

Lorida Audubon Collection - Records

Lorida Audubon Collection

August 2000

Jay, Gray, Haynes meeting - 2000-08-31

Audubon Lake Okeechobee Watershed Campaign Office

Follow this and additional works at: https://digitalcommons.usf.edu/lorida_records

Recommended Citation

Audubon Lake Okeechobee Watershed Campaign Office, "Jay, Gray, Haynes meeting - 2000-08-31" (2000).
Lorida Audubon Collection - Records. 2.
https://digitalcommons.usf.edu/lorida_records/2

This Text is brought to you for free and open access by the Lorida Audubon Collection at Digital Commons @ University of South Florida. It has been accepted for inclusion in Lorida Audubon Collection - Records by an authorized administrator of Digital Commons @ University of South Florida. For more information, please contact scholarcommons@usf.edu.

File

AUDUBON OF FLORIDA

Ordway-Whittell Kissimmee
Prairie Sanctuary
& Lake Okeechobee Sanctuaries
100 Riverwoods Circle
Lorida, FL 33857
Tel: 863/467-8497
Fax: 863/467-8460

2 page FAX

J. A. Jurgens, Esq.



August 31, 2000

Dear Jay:

I met with Haynes Williams today for about 40 minutes to see if we could find agreement over some of our disagreements, and maybe cut down on future litigation. I don't know if we agree on too much, but we had a good conversation and I think we understand each other a bit better.

Haynes was not aware of Greg's affiliation with Florida Audubon. He is uncertain whether he wants Greg to continue monitoring, but has not ruled it out. Haynes is frustrated that Greg considers the dike along the southern end of the "101 Ranch drainage ditch" too steep and a threat to erode into the ditch. I told him I agree the dike is too steep, but keeping the ditch clear is the main concern and if Haynes is diligent in cleaning the ditch, erosion is a controllable problem (moving the dike would be very expensive). Haynes doesn't seem to want to have a cleaning schedule, rather, "I'll keep it clean." Haynes said he wants to think about Greg's continuing, and that Greg could monitor next month while Haynes and the other downstream folks consider their final answer. I agreed to that and told him we would change consultants if they wish—let us know.

I also mentioned that the as-builts Haynes sent us for his work were from SFWMD staff and not "signed and sealed" by an independent P.E. (who is under profession scrutiny). Therefore we need to ask SFWMD if their measurements serve to certify that the work was done correctly. If SFWMD does not want to certify it, we still need a P.E. certification. My concern is that we give Judge Moore solid proof that the assignments were done correctly.

We also discussed Haynes' ERP amendment (the new impoundment). I expressed concern that we had agreed during mediation on a drainage plan for the sparrows (federal suit), and on suitable wetland protection for our wading bird rookeries (ERP petition), and that this new reservoir changes those agreements and threatens both those interests, without our consent (or knowledge). Further, the USFWS and DOJ apparently have not



A STRATEGIC ALLIANCE OF THE FLORIDA AND NATIONAL SOCIETIES IN PARTNERSHIP WITH 45 LOCAL AUDUBON CHAPTERS

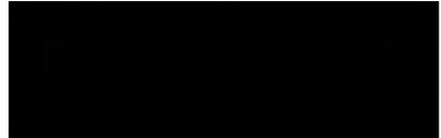


J.A. Jurgens
August 31, 2000
Page 2

been informed of these changes. I told Haynes he could remove that reservoir now, or we will investigate and perhaps litigate. Haynes wants to keep the reservoir. After the meeting, I went to the SFWMD office and formally requested all pertinent documents on the ERP modification and on 101 Ranch compliance (as-builts) with the previous ERP.

In the meantime, I will have our hydrologist review its characteristics. I asked Gary Ritter at the SFWMD Okeechobee Service Center why we were not notified and he was surprised that we were on the mailing list for the ERP, but taken off that list for the ERP modification. I told him we are studying whether to petition this permit modification and he said he would check to see if he can track down why this changed—it apparently is irregular to change mailing lists. I will let you know ASAP about their explanation for this and we can decide what to do from there.

Sincerely,



Paul N. Gray, Ph.D.
Manager

C: Mark Kraus, Audubon
Haynes Williams, 101 Ranch