



MARTIN COUNTY

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October 15, 2021

Submitted via email: James.I.Booth@usace.army.mil

Department of the Army
Jacksonville District Corps of Engineers
701 San Marco Boulevard
Jacksonville, FL 32207-8175

Dear Colonel Booth,

The Martin County Board of County Commissioners (Martin County or the County), on behalf of its businesses and residents, appreciates the opportunity to participate as a stakeholder in the U.S. Army Corps of Engineers' (USACE) development of the Lake Okeechobee System Operating Manual (LOSOM) under the National Environmental Policy Act (NEPA). The County writes this letter in response to the September 21, 2021 LOSOM Workshop regarding LOSOM Operational Guidance.

During the workshop, USACE staff explained that LOSOM Operational Guidance could be based on forecasting ENSO conditions relative to Lake Okeechobee. The forecasting proposal indicated that moderate to strong La Niñas would result in less discharges from the Lake, while moderate to strong El Niños would lead to more discharges. Martin County opposes discharging Lake water to the St. Lucie Estuary based on these subjective predictions. The forecasting proposal prioritizes the needs of Lake recovery over the health and restoration of the St. Lucie Estuary, the Indian River Lagoon, and the nearshore coral reef. The recovery of Lake Okeechobee was heavily discussed in the workshop, while the recovery of the nearshore coral reef outside St. Lucie Inlet was never mentioned, regardless of the County's submissions for the administrative record concerning the documented harm to the coral reef from Lake discharges. While we support efforts to improve conditions within the Lake, this cannot be accomplished at the expense of the St. Lucie Estuary and the nearshore reef, where recovery is on a decadal scale.

Additionally, Martin County also opposes the concept of "make-up releases" and the Algal Bloom Operational Guidance presented by USACE. According to USACE's Workshop presentation, when "up-to" discharges are not made, those discharges would be "banked" to be discharged at a later date. This concept again poses greater harm to the St. Lucie Estuary since discharge decisions will be based on subjectivity and future predictions. Without limitations on volumes and timing of discharged "banked" water, there is the risk that the St. Lucie Estuary and nearshore reef will be the recipients of volumes of Lake water at times and frequencies that exceed the schedule under CC, not to mention exceedances that

cause harm to the receiving water bodies. Again, under this proposal Lake stage and recovery is prioritized over the St. Lucie Estuary and its vulnerable surrounding ecosystems. While the County appreciates USACE's efforts to mitigate the transport of harmful algal blooms (HABs) from the Lake to the St. Lucie, HABs have occurred within the Lake in nearly all months of the year across the period of record. The Algal Bloom Operational Guidance proposal eliminates discharges within a narrow window of time and suggests that those discharges can again be "banked" and sent to the St. Lucie Estuary at a later date. The current data shows that HABs can remain in the water column of Lake water even when HAB biomass is no longer observable. Thus, the mitigation proposal to stop discharging when HABs are observably present will not actually mitigate the underlying source of harm to the Estuary and near shore reef. Martin County, therefore, strongly opposes "banking" observable HABs only to later combine the non-observable HABs within unlimited "banked" discharges or as "make-up" discharges to the St. Lucie Estuary and near shore reef.

USACE has demonstrated a capacity to evaluate the totality of circumstances and apply flexibility into water management decisions through the practice of "up to" language in lake schedule guidance. This language builds in flexibility for inclusion of algal bloom factors, recovery operations and all other holistic considerations. Because of the potential for inaccurate forecasting under the confines of the USACE's proposal presented on September 21, 2021, the County believes that water management actions should be limited to the flexibility provided by "Up to" language.

However, the County also suggests that the northern estuaries could be de-coupled in regard to operational guidance. If the Caloosahatchee stakeholders believe that the employment of some or all of the suggested operational guidance options are beneficial for them, we would support those being advanced for the Caloosahatchee. Since there is a benefit to a minimal flow of fresh water to the Caloosahatchee but all releases are harmful to the St. Lucie, it may be useful to employ operational guidance options to one estuary and not the other.

In closing, Martin County reiterates our objection to the concepts presented by USACE regarding LOSOM Operational Guidance. Martin County looks forward to continuing its cooperation with the USACE throughout the remainder of the LOSOM process. Should you or your staff have any questions, please do not hesitate to contact us.

Sincerely,



Jim Gorton

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Public Works Director

Martin County Board of County Commissioners

CC: Tim Gysan, USACE; Eva Velez, USACE; Drew Bartlett, SFWMD; Jacqui Thurlow-Lippisch, SFWMD