

Florida Department of Environmental Protection

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2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Mimi A. Drew
Secretary

October 4, 2010

James Evans, Chairman
Southwest Florida Watershed Council
P.O. Box 61063
Fort Myers, FL 33906-1063

Dear Mr. Evans:

This letter is in response to your August 5, 2010 letter expressing your concerns about the flows of freshwater to the Caloosahatchee River and Estuary. As a result of changes to the Lake Okeechobee regulation schedule in 2008 (aka LORS08) less water can be stored in Lake Okeechobee than was historically allowed. As a result, it appears that there will be more difficulty in achieving the minimum flows and levels (MFL) for the Caloosahatchee River and Estuary and Lake Okeechobee. It is my understanding that the Adaptive Protocols being considered by the South Florida Water Management District are to guide the District in making recommendations to the US Army Corps of Engineers for releases of water during the lower water level events. They are not binding on the District or the US Army Corps of Engineers. The analysis done to date indicates that the recommendations being considered would improve flows to the Caloosahatchee River and Estuary over conditions expected to result through the strict operation of the LORS08 schedule. We appreciate the water management District's efforts to improve the situation, but do not expect the Adaptive Protocols to be a major part of the solution for restoring flows to the Caloosahatchee River and Estuary.

We anticipate that it will take several actions to restore appropriate flows to the river and estuary including the construction of the C-43 reservoir proposed by CERP, implementation and possible revision of the MFL recovery strategy, other watershed restoration activities, and the adoption of a reservation of water. We understand that the next step by the water management district will be the development of a reservation of water for the Caloosahatchee River and Estuary. We know that this effort has been delayed for many reasons during the past several years, but have spoken to water management district staff and they have indicated that they will soon be moving forward with this effort. Staff in my Office of Water Policy will be reviewing the technical information and rule development efforts for this important water body to

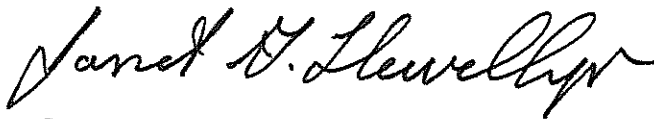
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ensure that the efforts are consistent with state law and provide the protections necessary for the river and estuary.

The district is also in the process of updating their regional water supply plan for the Lower West Coast, which may provide an opportunity for identifying actions that can be taken to improve flows to the river, both from Lake Okeechobee and other areas of the Caloosahatchee Watershed.

I believe that the SFWMD Governing Board is committed to improving flows to the Caloosahatchee River and anticipate that additional actions will be taken soon. I hope this information is helpful. Thank you for your continued commitment to the health of the Caloosahatchee River and Estuary.

Sincerely,

A handwritten signature in black ink, reading "Janet G. Llewellyn". The signature is written in a cursive style with a large initial "J".

Janet G. Llewellyn, Director
Division of Water Resource Management

JGL/kpg

cc: Greg Knecht, DEP
Ernie Marks, DEP
Stacey Feken, DEP
Kathleen Greenwood, DEP
Chad Kennedy, DEP SE District
Ken Ammon, SFWMD
Brenda Mills, SFWMD