



CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

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January 14, 2005

Richard S. Owen, AICP, Planning Director
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

Re: Southern Water Use Caution Area Recovery Strategy Document

Dear Mr. Owen:

Thank you for meeting with Catherine Corbett and me on December 17, 2004, along with Mark Hammond, Greg Jones, Martin Kelly, and Ken Weber. We discussed the February 18, 2004 Charlotte Harbor National Estuary Program (CHNEP) letter to Executive Director David Moore reviewing the draft Southern Water Use Caution Area (SWUCA) Recovery Strategy and the March 5, 2004 response from yourself. We also reviewed the CHNEP Management Conference discussion of the response which included the November 15, 2004 Policy Committee discussion. As a result of the meeting, I offered four recommendations. They include adding a discussion of the broader plan context within the SWUCA Recovery Strategy, adding language regarding stabilizing saltwater intrusion, being added to the list for entities which will receive the economic evaluation of the draft SWUCA rules, and evaluate the benchmark of ranges developed through the Minimum Flow and Levels to respond to our seasonal maximum flow concerns.

Broader Plan Context

In our February 18, 2004 letter, we requested two long term goals be added to the SWUCA Recover Strategy. Mark Hammond and you provided an explanation of the relationship of the recovery strategy to the goals established through the District Water Management Plan 2000, which will soon be updated. The Water Management Plan includes preferred visions regarding water resources for the next 50 years. The Southern Water Use Caution Area (SWUCA) Recovery Strategy includes a focus within that overall vision. You agreed to add that discussion to the document. In addition, please keep us apprised of opportunities to participate in the update of the District Water Management Plan. It appears to be the perfect opportunity to develop a water resource vision for the CHNEP study area to complement the vision language for Tampa Bay.

Stabilization of the Saltwater Wedge

Our February 18, 2004 letter requested:

2. "that a long-term goal of the Recovery Strategy and rules should be the stabilization of the saltwater wedge to maintain a minimum freshwater storage volume and insure fresh water continuity within the Floridan aquifer; and
3. once the stabilization of the saltwater wedge of the aquifer has occurred, the District should reset the target of the Recovery Strategy and rules to be the recovery of the Floridan aquifer."

Our intent was that incremental decision-making should support stabilization of the saltwater wedge for the long term, even if it is not possible to achieve the specific goal within the 5 year timeframe of the document. In other words, if the District achieves its target outlined in the recovery strategy that the District will continue to make decisions that will reduce the rate of saltwater intrusion to a greater degree. Based on our discussion, I am now assured that is the District's intent. We would like to see that in some fashion within the recovery document and recommend that you modify the goal language as shown here in underline:

(3) Reduce the rate of saltwater intrusion toward stabilizing it in coastal Hillsborough, Manatee and Sarasota counties by achieving the proposed minimum aquifer levels for saltwater intrusion by 2020; and,

On page 110 of the July 7, 2004 SWUCA II rules (which has been removed in a later draft), it states "The District established the Most Impacted Area (MIA) in 1989 ... in order to stabilize salt water intrusion until a long term management plan for salt water intrusion was developed." The core value implicit in the establishment of the MIA in the first place should be carried into updated recovery strategies for the MIA.

Economic Analysis

In its November 15, 2003 discussion, members of the Policy Committee had concerns about the economic impacts of not stopping saltwater intrusion. We discussed the economic analysis associated with the draft rules. You informed us that the statutory provisions for the development of a Statement of Estimated Regulatory Costs (SERC) do not require an estimate of the benefits of the proposed rules. However, the District will, to the extent possible, attempt to describe the benefits of slowing the rate of saltwater intrusion because it is important that decision-makers know what benefits can potentially accrue from regulatory actions. The economic analysis will be prepared consistent with statutory requirements and will evaluate the proposed rule's impacts on affected water users, including water utilities, agriculture, industry and other users. I understand that you have added the CHNEP on your list to receive the public drafts of this economic analysis. Thank you.

Seasonal Flows

Our February 18, 2004 letter requested:

1. that a seasonal maximum flow be established for which further increases would be significantly harmful to the water resources or ecology of a given water body and an optimal flow range be determined in addition to minimum flows and levels for the water bodies within the Charlotte Harbor watershed;

We discussed at some length how the District is addressing this concern. Through the development of the Minimum Flows and Levels (MFLs), Dr. Kelly is identifying benchmarks (of ranges) reflecting natural flows and variability. This was not developed for the Upper Peace River because it was not possible to determine to what extent flow declines were attributable to withdrawals or other factors. However, these are currently being developed for the Middle Peace and will be developed for the Upper and Lower Myakka Rivers. Furthermore, a linked surface water/groundwater model is being developed to simulate how various factors (e.g., climate, withdrawals) affect the flow regime of the Upper Peace River. Although we would like to see some

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reference to this work in the SWUCA Recovery Strategy, the fact that the work is being done is the important thing.

Overall Impression of the SWUCA Recovery Strategy

I wanted to reiterate that the SWUCA Recovery Strategy helps to implement the CHNEP's Comprehensive Conservation and Management Plan. We commend that District for the inclusion of water reservations, land acquisition, and conservation to ensure the recovery and maintenance of flows into the future. We also applaud your commitment to reducing withdrawals from the Floridan aquifer by 50 mgd.

Sincerely,



Lisa B. Beever, PhD, AICP
Director
Charlotte Harbor National Estuary Program

Cc: Mark Hammond, SWFWMD
Dr. Martin Kelly, SWFWMD
Greg Jones, SWFWMD
Ken Weber, Regulation Program Director, Technical Services, SWFWMD