



## CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

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October 11, 2004

Colonel Robert M. Carpenter  
District Engineer  
Department of the Army  
Jacksonville Corps of Engineers  
P.O.Box 4970  
Jacksonville, Florida 32232-0019

Re: Finding of No Significant Impact, WSE Temporary Deviation

Dear Colonel Carpenter:

Thank you for your letter of March 23, 2004, regarding the review and evaluation of the Water Supply and Environmental (WSE) schedule for Lake Okeechobee and your reference to the Florida Fish and Wildlife Conservation Commission (the Commission) document entitled "Management of Lake Okeechobee and Associated Estuaries." Your letter laid out your plans to implement temporary deviations to the WSE. This letter relates to these issues and comments on the Army Corps of Engineers Preliminary Finding of No Significant Impact (FONSI) for the Temporary Planned Deviation to Adjust Classifications of Hydrologic Indicators and Forecasts, released on September 10, 2004.

### Premature

At the July 14 South Florida Water Management District (the District) Governing Board meeting, the CHNEP was part of a coalition of partners that requested a re-examination of the Class Limit Adjustment (CLA) alternative to improve water delivery to the Caloosahatchee Estuary and to host a public meeting on the West Coast. This meeting was held on August 4. One compromise suggested by Governing Board member Trudi K. Williams, and endorsed by stakeholders that attended the meeting, was allowing staff greater latitude to release water to the Caloosahatchee River when the Lake was in Level E. With the rash of hurricanes, any action regarding these issues was delayed. It is our understanding that the issue will be discussed at the October 13 Governing Board meeting. Given pending issues and discussion on the District side, it is premature for the Corps to adopt the temporary deviation until alternatives which provide the best water delivery to lakes, estuaries, and consumers can be identified.

### Increased Damaging Freshwater Flows

The adoption of the CLA alternative will negatively impact the Caloosahatchee Estuary by increasing the frequency of damaging high flows from Lake Okeechobee. According to the Corps, the number of months with high flows between 2800 and 4500 cfs will increase by 5 over the Base and the frequency of high flows exceeding 4500 cfs will increase by 2 months. These high flows have adverse impacts to recreational fisheries, blue crab fisheries, and water quality.

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### Lake Levels

In your earlier letter, you acknowledged receipt of the Florida Fish and Wildlife Conservation Commission document entitled "Management of Lake Okeechobee and Associated Estuaries." The Commission recommends that Lake Okeechobee be "kept between 12.0 feet and 15.5 feet National Geodetic Vertical Datum, with these low and high water levels being met every 3 years." The Commission recommendations should be incorporated in the WSE schedules.

### Recommendation

We recommend that the Corps delay any action on the Preliminary Finding of No Significant Impact. This will allow the Corps to work with the District to develop Management Strategies that benefit the entire Lake/Everglades system. The current proposed action would further harm an already degraded Caloosahatchee Estuary. This impact is significant to both environmental and economic values. The WSE temporary deviation should incorporate the Commission's short term recommendations to address harm placed on the Lake, estuaries, and Water Conservation Areas (WCAs). These recommendations include:

Water levels in Lake Okeechobee should be kept between 12.0 feet and 15.5 feet National Geodetic Vertical Datum, with these low and high water levels being met every 3 years. Annually, water levels within Lake Okeechobee should be dropping from November through June, stable through August, and peaking in October. Discharges to the Caloosahatchee and St. Lucie rivers, and WCAs should be timed to match natural hydrologic cycles as much as possible (i.e., major discharges should occur during annual wet periods). Discharge events to the St. Lucie Estuary greater than 2000 cubic feet per second (cfs) and flows greater than 4500 cfs to the Caloosahatchee Estuary should be avoided to minimize adverse effects on estuarine ecology. In regard to the Caloosahatchee Estuary, minimum fresh water flows of 800 cfs in the spring and 1200 cfs in the fall are needed to maintain optimum salinities for submerged aquatic vegetation.

Thank you for the opportunity to comment on the Preliminary FONSI. We look forward to the Corps incorporating these recommendations into the final policy.

Sincerely,



Lisa B. Beever, PhD, AICP

Director

Charlotte Harbor National Estuary Program

Cc: Henry Dean, Director, SFWMD  
Trudi K. Williams, Governing Board, SFWMD  
John Zediak, Chief, Water Management and Meteorology Section