN.	
281330005	HALIAEETUS LEUCOCEPHALUS	BALD EAGLE	G4	S3	(PS)	LT	1995		NO GENERAL DESCRIPTION GIVEN	Nest; 1995: Produced 2 young; 1994: Produced 2 young; 1993: Produced 2 young; 1992: Produced 2 young; 1991: Inactive; 1990: Active, produced 0 young; 1989: Produced 2 young; 1988: Produced 2 young; 1987: Active, produced 0 young; 1986: Produced 2 young.	
281340001	HALIAEETUS LEUCOCEPHALUS	BALD EAGLE	G4	S3	(PS)	LT	1993		NO GENERAL DESCRIPTION GIVEN	NEST; 1994: GONE; 1993: PRODUCED 2 YOUNG; 1992: PRODUCED 1 YOUNG; 1991: PRODUCED 2 YOUNG.	
281340007	ROSTRHAMUS SOCIABILIS PLUMBEUS SNAIL KITE		G4G5T1	S1	LE	LE	1992-12		Freshwater lake with a relatively narrow littoral zone.	Foraging and nesting site. Kites began nesting (recolonizing former nesting range) at Lake Tohopekalga during the 1980s in response to droughts and low water levels in south Florida (Everglades and Lake Okeechobee). Considered a drought-related area (vs	
281340008	HALIAEETUS LEUCOCEPHALUS	BALD EAGLE	G4	S3	(PS)	LT	1995		NO GENERAL DESCRIPTION GIVEN	NEST; 1995: PRODUCED 2 YOUNG; 1994: PRODUCED 2 YOUNG; 1993: ACTIVE, PRODUCED 0 YOUNG; 1992: PRODUCED 2 YOUNG; 1991: PRODUCED 1 YOUNG; 1990: ACTIVE, PRODUCED 0 YOUNG; 1989: ACTIVE, PRODUCED 0 YOUNG; 1974-1986: 1988 ACTIVE, 1987 UNKNOWN, FLEDGED YOUNG 1974	

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**Osceola County Summary**  
 Rare Species and Natural Communities

Occurrence Scientific Name	Common Name	Global Rank*	State Rank*	Federal Status*	State Status*	Status†
<b><u>AMPHIBIANS</u></b>						
<i>Rana capito</i>	gopher frog	G4	S3	N	LS	P
<b><u>REPTILES</u></b>						
<i>Alligator mississippiensis</i>	American alligator	G5	S4	T(S/A)	LS	C
<i>Crotalus adamanteus</i>	eastern diamondback rattlesnake	G5	S3	N	N	C
<i>Drymarchon corais couperi</i>	eastern indigo snake	G4T3	S3	LT	LT	C
<i>Eumeces egregius lividus</i>	blue-tailed mole skink	G4T2	S2	LT	LT	C
<i>Gopherus polyphemus</i>	gopher tortoise	G3	S3	N	LS	C
<i>Neoseps reynoldsi</i>	sand skink	G2	S2	LT	LT	C
<i>Sceloporus woodi</i>	Florida scrub lizard	G3	S3	N	N	C
<b><u>BIRDS</u></b>						
<i>Accipiter cooperii</i>	Cooper's hawk	G4	S3?	N	N	P
<i>Aimophila aestivalis</i>	Bachman's sparrow	G3	S3	N	N	C
<i>Ammodramus savannarum floridanus</i>	Florida grasshopper sparrow	G5T1	S1	LE	LE	C
<i>Aphelocoma coerulescens</i>	Florida scrub-jay	G3	S3	LT	LT	C
<i>Aramus guarauna</i>	limpkin	G5	S3	N	LS	C
<i>Ardea alba</i>	great egret	G5	S4	N	N	C
<i>Buteo brachyurus</i>	short-tailed hawk	G4?	S3	N	N	P
<i>Caracara plancus</i>	crested caracara	G5	S2	LT	LT	C
<i>Egretta caerulea</i>	little blue heron	G5	S4	N	LS	C
<i>Egretta thula</i>	snowy egret	G5	S4	N	LS	C
<i>Egretta tricolor</i>	tricolored heron	G5	S4	N	LS	C
<i>Elanoides forficatus</i>	swallow-tailed kite	G4	S2S3	N	N	P
<i>Eudocimus albus</i>	white ibis	G5	S4	N	LS	C
<i>Falco columbarius</i>	merlin	G5	SU	N	N	P
<i>Falco peregrinus</i>	peregrine falcon	G4	S2	LE	LE	P
<i>Falco sparverius paulus</i>	southeastern American kestrel	G5T3T4	S3?	N	LT	C
<i>Grus americana</i>	whooping crane	G1	SXC	XN	LS	C
<i>Grus canadensis pratensis</i>	Florida sandhill crane	G5T2T3	S2S3	N	LT	C
<i>Haliaeetus leucocephalus</i>	bald eagle	G4	S3	LT	LT	C
<i>Icthyophaga exilis</i>	least bittern	G5	S4	N	N	P
<i>Mycteria americana</i>	wood stork	G4	S2	LE	LE	C
<i>Nyctanassa violacea</i>	yellow-crowned night-heron	G5	S3?	N	N	P
<i>Nycticorax nycticorax</i>	black-crowned night-heron	G5	S3?	N	N	C
<i>Pandion haliaetus</i>	osprey	G5	S3S4	N	LS**	C
<i>Picoides borealis</i>	red-cockaded woodpecker	G3	S2	LE	LT	C
<i>Picoides villosus</i>	hairy woodpecker	G5	S3?	N	N	P
<i>Plegadis falcinellus</i>	glossy ibis	G5	S2	N	N	P
<i>Rostrhamus sociabilis plumbeus</i>	snail kite	G4G5T1	S1	LE	LE	C
<i>Speotyto cunicularia floridana</i>	Florida burrowing owl	G4T3	S3	N	LS	C
<b><u>MAMMALS</u></b>						
<i>Corynorhinus rafinesquii</i>	Rafinesque's big-eared bat	G3	S3?	N	N	C
<i>Felis concolor coryi</i>	Florida panther	G5T1	S1	LE	LE	P

# FLORIDA NATURAL AREAS INVENTORY

1018 Thomasville Road, Suite 200-C, Tallahassee, FL 32303 (850) 224-8207

April, 1998

Page 2

## Osceola County Summary Rare Species and Natural Communities

Occurrence Scientific Name	Common Name	Global Rank*	State Rank*	Federal Status*	State Status*	Status†
<i>Mustela frenata peninsulæ</i>	Florida long-tailed weasel	G5T3	S3?	N	N	P
<i>Neofiber alleni</i>	round-tailed muskrat	G3	S3	N	N	P
<i>Podomys floridanus</i>	Florida mouse	G3	S3	N	LS	C
<i>Sciurus niger shermani</i>	Sherman's fox squirrel	G5T2	S2	N	LS	C
<i>Sorex longirostris longirostris</i>	southeastern shrew	G5T5	S4	N	N	P
<i>Ursus americanus floridanus</i>	Florida black bear	G5T2	S2	C	LT**	C
<b><u>INVERTEBRATES</u></b>						
<i>Cicindela hirtilabris</i>	peninsular tiger beetle	G4	S?	N	N	C
<i>Cicindela scabrosa</i>	scrub tiger beetle	G3	S?	N	N	C
<b><u>VASCULAR PLANTS</u></b>						
<i>Andropogon arctatus</i>	pine-woods bluestem	G3	S3	N	N	C
<i>Aristida rhizomophora</i>	Florida three-awned grass	G2	S2	N	N	C
<i>Asclepias curtissii</i>	Curtiss' milkweed	G3	S3	N	LE	C
<i>Bonamia grandiflora</i>	Florida bonamia	G3	S3	LT	LE	C
<i>Chionanthus pygmaeus</i>	pygmy fringe tree	G3	S3	LE	LE	C
<i>Conradina brevifolia</i>	short-leaved rosemary	G2Q	S2	LE	LE	C
<i>Conradina grandiflora</i>	large-flowered rosemary	G3	S3	N	LE	C
<i>Eriogonum longifolium</i> var <i>gnaphalifolium</i>	scrub buckwheat	G4T3	S3	LT	LE	C
<i>Gymnopogon chapmanianus</i>	Chapman's skeletongrass	G2	S2	N	N	C
<i>Ilex opaca</i> var <i>arenicola</i>	scrub holly	G5T3	S3	N	N	R
<i>Lechea cernua</i>	nodding pinweed	G3	S3	N	LT	C
<i>Lupinus westianus</i> var <i>aridorum</i>	scrub lupine	G2T1	S1	LE	LE	C
<i>Myriophyllum laxum</i>	pedmont water-milfoil	G3	S2S3	N	N	C
<i>Nemastylis floridana</i>	fall-flowering ixia	G2	S2	N	LE	C
<i>Nolina atopocarpa</i>	Florida beargrass	G3	S3	N	LT	C
<i>Nolina brittoniana</i>	Britton's beargrass	G2	S2	LE	LE	C
<i>Panicum abscissum</i>	cutthroat grass	G2	S2	N	LE	C
<i>Paronychia chartacea</i> ssp <i>chartacea</i>	paper-like nailwort	G3T3	S3	LT	LE	C
<i>Persea humilis</i>	scrub bay	G3	S3	N	N	C
<i>Physostegia leptophylla</i>	slender-leaved dragon-head	G4?	S3S4	N	N	C
<i>Platanthera integra</i>	yellow fringeless orchid	G4	S3S4	N	LE	C
<i>Polygala lewtonii</i>	Lewton's polygala	G2	S2	LE	LE	C
<i>Polygonella myriophylla</i>	Small's jointweed	G3	S3	LE	LE	C
<i>Prunus geniculata</i>	scrub plum	G2G3	S2S3	LE	LE	C
<i>Pteroglossaspis ecristata</i>	wild coco	G2G3	S2	N	LT	C
<i>Warea amplexifolia</i>	clasping warea	G1	S1	LE	LE	C
<i>Zephyranthes simpsonii</i>	rain lily	G2G3	S2S3	N	LT	C
<b><u>NATURAL COMMUNITIES</u></b>						
Basin Marsh		G?	S4?	N	N	C
Baygall		G4?	S4?	N	N	C
Bottomland Forest		G4	S4?	N	N	C
Depression Marsh		G4?	S3	N	N	C

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**Osceola County Summary**  
 Rare Species and Natural Communities

Occurrence Scientific Name	Common Name	Global Rank*	State Rank*	Federal Status*	State Status*	Status†
Dome Swamp		G4?	S3?	N	N	C
Dry Prairie		G2	S2	N	N	C
Flatwoods/Prairie Lake		G4?	S3	N	N	C
Floodplain Swamp		G?	S4?	N	N	C
Hydric Hammock		G?	S4?	N	N	C
Mesic Flatwoods		G?	S4	N	N	C
Prairie Hammock		G4	S4	N	N	C
Sandhill Upland Lake		G3	S2	N	N	C
Sandhill		G2G3	S2	N	N	C
Scrubby Flatwoods		G3	S3	N	N	C
Scrub		G2	S2	N	N	C
Seepage Slope		G3?	S2	N	N	C
Slough		G4	S4?	N	N	C
Strand Swamp		G4?	S4?	N	N	C
Wet Flatwoods		G?	S4?	N	N	C
Wet Prairie		G?	S4?	N	N	C
Xeric Hammock		G?	S3	N	N	C
<u>OTHER</u>				N	N	C
Bird rookery						

\* See attached *FNAI Rank Explanations* sheet for definitions of Global and State Ranks, and State and Federal Status

\*\* See attached *FNAI Rank Explanations* sheet, *Special Animal Listings - State and Federal Status* section

†COUNTY OCCURRENCE STATUS

Vertebrates and Invertebrates:

C = (Confirmed) Occurrence status derived from a documented record in the FNAI data base.

P = (Potential) Occurrence status derived from a reported occurrence for the county, or the occurrence lies within the published range of the taxon.

N = (Nesting) For sea turtles only; occurrence status derived from documented nesting occurrences.

Plants, Natural Communities, and Other:

C = (Confirmed) Occurrence status derived from a documented record in the FNAI data base or from a herbarium specimen.

R = (Reported) Occurrence status derived from published reports.

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## FEDERAL AND STATE LEGAL STATUSES

Provided by FNAI for information only.  
For official definitions and lists of protected species, consult the relevant state or federal agency.

### FEDERAL LEGAL STATUS

Definitions derived from U.S. Endangered Species Act of 1973, Sec. 3. Note that the federal status given by FNAI refers only to Florida populations and that federal status may differ elsewhere.

- LE Endangered: species in danger of extinction throughout all or a significant portion of its range.
- LT Threatened: species likely to become Endangered within the foreseeable future throughout all or a significant portion of its range.
- E(S/A) Endangered due to similarity of appearance to a species which is federally listed such that enforcement personnel have difficulty in attempting to differentiate between the listed and unlisted species.
- T(S/A) Threatened due to similarity of appearance (see above).
- PE Proposed for listing as Endangered species.
- PT Proposed for listing as Threatened species.
- C Candidate species for which federal listing agencies have sufficient information on biological vulnerability and threats to support proposing to list the species as Endangered or Threatened.
- XN Non-essential experimental population.
- MC Not currently listed, but of management concern to USFWS.
- N Not currently listed, nor currently being considered for listing as Endangered or Threatened.

### FLORIDA LEGAL STATUSES

**Animals:** Definitions derived from "Florida's Endangered Species and Species of Special Concern, Official Lists" published by Florida Fish and Wildlife Conservation Commission, 1 August 1997, and subsequent updates.

- LE Endangered: species, subspecies, or isolated population so few or depleted in number or so restricted in range that it is in imminent danger of extinction.
- LT Threatened: species, subspecies, or isolated population facing a very high risk of extinction in the future.
- LS Species of Special Concern is a species, subspecies, or isolated population which is facing a moderate risk of extinction in the future.
- PE Proposed for listing as Endangered.
- PT Proposed for listing as Threatened.
- PS Proposed for listing as Species of Special Concern.
- N Not currently listed, nor currently being considered for listing.

**Plants:** Definitions derived from Sections 581.011 and 581.185(2), Florida Statutes, and the Preservation of Native Flora of Florida Act, 5B-40.001. FNAI does not track all state-regulated plant species; for a complete list of state-regulated plant species, call Florida Division of Plant Industry, 352-372-3505.

- LE Endangered: species of plants native to Florida that are in imminent danger of extinction within the state, the survival of which is unlikely if the causes of a decline in the number of plants continue; includes all species determined to be endangered or threatened pursuant to the U.S. Endangered Species Act.
- LT Threatened: species native to the state that are in rapid decline in the number of plants within the state, but which have not so decreased in number as to cause them to be Endangered.
- PE Proposed for listing as Endangered.
- PT Proposed for listing as Threatened.
- N Not currently listed, nor currently being considered for listing.

## GLOBAL AND STATE RANKS

Florida Natural Areas Inventory (FNAI) defines an element as any rare or exemplary component of the natural environment, such as a species, natural community, bird rookery, spring, sinkhole, cave, or other ecological feature. FNAI assigns two ranks to each element found in Florida: the global rank, which is based on an element's worldwide status, and the state rank, which is based on the status of the element within Florida. Element ranks are based on many factors, including estimated number of occurrences, estimated abundance (for species and populations) or area (for natural communities), estimated number of adequately protected occurrences, range, threats, and ecological fragility.

### GLOBAL RANK DEFINITIONS

- G1 Critically imperiled globally because of extreme rarity (5 or fewer occurrences or less than 1000 individuals) or because of extreme vulnerability to extinction due to some natural or human factor.
- G2 Imperiled globally because of rarity (6 to 20 occurrences or less than 3000 individuals) or because of vulnerability to extinction due to some natural or human factor.
- G3 Either very rare and local throughout its range (21-100 occurrences or less than 10,000 individuals), or found locally in a restricted range, or vulnerable to extinction from other factors.
- G4 Apparently secure globally (may be rare in parts of range).
- G5 Demonstrably secure globally.
- GH Occurred historically throughout its range, but has not been observed for many years.
- GX Believed to be extinct throughout range.
- GXC Extirpated from the wild but still known from captivity or cultivation.
- G#? Rank uncertain (e.g., G2?).
- G#G# Range of rank; insufficient data to assign specific global rank (e.g., G2G3)
- G#T# Rank of a taxonomic subgroup such as a subspecies or variety; the G portion of the rank refers to the entire species, and the T portion refers to the subgroup; T# has same definition as G#.
- G#Q Ranked as species but there is some question as to whether it is a valid species.
- G#T#Q Same as above, but validity as subspecies or variety is questioned.
- GU Global rank unknown; due to lack of information, no rank or range can be assigned.
- G? Temporarily not ranked.

### STATE RANK DEFINITIONS

State ranks (S#) follow the same system and have the same definitions as global ranks, except they apply only to Florida, with the following additions:

- SA Accidental in Florida and not part of the established biota.
- SE Exotic species established in Florida (may be native elsewhere in North America).
- SX Believed to be extirpated from state.

# FLORIDA NATURAL AREAS INVENTORY

## Florida Scrub-Jay Survey and Breeding Bird Atlas Data Layers

In addition to our element occurrence database of rare species and natural community locations, the Inventory has additional data layers which have been provided by state and federal agencies.

### Florida Scrub-Jay Survey - U.S. Fish and Wildlife Service

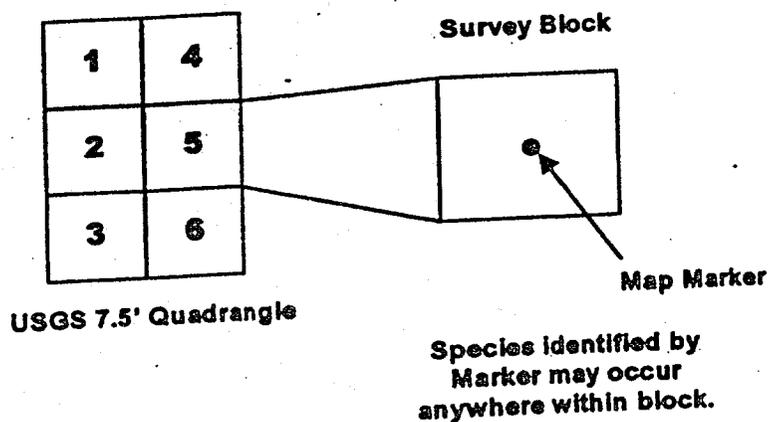
This survey was conducted by staff and associates of the Archbold Biological Station from 1992 to 1996. An attempt was made to record all scrub-jay (*Aphelocoma coerulescens*) groups, although most federal lands were not officially surveyed.

Each map point represents one or more groups.

### Florida Breeding Bird Atlas Project - Florida Game and Fresh Water Fish Commission (now Florida Fish and Wildlife Conservation Commission)

This study was conducted from 1986 to 1991, (final report, *An Atlas of Florida's Breeding Birds* by Kale, Pranty, Stith, and Biggs, Nongame Wildlife Program, Florida Game and Fresh Water Fish Commission). The study divided the state into "blocks", with each block representing one-sixth of a U.S. Geological Survey 7.5 minute topographic quadrangle map. Several categories of breeding activity were recorded by observers.

Each map point is located at the center of a block, and represents species listed as Possible or Probable Breeders within the surrounding block (approximately 10 square miles in area).



# Florida Natural Areas Inventory: Areas of Conservation Interest (ACI) and Potential Natural Areas (PNA) Data Layers

Effective January 1, 1998, the former Areas of Conservation Interest data layer categories A, B and C have been reclassified into two separate layers known as Areas of Conservation Interest (ACI) and Potential Natural Areas (PNA). The former ACI categories B and C have been renamed and assigned new ranks as explained below. The only changes made have been in data layer name and rank assignments. The actual information contained in the data layers remains the same.

## I. AREAS OF CONSERVATION INTEREST (ACI)

(Formerly ACI Category A, no internal ranking assigned)

The Areas of Conservation Interest data layer indicates, throughout the State of Florida, natural resource areas that remain in private ownership and are not managed or listed for conservation purposes. These areas have been identified on the basis of extensive ground-truthing and/or the presence of highly ranked (FNAI G1/S1) documented plant, animal, or natural community element occurrences. The database information was supplemented by FNAI's scientific staff interpretation of landscape vegetation from Florida Department of Transportation (FDOT) aerial photographs. FNAI occurrence information is compiled from a variety of sources including field surveys by FNAI staff, published literature, herbaria and museum collections and personal communication or unpublished notes.

## II. POTENTIAL NATURAL AREAS (PNA)

(Formerly ACI Category B and C; ranking of 1-5 assigned with 1 indicating the highest quality natural communities)

The Potential Natural Areas data layer indicates, throughout the State of Florida, lands that are in private ownership and are not managed or listed for conservation purposes that are possible examples of good quality natural communities. These areas were determined from FNAI's scientific staff vegetative interpretation of 1988-1993 FDOT aerial photographs and from input received during Regional Ecological Workshops held for each regional planning council. These workshops were attended by experts familiar with natural areas in the region. Element occurrences in the FNAI database may or may not be present on these sites. In order to be classified as a Potential Natural Area (with the exception of internal rank PNA-5) the natural communities identified through aerial photographs must meet the following criteria:

1. Must be a minimum of 500 acres. *Exceptions:* sandhill, min. 320 acres; scrub, min. 80 acres; pine rockland, min. 20 acres; dry prairie, min. 320 acres; or any example of coastal rock barren, upland glade, coastal dune lake, spring-run stream or terrestrial cave.
2. Must contain at least one of the following:
  - a. One or more high quality examples of FNAI state ranked S3 or above natural communities.
  - b. An outstanding example of any FNAI tracked natural community.

Potential Natural Areas have been assigned ranks of PNA-1 through PNA-4 mostly based on size and perceived quality and type of natural community present. The areas included in internal rank PNA-5 (former ACI Category C) are exceptions to the above criteria. These areas were identified through the same process of aerial photographic interpretation and regional workshops as the PNA 1 through 4 ranked sites, but do not meet the standard criteria. These PNA 5 areas are considered lower priority for conservation than areas ranked PNA 1-4, but nonetheless are believed to be ecologically viable tracts of land representative of Florida's natural ecosystems.

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



JAMES L. "JAMIE" ADAMS, JR.  
Bushnell

BARBARA C. BARSH  
Jacksonville

QUINTON L. HEDGEPEETH, DDS  
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VICTOR J. HELLER, Assistant Executive Director

OFFICE OF ENVIRONMENTAL SERVICE  
BRADLEY J. HARTMAN, DIRECTOR  
(850)488-6661 TDD (850)488-954  
FAX (850)922-567

December 12, 2000

Ms. Cherie Trainor  
Florida State Clearinghouse  
Department of Community Affairs  
2555 Shumard Oak Blvd.  
Tallahassee, Florida 32399-2100

Re: SAI #FL200011160743C, Scoping Letter for  
the Draft EIS for Lake Tohopekaliga Extreme  
Drawdown and Environmental Enhancement  
project, Osceola County

Dear Ms. Trainor:

The Office of Environmental Services of the Florida Fish and Wildlife Conservation  
Commission (FWC) reviewed the referenced scoping letter, and offers the following comments.

The proposed project would modify the water regulation schedules for Lake Tohopekaliga  
(Toho) and other water bodies to include periodic extreme low water stages on Lake Toho. Habitat  
enhancement activities would involve lowering lake water levels to 48.5 feet NGVD to consolidate  
bottom sediments and allow desirable aquatic plant communities to expand. The regulation  
schedules for Lakes Kissimmee, Hatchineha, Cypress, and possibly East Lake Toho would also be  
modified to facilitate water removal from Lake Toho.

The FWC is fully supportive of this effort and would be responsible for obtaining necessary  
permits and performing the habitat enhancement work. The FWC is working with the US Army  
Corps of Engineers and South Florida Water Management District on this needed project.

Sincerely,

RECEIVED  
DEC 21 2000

*Bradley J. Hartman*  
Bradley J. Hartman, Director  
Office of Environmental Services

BJH/SL  
ENV 1-3-2  
a:\aketoho

State of Florida Clearinghouse

E-42

City: Osceola

DATE: 11/16/2000  
COMMENTS DUE DATE: 12/15/2000  
CLEARANCE DUE DATE: 12/29/2000  
SAI#: FL200011160743C

Message:

STATE AGENCIES

WATER MANAGEMENT DISTRICTS

OPB POLICY UNITS

Community Affairs  
Environmental Protection  
Fish & Wildlife Conserv. Comm  
State  
 Transportation

South Florida WMD

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:

Department of the Army - Jacksonville District  
Corps of Engineers - Information Gathering to  
Help Identify Issues and Concerns to be  
Addressed in a Draft Environmental Impact  
Statement for the Lake Tohopekaliga (Lake Tcho)  
Extreme Drawdown and Habitat Enhancement  
Project, Osceola County, Florida

To: Florida State Clearinghouse  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100  
(850) 922-5438 (SC 292-5438)  
(850) 414-0479.(FAX)

EO. 12372/NEPA

Federal Consistency

- No Comment
- Comments Attached
- Not Applicable

- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From: DS Systems Planning  
Division/Bureau: David Marsh  
Reviewer: 11-17-00

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RECEIVED  
NOV 30 2000

of Florida Clearinghouse

FLORIDA STATE CLEARINGHOUSE  
RPC INTERGOVERNMENTAL COORDINATION  
AND RESPONSE SHEET

11/16/2000

DATE: 11/16/2000

SAI #: FL200011160743C

COMMENTS DUE TO CLEARINGHOUSE: 12/16/2000

AREA OF PROPOSED ACTIVITY: COUNTY: Osceola County

FEDERAL ASSISTANCE  DIRECT FEDERAL ACTIVITY  FEDERAL LICENSE OR PERMIT  OCS

**PROJECT DESCRIPTION**

Department of the Army - Jacksonville District Corps of Engineers - Information Gathering to Help Identify Issues and Concerns to be Addressed in a Draft Environmental Impact Statement for the Lake Tohopekaliga (Lake Toho) Extreme Drawdown and Habitat Enhancement Project, Osceola County, Florida

**ROUTING:**

RPC

X E. Central FL RPC

PLEASE CHECK ALL THE LOCAL GOVERNMENTS BELOW FROM WHICH COMMENTS HAVE BEEN RECEIVED; ALL COMMENTS RECEIVED SHOULD BE INCLUDED IN THE RPC'S CLEARINGHOUSE RESPONSE PACKAGE. IF NO COMMENTS WERE RECEIVED, PLEASE CHECK "NO COMMENT" BOX AND RETURN TO CLEARINGHOUSE.

COMMENTS DUE TO RPC: 12/07/2000

Osceola County

NO COMMENTS: Y

(IF THE RPC DOES NOT RECEIVE COMMENTS BY THE DEADLINE DATE, THE RPC SHOULD CONTACT THE LOCAL GOVERNMENT TO DETERMINE THE STATUS OF THE PROJECT REVIEW PRIOR TO FORWARDING THE RESPONSE PACKAGE TO THE CLEARINGHOUSE.)

NOTES:

ALL CONCERNS OR COMMENTS REGARDING THE ATTACHED PROJECT (INCLUDING ANY RPC COMMENTS) SHOULD BE SENT IN WRITING BY THE DUE DATE TO THE CLEARINGHOUSE. PLEASE ATTACH THIS RESPONSE FORM AND REFER TO THE SAI # IN ALL CORRESPONDENCE.

IF YOU HAVE ANY QUESTIONS REGARDING THE ATTACHED PROJECT, PLEASE CONTACT THE STATE CLEARINGHOUSE AT (904) 922-5438 OR SUNCOM 272-5438.

E-44

January 25,01

Phone Call From

Mike Rogers  
P.O. Box 2095  
Seffner, FL 33583  
(813) 689-8745

Regarding Lake Toho Project. Stated that he was concerned we were considering a drawdown when there is a drought going on. Why can't we use Mechanical Harvesting rather than chemicals? Lake Kissimmee has never been the same since the drawdown. The fish caught in there now aren't nearly as big as they used to be before we did the drawdown. Generally worried that the drawdown will adversely affect the fishing in Lake Toho.

Mike Rogers will be added to the mail list.

E-45

1670 GRANDVIEW BLVD.  
KISSIMMEE, FL 34744  
FEBRUARY 19, 2001

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
P.O. BOX 4970  
JACKSONVILLE, FLORIDA 322232-0019

ATTENTION: MS. CATHERINE BOYD  
PLANNING DIVISION ENV. STUDIES

DEAR MS. BOYD:

THANK YOU FOR THE LETTER AND ENCLOSURES CONCERNING THE ACTION PROPOSED AFFECTING THE KISSIMMEE CHAIN OF LAKES.

WE ARE LOCATED WITH PROPERTY ON LAKE TOHOPAKALEGA - THE NORTHEASTERN ARM AND HAVE LIVED HERE FOR 16 YEARS SO WE HAVE EXPERIENCED THE PREVIOUS DRAWDOWN. SINCE WE ARE NOT FISHERMEN, WE ARE EDUCATED ENOUGH IN THAT DEPARTMENT NOT TO ASK QUESTIONS! HOWEVER, OUR CONCERN IS TO THE NUISANCE AQUATIC VEGETATION AND ENCHANCEMENT ACTIVITIES THAT YOU MENTIONED REGARDING MUCK REMOVAL, BURNING, DISCING AND HERBICIDE APPLICATION TO REDUCE DENSE VEGETATION, TUSSOCK FORMATION AND ORGANIC BUILDUP ON LAKE BOTTOMS.

FOR THE SIXTEEN YEARS HAVING LIVED HERE, WE HAVE HAD VERY LITTLE VIEW OF THE LAKE DUE TO HEAVY, DENSE AND VERY HIGH WEED GROWTHS (REEDS, ETC.) WILL THE PRESENT GROWTH BE REMOVED AND WILL THEY (AS THEY HAVE BEFORE) BE REMOVED ONLY TO GROW BACK AGAIN? WE ARE ALSO PRAYING THAT THE WILD LIFE WILL RETURN AS IT USED TO BE SO THAT WE MAY ENJOY THE BIRDS AND OTTERS, ETC.

AS YOU CAN SEE, OUR CONCERNS ARE RATHER PERSONAL ONES BUT THEY DO CONCERN SO MANY IN OUR AREA. THANK YOU FOR THE OPPORTUNITY TO PRESENT OUR VIEWS TO YOU AND I HOPE THEY WILL BE SOMEHOW CONSIDERED. THANK YOU, AGAIN.

VERY SINCERELY,

*Arlyne D. O'Gara*  
*William R. O'Gara*

ARLYNE D. O'GARA  
WILLIAM R. O'GARA

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# 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

PRO KUB

February 20, 2001

Catherine Byrd  
Planning Division, Environmental Studies Section  
CESAJ-PD-ES  
Jacksonville District Corps of Engineers  
P.O. Box 4970  
Jacksonville, FL 32232-0019

Dear Ms. Byrd:

**Subject: Comments on Lake Tohopekaliga Drawdown EIS and Regional EIS Base Conditions**

Over the past decade the United States Army Corps of Engineers (USACE) and the South Florida Water Management District (SFWMD) have undertaken an intensive planning and technical evaluation effort to develop and begin implementation of the Kissimmee River Restoration Program. One of the outcomes of this effort is the reintegration of the lakes and watershed of the Kissimmee Upper Basin (KUB), north of State Road 60 and S-65, with the Southern Kissimmee River Valley. The entire Kissimmee watershed, upper and lower basins, historically functioned as a single ecosystem. The restoration effort will begin the reintegration of the two dissected ecosystems by joining the hydrology of the Kissimmee Chain of Lakes (KCOL) with the Kissimmee River Valley.

February 2001 marks the completion of Phase 1 of the Kissimmee River Restoration Project. Currently, an interim operating schedule for S-65 has been authorized and is being implemented which helps reconnect the hydrology of the KCOL and the Kissimmee River Valley.

### Background

Section 7.2.1 of the USACE 1996 Kissimmee River Restoration, of the Kissimmee River, Florida Headwaters Revitalization Project, Integrated Project Modification Report and Supplement to the Final Environmental Impact Statement states:

*"The Headwaters project is an authorized component of the larger Kissimmee River Project. Specific project outputs of the Headwaters component were tied directly to the outputs of the Kissimmee River Restoration Project as detailed in the 1991 Federal Feasibility study.*

#### GOVERNING BOARD

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Trudi K. Williams

#### EXECUTIVE OFFICE

Frank R. Finch, P.E., *Executive Director*  
James E. Blount, *Chief of Staff*

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*As such, plan development for the Headwaters study, presented herein, was centered around the development of a modified Lake Kissimmee regulation schedule and operational criteria which would first achieve the environmental benefits associated with the restoration of the lower Kissimmee River and as documented in the 1991 feasibility report. The plan that achieves Lower Basin outputs can then be modified to improve environmental conditions within the Upper Basin.*

*The Headwaters Revitalization Project was formulated to produce hydrologic characteristics that are critical to successful ecosystem restoration. [sic] in the lower basin. Hydrological, hydraulic and ecological analyses of the alternative Lower Basin restoration plans by the SFWMD (1990) produced evidence that a combination of backfill in the Lower Basin and Headwaters Revitalization would reestablish continuous flow and stage characteristics that are needed to achieve river restoration objectives. Maintenance of continuous flows would produce the physical aeration and mixing that is needed to restore favorable dissolved oxygen regimes in the restored river channel. Reestablished discharge characteristics from Lake Kissimmee also would improve habitat diversity in the 56 miles of restored river channel, and provide water that is necessary to restore about 50 square miles of river floodplain wetlands and associated fish and wildlife values.*

*If the Headwaters project is not implemented, the hydrologic conditions required for successful restoration of the Lower Basin ecosystem could not be achieved. Thus, without Upper Basin modifications, a Lower Basin project would be largely ineffective and its construction would be unjustified. Therefore, modification of the Lake Kissimmee regulation schedule was presented as a necessary component of river restoration."*

The plan further states in section 7.2.2, Project Goal:

*"Therefore, based on Section 1135 guidance and WRDA 1992, the District established a goal for the Headwaters Revitalization Project. The Primary project goal was to reestablish discharges to the Lower Basin that are necessary to restore the ecological integrity of the Kissimmee River while optimizing environmental improvements to the Kissimmee Upper basin."*

Phase I backfilling of C-38 has been completed resulting in the reconnection of 15 miles of historic Kissimmee River Channel and allowing for potential re-hydration of 16,000 acres of flood plain. Therefore, as described above, flows need to be re-established from the headwaters through S-65 to improve conditions and help restore the ecosystem.

A modified KCOL regulation and operational schedule was required to be implemented prior to the completion of the Phase I backfilling. Due to unresolved, complicated issues with landowners in the Upper Basin, the modified KCOL regulation and operational schedule cannot be fully implemented at this time.

However, in August 2000 the USACE conferred with the SFWMD on the implementation of an interim operational schedule that would help to provide for and allow environmental flows into the reconnected sections of the river channel until such a time as all Upper Basin issues are resolved and the revised regulation schedule can be fully implemented.

The interim KCOL operational schedule will be adaptively managed and assessed based on environmental conditions and realized effects along the reconnected river sections. This adaptive management is necessary to determine if any modifications need to be made prior to the design and construction of Phases II, III, and IV of the C-38 backfilling. The interim operational schedule allows for environmental releases through S-65 based upon KCOL stage and has specific criteria for an escalating rate of environmental releases based upon stages.

The attached graphics depict a chronology of the three regulation/operational schedules for the KCOL controlled at S-65:

1. Original Regulation Schedule.
2. Interim Operational Schedule (presently in place, USACE 8/9/00 letter).
3. Proposed Modified Regulation and Operational Schedule authorized as part of the restoration program.

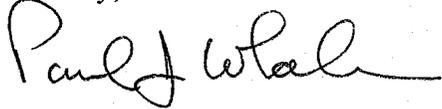
The lake drawdowns may not be able to be conducted as in the past. The base ecosystem has changed due the recent completion of Phase I of the Kissimmee River Restoration. The KCOL stages cannot be lowered to create the necessary head differential and still provide the necessary and authorized flows to the recently reconnected portion of the river channel. Therefore, when developing plans and reviewing alternatives to determine 'Environmental Impact' of lake drawdowns including Lake Tohopekaliga, the USACE needs to incorporate the environmental impact to the reconnected portions of the Kissimmee River in the base condition and consider flows through S-65 to the river a vital evaluation component.

The environmental impact analyses of lake drawdowns in the Kissimmee Upper Basin, including the planned 2002 drawdown of Lake Tohopekaliga, must include an evaluation of the combined hydrology of the Kissimmee Upper Basin and Kissimmee River Valley.

Ms. Catherine Byrd  
February 20, 2001  
Page 4

There may be a need for structural components to be utilized (e.g. pumps, weirs...) in the current and future base plans for lake drawdowns, including Lake Tohopekaliga, to be as successful as they have been in the past. Any new resulting costs have to be included in future planning efforts.

Sincerely,



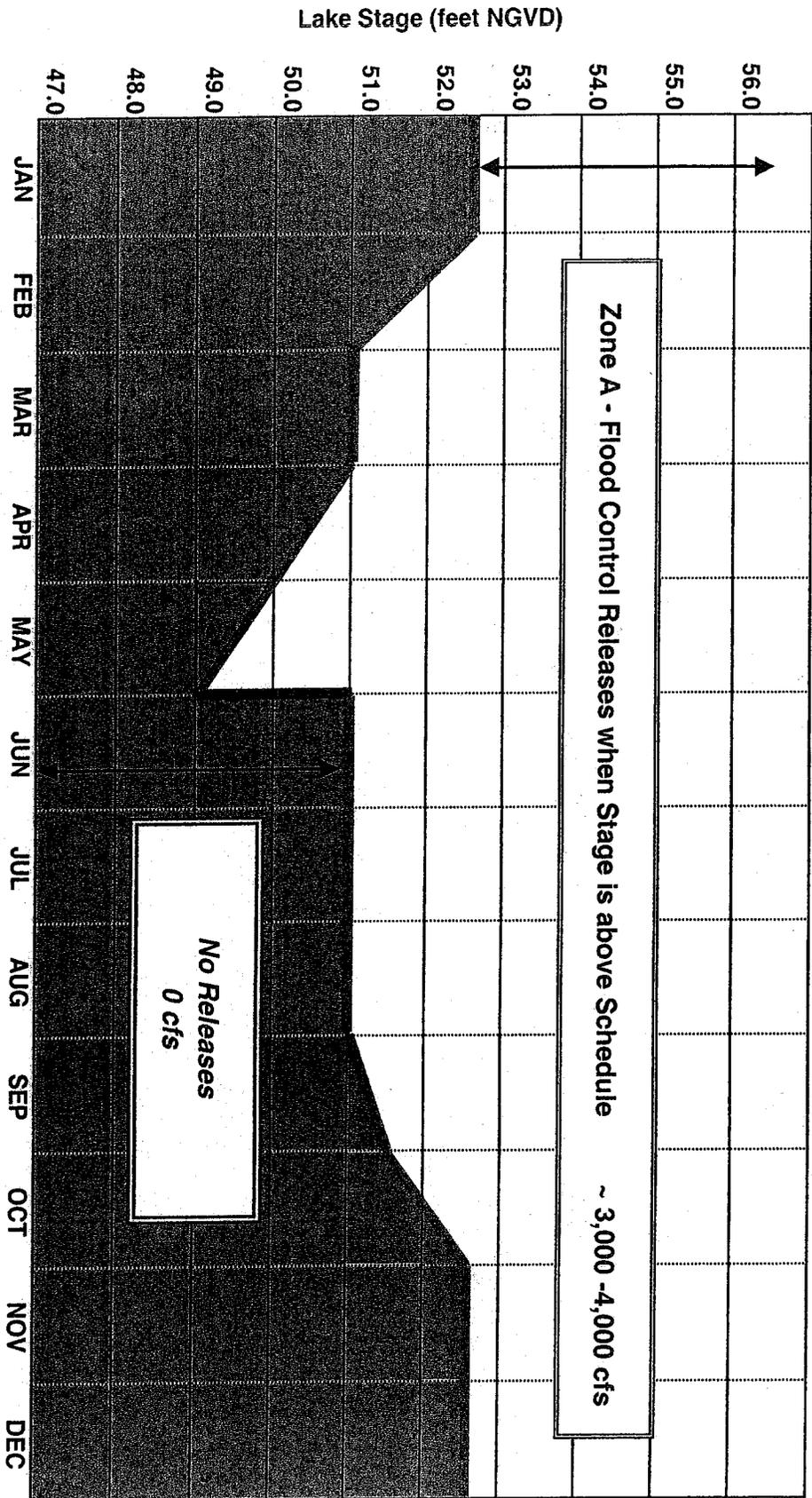
Paul J. Whalen  
Director, Kissimmee Department  
Watershed Research and Planning Division  
South Florida Water Management District

PJW/SEK-PJW/tcs  
Attachments

- c: Lizabeth Manners, USACE
- Kim Brooks-Hall, USACE
- John Zediak, USACE
- Adam Stuart, USACE
- Mike Hulon, Florida Fish and Wildlife Conservation Commission
- Marty Mann, Florida Fish and Wildlife Conservation Commission
- Carmen Baez-Smith, Kissimmee Department, SFWMD
- Sally Kennedy, Kissimmee Department, SFWMD
- Joe Koebel, Kissimmee Department, SFWMD
- Matt Morrison, Water Supply Planning and Development, SFWMD
- William Stimmel, Orlando Service Center, SFWMD
- Chris Sweazy, Orlando Service Center, SFWMD
- Lou Toth, Kissimmee Department, SFWMD

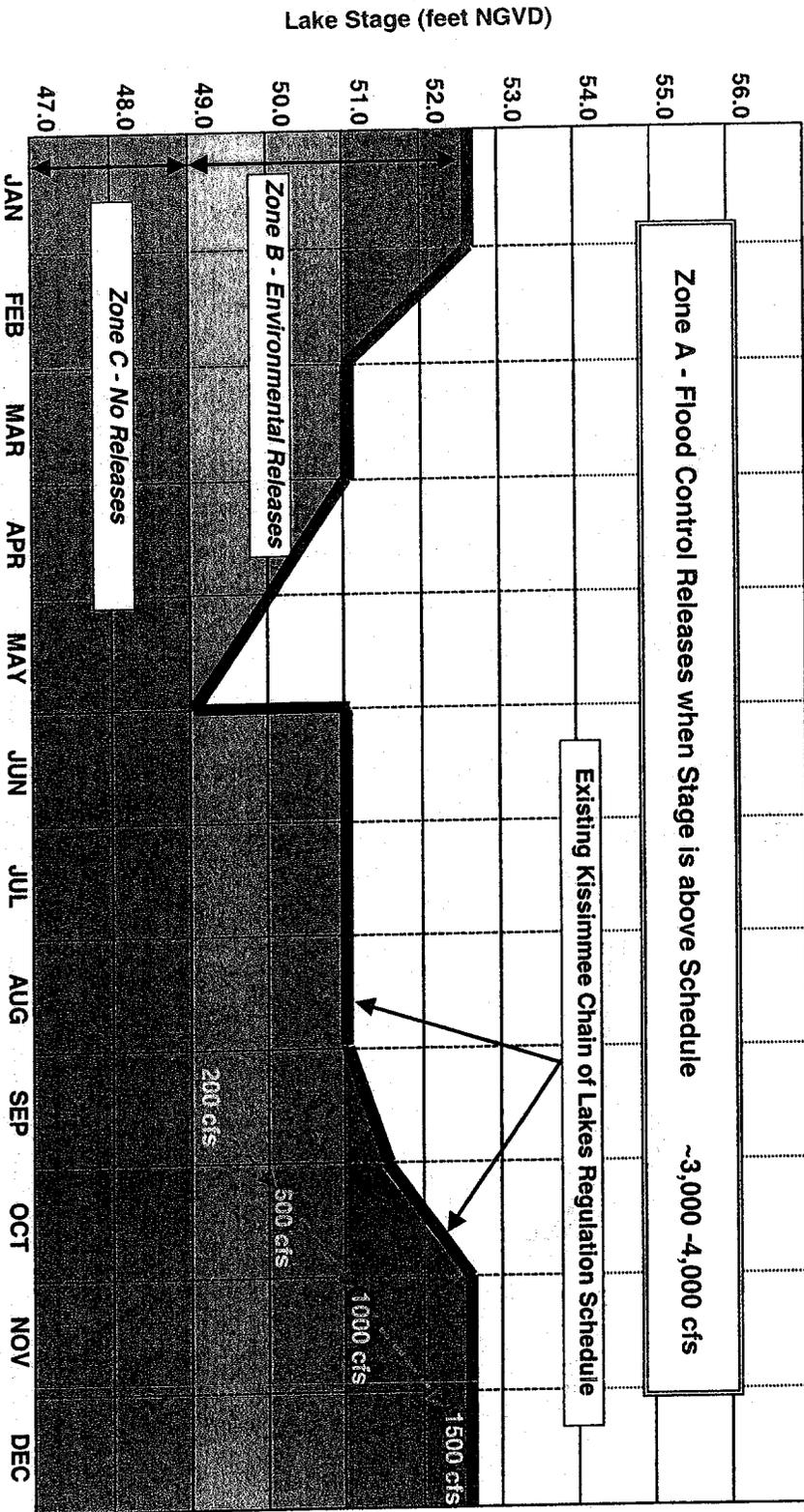
E-50

Original Regulation Schedule for the Upper Kissimmee Basin Chain of Lakes  
 (Lakes Kissimmee-Hatchineha-Cypress-Tiger controlled by S-65)



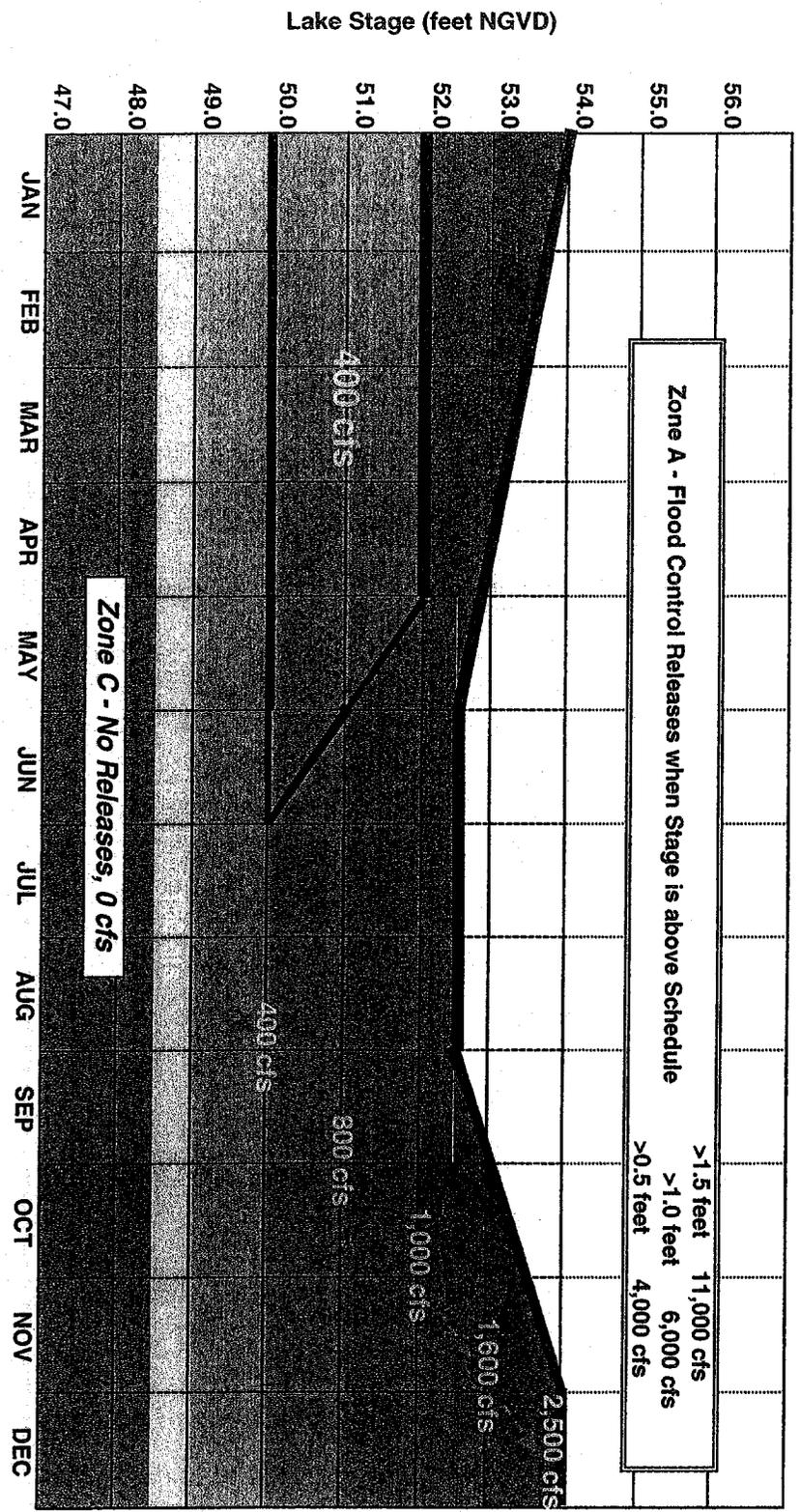
E-51

Interim Operational Schedule for the Upper Kissimmee Basin Chain of Lakes @ October 2000  
 (Lakes Kissimmee-Hatchineha-Cypress-Tiger controlled by S-65)



ES2

**Revised Regulation and Operational Schedule for the Upper Kissimmee Basin Chain of Lakes  
(Lakes Kissimmee-Hatchineha-Cypress-Tiger controlled by S-65)**



E-53

To: Ms. Catherine Bird

Ms. Lizabeth Manners

This letter is late but will submit a late reply.

I have a long standing ditch running through my property on the east side of Lake Tohopekaliga at 2720 Cherokee Road. This ditch is 1/4 mile long and drains the ditches on either side of the road to the lake. This ditch is clean because of the cypress trees on either side except where it enters the lake and is in full sunshine. I feel this ditch should be widened several hundred feet into the lake and dredged as deep as allowable for the following two reasons.

There is up to forty acres of wet lands just east of the ditch and Cherokee Road. Clearing the ditch in the lake will allow fish and minnows to get to the wet lands and provide food for wild fowl plus keep the mosquito population under control.

Last but not least dredging this ditch will give me access to the lake by small boat!

Our property probably supports more wildlife then any other cypress grove on the lake. At the present there is an active eagle nest, a hawk nest and up to 45 turkeys roost in the trees. If anybody wants to inspect this area at any time please drop by.

Ross N. Gwin  
2720 Cherokee Road  
St. Cloud, Florida 34772

407 957 2839

tohoturkey@aol.com

*Ross N Gwin*

E-54



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
WATER MANAGEMENT DIVISION  
SOUTH FLORIDA OFFICE  
400 NORTH CONGRESS AVE., SUITE 120  
WEST PALM BEACH, FLORIDA 33401

envelope dated  
May 9, 2001

James C. Duck, Chief, Planning Division  
Department of the Army  
Jacksonville District Corps of Engineers  
Attn: Planning Division  
Environmental Branch  
P.O. Box 4970  
Jacksonville, Florida 32232

Dear Mr. Duck

This letter is in response to your request for comments regarding the Draft Environmental Impact Statement for the Lake Tohopekaliga (Lake Toho) Extreme Drawdown and Habitat Enhancement Project, Osceola County, Florida. The action proposes modification of water regulation schedules for Lake Toho and other water bodies to include periodic extreme low water stages to enhance the lakes' environmental resources and improve the lake's physical and chemical characteristics. The Florida Fish and Wildlife Conservation Commission would obtain required permits for habitat enhancement activities such as muck removal, burning, discing and herbicide application.

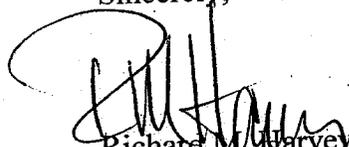
1. The major problems with the health of Lake Toho and other Florida lakes appear to be the input of nutrients and the stabilization of water levels. Nutrient input has encouraged unwanted plant growth which leads to tussock formation, muck buildup, and ultimately reduced fish habitat. Stabilized water levels have contributed to native littoral habitat demise by drowning out the naturally occurring bulrush (*Scirpus* spp.) and by preventing the oxidation of organic matter build up. Changes to water level regulation schedules to allow more fluctuation, should improve the health of the littoral edges of lakes. The Environmental Protection Agency (EPA) supports changes to water regulation schedules to improve the health of the lakes.

2. However, we do have concerns about proposed habitat enhancement activities. One of our concerns pertains to the creation of muck spoil islands in the lakes, and resulting water quality issues, aesthetics, stability of the muck in islands, and possible exotic vegetation problems. Further, if any toxins have accumulated in the muck and then the muck is exposed to air, we are concerned that the toxins may become available to wildlife. Another concern relates to the input of nutrients. Restoring lakes with extreme drawdowns and muck removal addresses the immediate habitat problems. Discontinuing the input of nutrients and toxins at their source is a long term solution that may decrease the need for restoration projects. Perhaps discussions could include the success of the programs that are in place to decrease nutrient loads.

E-55

Thank you for the opportunity to comment on this proposal. If you have any questions, please contact me or have a member of your staff contact Beth Burger at (561) 616-8878.

Sincerely,



Richard M. Harvey, P.E.  
Director

cc: Dr. Gerald Miller, EPA, Atlanta, GA  
Dr. Dennis Hammond, FWC, Tallahassee, FL

E-56

**RESPONSE TO FISH AND WILDLIFE SERVICE**  
**South Florida Ecological Services Office**  
**P.O. Box 2676**  
**Vero Beach, FL 32961-2676**

1. This letter supports Lake Toho drawdown. No response is necessary
2. Recommends that drawdown be completed by end of December for purpose of nesting snail kites. The goal is to have the water level in Lake Toho below the snail kite nesting elevation (approximately 12 inches or less) in the emergent plant community, namely cattail (*Typha* spp.) as quickly as possible. However, in the event that a nest is constructed and in danger of collapse, FWC biologists will construct a nest box for support. This is similar to the approach used in 1996 drawdown of Lake Kissimmee.
3. Recommends that organic spoil material be placed entirely in uplands outside of lake. Upland disposal is the preferred option, however, with the amount of material scheduled to be removed, this may not be entirely possible. In-lake islands will be used after all upland sites have been used if needed.

**RESPONSE TO ALLIGATOR LAKE HOMEOWNERS ASSOCIATION**  
**P.O. BOX 701953**  
**ST. CLOUD, FL 34770-1953**

1. This letter supports Lake Toho drawdown. No response is necessary
2. Recommends enhancement projects of lakes be conducted in a regular 8-10 year cycle to simulate Mother Nature. Concur with the concept that a more natural cycle should be mimicked.

**RESPONSE TO JAMES KELLY**  
**1202 S. LAKESIDE DRIVE**  
**LAKE WORTH, FL 33460-5602**

1. States that low water levels have caused his water pump to stop providing water, and believes that further reduced levels will worsen that. As stated in response letter to him dated December 4, 2000, effects of the project on ground water will be evaluated by hydrologic modeling before the project will be initiated. Lake Toho does not percolate to the underground Florida Aquifer. Because the lake is not a recharge area, the water level of the lake would not impact his well. Instead, drought conditions have affected the recharge areas found in the northern part of the state and have therefore affected water supply in this area.
2. Requests a statement of the causes of the problem (problems leading to lake drawdowns) and fixes to them. Major problems are excessive quantities of native and exotic aquatic and semi-aquatic plants and build-ups of organic material along Lake Toho's shoreline. Limited water level fluctuations have provided optimum conditions for the growth and build-up of this material. Water level fluctuations have been limited since the early 1960's, when flood control structures were constructed along the Kissimmee Chain of Lakes. Historically, extreme high and low water levels, in the form of floods and droughts, limited aquatic plant growth and removed much of the organic material from the shallow littoral zone. Since water levels are now controlled, habitat

enhancement actions such as the ones proposed in this project must be taken to reverse the adverse impacts of stable water levels.

3. Requests that he be informed of the steps of the study's process. The purpose of the scoping letter was to advise the public of the initiation of the study. The public will continue to be informed throughout the project of progress made on the study. The Kissimmee Chain of Lakes Steering Committee has bi-monthly meetings held locally – usually at the local library – to insure that the public remains up to date on what is going on in the Kissimmee River basin, including Lake Toho.

4. A. Wants to know how far the lake will be drawn down. The proposed action calls for drawing the lake down to 48.5 feet NVGD.
- B. Asks if he should dig a new well now? See #1 above.
- C. Wants to know how long will the lake levels will be kept down. Lake levels will start being lowered in 2001. The proposed plan is to draw the lake down to 48.5 NGVD by March 1, 2001; target refill date is June of 2002.
- D. Requests description of "periodic extreme low water stages". Periodic extreme low water stages refer to droughts that historically have affected the Chain of Lakes prior to flood control practice.

**RESPONSE TO ROBERT SCHAFFER, JR**  
**1340 S. SHORE DRIVE**  
**ST. CLOUD, FL 34771**

1. Comments that catch and release fishing techniques should be considered until water levels come back up when doing lake drawdowns. States that on previous drawdowns, big fish stayed in the holes because of low water levels.

Response: FWC has intentions to implement a total catch and release rule for largemouth bass beginning January 7, 2002 and remaining in effect until the water level in Lake Toho reaches low pool stage (51.5' NGVD).

**RESPONSE TO MARVIN JOHNSON, MOONLIGHT FISHERIES**  
**6458 HICKORY TREE ROAD**  
**ST. CLOUD, FL 34772**

1. States that he is a tropical fish farmer and believes that actions taken during the Alligator Drawdown were responsible for economic losses during the Alligator drawdown.

Response: As stated in response letter to him, dated November 13, 2000, this is a matter being handled by our office of counsel, and although we are not minimizing the problem, we cannot offer comment on this issue.

2. States that another draw down such as Lake Gentry would completely devastate his farm and livelihood.

Response: Same as #1 above.

**RESPONSE TO CRAIG LYNCH  
1003 SHORE DRIVE  
KISSIMMEE, FL 34744**

1. States that areas of concern to him are Partin Canal, which connects Fish Lake to Lake Toho.

Response: His concerns were forwarded to FWC. FWC provided response that although they would like to perform muck removal on the entire lake that they will be limited to do what they can with the funds they have. Areas of priority for performing muck removal are areas that will provide most benefit to the fish and wildlife. This currently does not include work in canals. Osceola County has indicated to Marty Mann that they do have intentions to remove muck in Partin's canal. Osceola County can be reached at 407-892-2397.

**RESPONSE TO LLOYD GEIER  
27 WESTCHESTER DRIVE  
KISSIMMEE, FL 34744**

1. States that he is concerned about the amount of decomposing plant life in Mill Slough area.

Response: These concerns were passes on to the Corps Aquatic Plant Control Division.

2. Requests that Mill Slough be included in the muck removal, burning, disking, and herbicide application.

Response: At this time, Mill Slough is considered a lower priority area because fish and wildlife would not benefit as much from enhancement activities when compared to underdeveloped areas of the lake. The City of Kissimmee is attempting to secure funding and assistance for enhancement of the Mill Slough area. If this work is consistent with FWC fisheries biologists goals for the lake, then FWC will support their effort.

3. Requests that DER's man made swamp be monitored for its contribution to the demise of Mill Creek and Lake Toho.

Response: This concern has been has been forwarded to the Corps Aquatic Plant Control Division.

4. Requests that the two canals in Mill Slough be dredged and cleared of weeds. Request passed on to FWC and Aquatic Plant Division.

Response: Refer to #2 above.

**RESPONSE TO SAM DOWER  
917 ILLINOIS AVENUE  
ST. CLOUD, FL 34769**

1. States that he supports the drawdown.

Response: No response necessary.

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2. Doesn't believe spoil islands are a satisfactory solution for lakes such as Lake Toho.

Response: In-lake disposal is not the preferred disposal option and will only be used if insufficient upland sites are available or if upland disposal is too costly to complete the project.

3. Suggests that 'high water lines' be developed for the benefit of landowners and developers, in order to avoid real estate conflicts.

Response: This concern has been forwarded to the Corps' regulatory division.

4. Suggest diking wetlands during the drawdown to provide temporary settling basins for ditches, roads, parking lots, etc. during the drawdown.

Response: This comment will be considered during project planning.

5. Questions the policies of "non-owned" canals, which the different agencies claim some measure of jurisdiction over.

Response: Private canals cannot be de-mucked as part of this project.

**RESPONSE TO NATIONAL MARINE FISHERIES SERVICE  
SOUTHEAST REGIONAL OFFICE  
9721 EXECUTIVE CENTER DRIVE NORTH  
ST. PETERSBURG, FL 33702**

1. States that the resource affected are not ones for which the NMFS is responsible, and therefore, they do not have any comments.

Response: No response required.

**RESPONSE TO DIVISION OF HISTORICAL RESOURCES  
500 SOUTH BRONOUGH STREET  
TALLAHASSEE, FL 32399**

1. States that the proposed habitat enhancement project may adversely affect potentially significant archaeological resources, and suggest that an archaeological consultant be retained to develop a plan for the protection of cultural resources.

Response: Cultural resources coordination will be completed with the SHPO prior to the drawdown.

**RESPONSE TO FLORIDA STATE CLEARINGHOUSE  
DEPARTMENT OF COMMUNITY AFFAIRS  
2555 SHUMARD OAK BLVD  
TALLAHASSEE, FL 32399-2100**

1. DEP states that care should be taken to avoid the addition of damaging amounts of nutrients to Lake Okeechobee. Special attention should be given to the rate of recession to minimize the short-term transport of nutrients from Lake Toho.

Response: The Corps Water Quality section reviewed information and determined that the Lake Toho drawdown is extremely unlikely to increase nutrient concentrations in Lake Okeechobee or further downstream. This is based on the assumption that discharging an extra 90,000 Acre-feet (A-F) of water down the Kissimmee River Chain will be balanced by the need to refill Lake Toho at a later date, and thus reduce discharges from Lake Toho. Additionally, the removal of nutrient laden lake soils will reduce future nutrient contributions from Lake Toho to Lake Okeechobee. There is a short-term impact of the additional 90,000 A-F on Lake Okeechobee and the possibility of increasing discharges through C-43 and C-44. The 90,000 A-F will cause an increase in the Lake Okeechobee Stage of approximately 0.20 feet. Given that this drawdown will occur during an extended drought that has already brought the Stage of Lake Okeechobee to historic lows, it is very unlikely that the Lake Toho drawdown will cause or contribute to any water releases to C-43 and C-44. In summary, a drawdown of Lake Toho over a six-month period would cause an additional 90,000 A-F to pass through the Kissimmee River. This would increase average flow by approximately 8% on the river. The total increase in phosphorous loads to Lake Okeechobee would be approximately 2% based on a 20% load contribution from the Kissimmee Basin.

2. Drawdown of Lake Toho for restoration purposes should consider the effects to downstream water levels in Lake Okeechobee since drawdowns may lead to an untimely rise in water levels. Untimely rises in levels could lead to environmentally damaging water releases from the lake to the St.Lucie and Caloosahatchee estuaries.

Response: This issue was forwarded to hydrology and will be addressed.

3. Snail kite nesting time is around the end of February or beginning of March, and will continue into early June. Recommend that the drawdown be underway prior to the onset of nesting season to avoid impacting nests.

Response: Refer to response #2 to FWS on page 2 of responses to comment letters.

4. Paradise Island and possible Makinson Island support populations of exotic wildlife such as Capybaras which should be removed prior to drawdown to reduce the likelihood of their escape to the mainland.

Response: FWC staff biologists and a hired trapper have attempted to remove these animals in a humane way, to no avail. Approximately one foot of water will remain around the island at the extreme low stage (48.5' NGVD), and FWC biologists do not expect any major problem with escapees. If a problem arises with escapees, measures will be taken at that time to stop their landward expansion.

5. Florida Natural Areas Inventory has found several Element Occurrences mapped within the proposed area, and recommends that a site-specific survey be conducted to determine the current presence or absence of rare, threatened, or endangered species, and once this is completed, to develop a plan to protect the listed species.

Response: Coordination of impacts on threatened and endangered species has been conducted with the FWS. The impacts of changes in water levels on such species has been evaluated and the snail kite determined as the only species that needs to be considered. The drawdown would not impact additional areas (habitat) than would be typically exposed during normal droughts or extreme low water levels. This drawdown should benefit native plants and animals.

**RESPONSE TO MIKE ROGERS  
P.O. BOX 2095  
SEFFNER, FL 33583**

1. States that he is concerned about doing a drawdown on Lake Toho when we are in a drought season.

Response: This is actually a good time to carry out habitat enhancement activities (water levels are already low) but the action agencies will certainly evaluate all conditions before taking action.

2. Questions whether mechanical harvesters can be used rather than chemicals to control the invasive plants.

Response: Different methods and costs will be evaluated and the decisions reached will be based on this information. Mechanical harvesters require a minimum of three feet of water in order to operate efficiently. Since many of the aquatic plant problems occur within the zero to three-foot depth contour, then, this plant control tool is often not efficient. Chemical control is necessary to control many species of plants due to cost effectiveness, biology of some plants, and limitations of mechanical control.

3. States that he is concerned that the fishing in Lake Toho will be adversely affected.

Response: There is much documentation to support that while drawdowns may temporarily result in decreased fish catches, they are essential to the future of the lake's sustainable fisheries. The FWC's overall goal is an attempt to improve the quality of the habitat for fish and wildlife. Fishery biologists for FWC annually sample the largemouth bass population in lakes Kissimmee and Toho. They have documented that a strong year class in 1997 and 1998 was produced in Lake Kissimmee. Since 1997 and 1998, these fish continue to grow and recruit to the fishery. It is anticipated that this trend will continue and the fishery would only improve over the next five to ten years. FWC expects that high production of juvenile fish will translate into high catch rates of larger fish for four to five years after they are spawned. This has occurred on all lakes that have been previously enhanced. FWC expects this to occur on Lake Kissimmee as well as Lake Toho in the future. In short, after a drawdown and enhancement project, fish should continue to grow from juveniles to trophy adults over a ten-year period.

**RESPONSE TO ARLYNE & WILLIAM O'GARA  
1670 GRANDVIEW BLVD  
KISSIMMEE, FL 34744**

1. Support the drawdown effort.

Response: No response necessary

**RESPONSE TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
3301 GUN CLUB ROAD  
WEST PALM BEACH, FL 33406**

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1. States that environmental impact analyses of Lake Tohopekaliga must include an evaluation of the combined hydrology of the Kissimmee Upper Basin and Kissimmee River Valley, and that the use of pumps or weirs may have to be considered.

Response: The effects of any the proposed plans on the Kissimmee River Restoration Project will be evaluated and discussed in the report.

**RESPONSE TO ROSS GWIN  
2720 CHEROKEE ROAD  
ST. CLOUD, FL 34772**

1. Letter requests dredging ditch on east side of Lake Toho.

Response: Dredging of private ditches can not be funded by Corps, this may be a matter to take up with Osceola County or some other agency.

**RESPONSE TO U.S. ENVIRONMENTAL PROTECTION AGENCY  
REGION 4, WATER MANAGEMENT DIVISION  
400 NORTH CONGRESS AVE, SUITE 120  
WEST PALM BEACH, FL 33401**

1. Supports the lake drawdown.

Response: No response necessary.

2. States concern about the use of muck spoil islands in the lakes which potentially results in adverse water quality issues, aesthetic impacts, stability of the muck in islands, possible exotic vegetation problems, and possible toxins that may affect wildlife from creation of spoil islands.

Response: Concur that disposal of muck as spoil islands is not the preferred disposal alternative.

3. States that EIS should include discussions about decreasing nutrient loads into lake, in order to provide a more long-term solution.

Response: Nutrients certainly contribute to the primary problem of stable lake water levels. The EIS will discuss this.

### Toho Mailing List

Director  
Office of Fed. Activities, E.P.A  
401 M Street SW  
Washington, D.C. 30034-2610

Envir. Policy Sec., U.S. E.P.A.  
Region IV, Atlanta Federal Center  
100 Alabama St, SW  
Atlanta, GA 30303-3104

Dir., Ofce of Env. Proj. Review  
Depart. of Interior, Rm 4241  
18<sup>th</sup> and C Streets, NW  
Washington, D.C. 20240

U.S. Dept of Agriculture  
Soil Conservation Service  
P.O. Box 141510  
Gainesville, FL 32614

Ntl Marine Fisheries Service  
Envir. Assessment Branch  
3500 Delwood Beach Road  
Panama City, FL 32407-7499

Ntl Marine Fisheries Service  
Southeast Regional Office  
9721 Executive Center Drive N  
St. Petersburg, FL 33702

Field Supervisor  
U.S. Fish & Wildlife Services  
P.O. Box 2676  
Vero Beach, FL 32961-2676

Ntl Marine Fisheries Services  
Chief, Protected Species Branch  
9721 Executive Center Drive N  
St. Petersburg, FL 33702

Field Supervisor  
U.S. Fish & Wildlife Service  
6620 Southpoint Dr. S, St. 310  
Jacksonville, FL 32217

Mike Hulon  
701 Marllo Rd  
Kissimmee, FL 34744

Southern Region Forester  
U.S. Forest Service, Dept of Ag  
1720 Peach Tree Rd NW  
Atlanta, GA 30309

Florida State Clearinghouse  
The Dept. of Community Affairs  
2555 Shumard Oak Blvd  
Tallahassee, FL 32399-2100

St. Johns River Water Management  
District  
P.O. Box 1429  
Palatka, FL 32178-1428

Advisory Council on Historic  
Preservation  
1100 Pennsylvania NW #809  
Washington DC 20004-2590

Dir., Office of Ag Water Policy  
FL Dept of Ag & Consumer Ser.  
The Capitol  
Tallahassee, FL 32399

Dept of Community Affairs Dir.  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

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Office Of Environ. Services  
FL Fish & Wildlife Conserv Comm  
620 South Meridian St  
Tallahassee, FL32399-1600

State Historic Preserv. Officer  
FL Dept of State  
500 South Bronough St  
Tallahassee, FL 32399-0250

Mr. Richard Harvey  
Chief, S FL Office, EPA  
400 North Congress Ave.  
West Palm Beach, Florida 33401

Wilbert Holliday  
Florida DEP  
3319 Maguire Blvd, Suite 232  
Orlando, FL 32803

Gene Fults  
USDA-NRCS  
1895 East Irlo Bronson Mem.Hwy  
Kissimmee, FL 34744

D.E.P.- Nancy McKee  
3319 Maguire Blvd.  
Ste 232  
Orlando, FL 32803-3767

Ecology and Cons. Office  
14th & Constit. Av. NW  
HCHB-SP Rm6117, Attn: Donna Wieting  
Washington DC 20230

Dept. of Environ. Protection  
5882 South Semoran Blvd.  
Orlando, FL 32822

DIR, OFC OF FED ACTIV (2252-A)  
E.P.A.  
1200 PENNSYLVANIA AVENUE, NW  
WASHINGTON, DC 20044

State Dir., NRCS, U.S.D.A.  
P.O. Box 141510  
Gainesville, FL  
32614-1510

Eric Hughes  
CESAJ-PD-R  
P.O. Box 4970  
Jacksonville, FL 32232

Eric Bush  
CESAJ-PD-R  
P.O. Box 4970  
Jacksonville, FL 32232

Ed Harris  
FL DEP  
5882 S Semoran Blvd  
Orlando, FL 32822

U of F, Ins. Food & Ag.  
Citrus R&E Center  
700 Experiment Stn Road  
Lake Alfred, FL 33850

U.S. E.P.A.  
Gerald Miller, Env Assessment  
61 FORSYTHE STREET  
ATLANTA, GA 30303

Consolidated Farm Service  
Agency, U.S.D.A.  
P.O. Box 141030  
Gainesville, FL 32614-1030

Florida State Clearinghouse  
Dept. of Community Affairs  
2555 Shumard Oak Blvd  
Tallahassee, FL 32399-2100

Osceola Soil & Water Conserv. Dist.  
1895 E. Irlo Bronson HWY  
Kissimmee, FL 34744

E-65

Office of Env, Project Review  
D.O.I. Room 4241  
18th and C Streets Northwest  
Washington DC 20240

Judy Smith  
Mono. Acq. Serv. CSU Libraries  
Ft. Collins, CO  
80523-1019

FL Ag. Exp. Station  
University of Florida  
1022 McCarty Hall  
Gainesville, FL 32611-0200

Soil & Water Science Dept, UF  
P.O. Box 110510  
Gainesville, FL 32611

Off. of Senator Charles Bronson  
1322 10<sup>th</sup> St.  
St. Cloud, Fl 34769

Honorable Dave Weldon  
2725 Jamieson Way  
Building C  
Melbourne, Florida 32940

Office of Congressman Weldon  
Brevard Cty Gvt Complex  
2725 Jamieson Way, Bldg C  
Melbourne, Florida 32940

Senator Charles Bronson  
1322 10<sup>th</sup> St.  
St. Cloud, Fl 34769

Office of Counsel, SFWMD  
3301 Gun Club Road  
West Palm Beach, FL 33406

FL Subdistrict Chief  
USGS Water Resources  
224 W Central Pkwy  
Altamonte Springs, FL 32714

Michael Finch  
D.O.T. District 1  
801 North Broadway  
Bartow, FL 33830-1249

Ag. & Water Policy  
3125 Conner Blvd., Rm 151  
Tallahassee, FL 32399-1650

Florida Sun Publications  
108 Church St.  
Kissimmee, FL 34741

United States Senator  
Post Office Box 3050  
Tallahassee, Florida 32315-3050

Honorable Connie Mack  
United States Senator  
1342 Colonial BLVD  
Fort Myers, Florida 33907

Honorable Dave Weldon  
Representative Congress  
216 Cannon House Office Building  
Washington, D.C. 20515

Honorable Chuck Dunnick  
Osceola County Brd of County Commiss  
17 South Vernon Ave.  
Kissimmee, FL 34741

Jared Justesen  
SFWMD, Orlando Service Center  
7335 Lake Ellenor Drive  
Orlando, FL 32809

E-66

Mr. Lawson Snyder  
FWC  
600 Thacker Avenue, Ste A1  
Kissimmee, FL 34741

Mr. Steve Lin  
SFWMD  
Post Office Box 24680  
West Palm Beach, Florida 33416-4680

Ms. Adriene Furukawa  
FWC  
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