



City of Stuart
City Commission

City of Stuart

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May 15, 2020

The Honorable Peter DeFazio
Chairman
Committee on Transportation and Infrastructure
U.S. House of Representatives
2167 Rayburn House Office Building
Washington, DC 20515

The Honorable Sam Graves
Ranking Member
Committee on Transportation & Infrastructure
U.S. House of Representatives
2167 Rayburn House Office Building
Washington, DC 20515

The Honorable Grace Napolitano
Chair
House T&I Subcommittee on Water Resources
and Environment
2167 Rayburn House Office Building
Washington, DC 20515

The Honorable Bruce Westerman
Ranking Member
House T&I Subcommittee on Water Resources
and Environment
2167 Rayburn House Office Building
Washington, DC 20515

Colonel Andrew Kelly
US Army Corps of Engineers
4070 Boulevard Center Drive
Jacksonville, Florida 32207

Sent via email

Dear Colonel Kelly,

The City of Stuart is in total concurrence with Martin County in stating that the implementation of the Comprehensive Everglades Restoration Plan (CERP) and the development of effective Lake Okeechobee operations (“Lake operations”) must not damage our coastal estuaries, Lake Okeechobee, and the Greater Everglades ecosystem. Polluted, toxin-laden water represents an existential threat to our environment, our collective tourism and marine industries, the health and wellbeing of our residents, and our quality of life. We stand unified in the protection of our communities and to this end the City of Stuart remains fully engaged in efforts to modify Lake operations in a manner more harmonious with the ecological, environmental, and economic needs of all stakeholders, and those in our trust.

We are aware of ongoing efforts by private actors and a handful of communities who desire to extend the application of the “Savings Clause” in the Water Resources Development Act (WRDA) 2000 to the ongoing development of the Lake Okeechobee System Operating Manual (LOSOM) being conducted pursuant to WRDA 2018. The stakeholders advancing this extension of the Savings Clause application are implicitly advocating for maintaining status quo of lake operations because the status quo has only inured to their benefit and peace of mind. The larger water storage capacity / supply benefits provided by the lake operations status quo have proven to not only be detrimental to the water quality of Lake Okeechobee


but has also consequently led to the destruction of estuarine ecology and the environmental condition in both the Caloosahatchee and Saint Lucie Rivers respectively.

We vehemently oppose any effort to modify the spirit and intent of Congress in the 2000 Water Resources Development Act (WRDA) which explicitly applies the Savings Clause to CERP “projects”; LOSOM is not a CERP project, but rather an autonomous, periodic federal and state policy making process designed to manage lake operations with the input of all stakeholders. The intent of CERP is to consistently develop and implement capital projects that will improve the conveyance of water for all historic users – including the natural environment. The Savings Clause within CERP guarantees that infrastructural projects designed to improve the conveyance of water (north to south) will not reduce the historical (2000) supply need of the water users. This guarantee was never intended to apply to lake management processes and the joint letter provided by Martin County, the City of Stuart, and other undersigned communities further validates our position, and the inherent conflict of law with applying the Saving Clause in any manner inconsistent with the intent of Congress.

Now is not the time to advocate for permanent policy changes that ignore decades of existing legal authority on the implementation of CERP projects and new C&SF Lake operations. By way of this letter we support the joint correspondence on this issue sponsored by Martin County, and we urge you to reject any effort to apply the “Savings Clause” to the LOSOM policy document, as this would both undermine and defeat the positive collaboration and results generated by the project delivery team to date.


Very truly yours,


Michael J Meier (May 15, 2020)
Mike Meier
Mayor


Eula Clarke (May 15, 2020)
Eula R. Clarke
Vice Mayor


Merritt Matheson (May 15, 2020)
Merritt Matheson
Commissioner


Rebecca S Bruner (May 15, 2020)
Rebecca S. Bruner
Commissioner


Kelli Glass Leighton (May 15, 2020)
Kelli Glass Leighton
Commissioner












Savings Clause LOSOM Support Letter

Final Audit Report

2020-05-15


Created:	2020-05-15
By:	David Dyess (ddyess@ci.stuart.fl.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAzGSP6TmErHn50-dAbbs97F_3NltQusum

"Savings Clause LOSOM Support Letter" History

-  Document created by David Dyess (ddyess@ci.stuart.fl.us)
2020-05-15 - 3:05:01 PM GMT- IP address: 198.136.41.221
-  Document emailed to Eula Clarke (eclarke@ci.stuart.fl.us) for signature
2020-05-15 - 3:06:53 PM GMT
-  Document emailed to Rebecca s Bruner (bbruner@ci.stuart.fl.us) for signature
2020-05-15 - 3:06:53 PM GMT
-  Document emailed to Kelli Glass Leighton (kglass@ci.stuart.fl.us) for signature
2020-05-15 - 3:06:53 PM GMT
-  Document emailed to Michael J Meier (mmeier@ci.stuart.fl.us) for signature
2020-05-15 - 3:06:53 PM GMT
-  Document emailed to Merritt Matheson (mmatheson@ci.stuart.fl.us) for signature
2020-05-15 - 3:06:53 PM GMT
-  Email viewed by Michael J Meier (mmeier@ci.stuart.fl.us)
2020-05-15 - 3:12:46 PM GMT- IP address: 73.56.178.76
-  Email viewed by Merritt Matheson (mmatheson@ci.stuart.fl.us)
2020-05-15 - 3:24:30 PM GMT- IP address: 108.235.237.42
-  Email viewed by Rebecca s Bruner (bbruner@ci.stuart.fl.us)
2020-05-15 - 3:25:53 PM GMT- IP address: 73.49.109.151
-  Document e-signed by Merritt Matheson (mmatheson@ci.stuart.fl.us)
Signature Date: 2020-05-15 - 3:27:28 PM GMT - Time Source: server- IP address: 108.235.237.42
-  Email viewed by Eula Clarke (eclarke@ci.stuart.fl.us)
2020-05-15 - 3:37:22 PM GMT- IP address: 76.26.45.134

 Document e-signed by Eula Clarke (eclarke@ci.stuart.fl.us)

Signature Date: 2020-05-15 - 3:42:36 PM GMT - Time Source: server- IP address: 76.26.45.134

 Document e-signed by Michael J Meier (mmeier@ci.stuart.fl.us)


Signature Date: 2020-05-15 - 4:16:29 PM GMT - Time Source: server- IP address: 73.56.178.76

 Email viewed by Kelli Glass Leighton (kglass@ci.stuart.fl.us)


2020-05-15 - 4:25:38 PM GMT- IP address: 73.57.112.28

 Document e-signed by Kelli Glass Leighton (kglass@ci.stuart.fl.us)

Signature Date: 2020-05-15 - 4:27:33 PM GMT - Time Source: server- IP address: 73.57.112.28

 Document e-signed by Rebecca s Bruner (bbruner@ci.stuart.fl.us)

Signature Date: 2020-05-15 - 4:56:00 PM GMT - Time Source: server- IP address: 172.58.12.30

 Signed document emailed to Merritt Matheson (mmatheson@ci.stuart.fl.us), David Dyess (ddyess@ci.stuart.fl.us), Eula Clarke (eclarke@ci.stuart.fl.us), Michael J Meier (mmeier@ci.stuart.fl.us), and 2 more

2020-05-15 - 4:56:00 PM GMT