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Melissa A. Nasuti
US Army Corps of Engineers
701 San Marco Blvd.
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Delivered via email: Melissa.A.Nasuti@usace.army.mil

Dear Ms. Nasuti:

This letter contains Audubon Florida's comments on the U.S. Army Corps of Engineers' (Corps) draft Environmental Assessment and proposed Finding of No Significant Impact for the document entitled "2019 Planned Deviation to Water Control Plan for Lake Okeechobee and Everglades Agricultural Area (LORS 2008)" referred to herein as the Draft EA. The Draft EA sets forth proposed adjustments to LORS 2008 which would provide the Corps with additional operational flexibility to take proactive measures to minimize the impacts of cyanobacteria blooms on the Caloosahatchee and St. Lucie Estuaries (collectively, the Northern Estuaries) and in Lake Okeechobee. We commend the Corps for continually striving to improve water management, especially in regard to newly emerging issues such as cyanobacteria blooms. The adjustments described in the Draft EA appear to be narrowly crafted for use under limited circumstances¹ with adequate safeguards that will minimize impacts on other Congressionally Authorized Purposes (CAPs). Audubon supports the Corps adopting the preferred alternative, Alternative B.

Harmful algal blooms (HABs) have the potential to pose significant human health risks and have caused substantial adverse impacts to Florida's environment and tourism based economy. While the Corps has a limited role in Lake water quality issues because the primary driver is the inflow of nutrients from the surrounding watershed, careful Lake management is a tool that can benefit the ecological health of the Lake and the Northern Estuaries. For example, by exercising its operational flexibility during the most recent wet season, the Corps gave the Lake a chance to recover resulting in an abundance of submerged and emergent vegetation, improved water quality, significantly lower algae levels compared to previous years and lower risk of HABs being released to the Northern Estuaries. All with minimal risk of harm to other CAPs.

The adjustments described in the Draft EA are also in line with Governor DeSantis's Executive Order 19-12 that placed a strong emphasis on improving water quality by, among other things,

¹ The adjustments described in the Draft EA would only come into play if: a HAB is currently in the Lake or the estuaries; a state of emergency is declared due to a HAB in the Lake or the estuaries; a HAB is anticipated to occur; or a HAB has occurred and caused harm or impacted public safety during the last 12 months.

directing state agencies to “Expedite projects with the U.S. Army Corps of Engineers to improve management of Lake Okeechobee...” including improved management for the St. Lucie and Caloosahatchee Estuaries. The Governor’s executive order also established a Blue-Green Algae Task Force and a Red Tide Task Force to help address water quality issues. Accordingly, the limited adjustments described in the Draft EA could compliment these actions.

The Corps Preferred Alternative appears to codify operational flexibility which already exists in LORS 2008. Section 7-03 of LORS 2008 allows the Corps to consider environmental releases from the Lake to benefit the Lake ecosystem and downstream ecosystems. Section 7-06 permits low-volume releases when the Lake is above the water shortage management band to prevent high volume discharges to the estuaries. Section 7-16 gives the Corps authority to consider releases from the Lake to minimize damages when Parts A – D are not effective at managing Lake levels. The Draft EA fleshes out the management considerations and restrictions in greater detail than was done in the original LORS 2008 document. For example, it covers situations when proactive releases could be useful, but are not specifically called for, in the lower operational bands, and is particularly useful for the “Beneficial Use” sub-band which is not addressed in LORS 2008 Parts C and D, the parts which offer release guidance. Proactive releases during low-water, non-bloom periods, will allow the Corps to reduce releases, under significant restrictions, during cyanobacteria blooms with the overall goal of having a net annual balance of zero increase or decrease of annual releases.

There is unfounded/exaggerated concern about excessively low levels in the Lake, for water supply for the Caloosahatchee Estuary, the Water Conservation Areas, the Lake itself, and human users. However, operating experience with LORS 2008 has shown that the schedule tends to err on the side of water levels that are too deep for the Lake, and are deeper than LORS 2008 predicted (Figure 1). We believe that the preferred alternative described in the Draft EA with its net zero release goal will not impact water supply but will promote a more balanced approach among the CAPs.

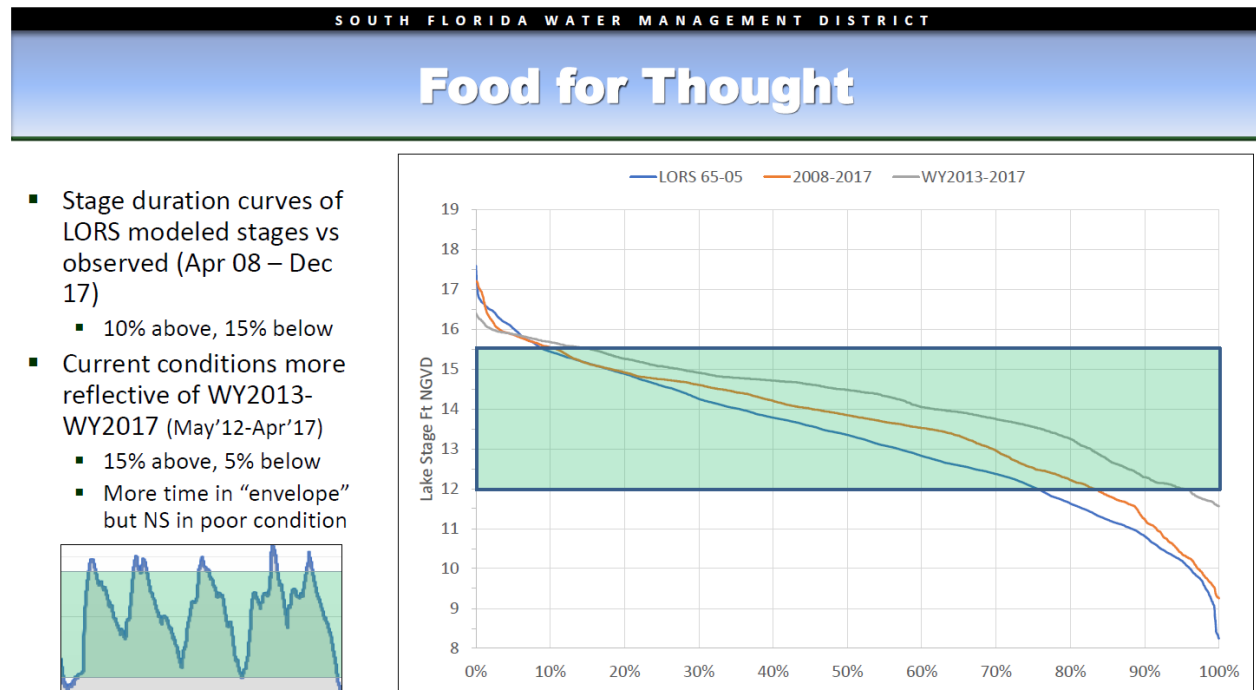


Figure 1. Lake levels have been deeper than projected in LORS 2008 (LORS 65-05 above) as shown in this figure. For example, LORS 65-05 predicted the Lake would be above 14 feet about 35% of the time, but since LORS 2008 was adopted, from 2008-17, it was above 14 feet 45% of the time, and from 2013-2017 it was above 14 feet 60% of the time. Chronic high water during 2013-2017 reduced submerged aquatic plant cover in the lake from more than 44,000 acres in 2012 to about 5,000 acres in 2018. (Source: South Florida Water Management District. 2018. Lake Okeechobee stage effects on lake ecology. Presentation to CISRERP VII, meeting 4. West Palm Beach.)

In recognition of low water risks, the Draft EA outlines numerous guidelines to prevent excessively low water and maintain the operational boundaries of LORS 2008 including, in part:

- not allowing the Lake to drop more than the 6 inch per month performance measure, as measured on a weekly rate of drop
- no releases if within 0.25 feet of the Water Supply Management band
- if the Lake already is receding below 12 feet, releases would not be made
- estuary releases are limited to less than 2000 and 730 cfs to the west and east respectively and southward releases would not be made if the WCAs are within 6 inches of the upper schedule, and then only made with guidance from the South Florida Water Management District
- keeping the annual water release budget to a net zero balance
- a re-evaluation after one year

These guidelines are in addition to the Corps' obligation to balance all of the CAPs, including water supply and dike safety.

In summary, Audubon supports the Preferred Alternative B with its appropriate boundaries, and commends the Corps for its efforts to refine management of Lake Okeechobee and associated resources. We think the periodic scientist calls, which also started with LORS 2008, will continue to be an excellent venue to receive data and input on optimizing management strategies in real time and in ways that fixed decision trees in schedules, no matter how well conceived, are unable to do.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Doug Gaston', written in a cursive style.

Doug Gaston
Northern Everglades Policy Analyst