



CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

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November 22, 2010

Colonel Alfred A. Pantano, Jr.
U.S. Army Corps of Engineers
Jacksonville District
701 San Marco Blvd.
Jacksonville, FL 32207

Re: Central Florida Phosphate District Area-wide EIS Scoping

Dear Col. Pantano:

Thank you for approving the August 3, 2010 Memorandum for the Record (MFR) concerning "appropriate National Environmental Policy Act documentation for permit applications for phosphate mining in the Central Florida Phosphate District (a.k.a. "Bone Valley")." The MFR follows several requests we have made for an area-wide EIS in the area, beginning in September 26, 2000. Therefore, the Charlotte Harbor National Estuary Program (CHNEP) endorses your pursuit of the area-wide EIS within the Central Florida Phosphate District.

CHNEP is guided by our *Comprehensive Conservation and Management Plan (CCMP)*, pursuant to Section 320 of the Clean Water Act. Our CCMP calls for:

- **WQ-1:** Maintain or improve water quality from year 2000 levels...
 - **WQ-C:** Develop integrated ground and surface water quality and pollutant loading models.
 - **WQ-E:** Implement projects to restore or protect water quality to offset anthropogenic impacts.
- **HA-1:** By 2015, identify, establish and maintain a more natural seasonal variation (annual hydrograph) in freshwater flows for [...] Peace River and its tributaries [and the] Myakka River...
 - **HA-B:** Develop integrated ground and surface water models. Address data gaps based on ecosystem needs and projected needs for water withdrawals due to population growth, development, agriculture and mining.
 - **HA-C:** Protect headwater tributaries from elimination and restore these tributary courses and their floodplains where opportunities exist.
 - **HA-E:** Establish minimum flows and levels (MFLs).
- **HA-2:** By 2020, restore, enhance and improve where practical historic watershed boundaries and natural hydrology for watersheds within the CHNEP study area, with special attention to Outstanding Florida Waters and Class I water bodies.
 - **HA-G:** Reestablish hydrologic watersheds to contribute flows to their historic receiving water bodies.

- **HA-J:** Build and restore water conveyances to have shallow, broad, vegetated and serpentine components that also restore floodplains.
- **HA-K:** Identify the hydrologic and environmental impacts of surface water reservoirs on estuaries within the watershed.
- **FW-2:** By 2025, achieve a 100 percent increase in conservation, preservation and stewardship lands within the boundaries of the CHNEP study area.
 - **FW-H:** Bring environmentally sensitive land under protection through ownership and/or management and expand conservation areas, reserves and preserves, including undeveloped platted lots.
 - **FW-I:** Advocate land acquisition and conservation easement programs.
- **SG-2:** By 2010, the CHNEP will serve as a recognized resource to elected officials or their agents from local, state and federal government for policy advice.
 - **SG-P:** Incorporate into federal, state and local permits and public works improved standard practices that better protect estuaries and watersheds.

The area-wide EIS alternatives development and recommendations has the potential to assist in implementation of the above CCMP objectives and actions.

We offer these recommendations to be incorporated in the scoping for the EIS:

1. Develop a natural systems hydrologic model from the SWFWMD Peace River Integrated (surface/ground water) Model, using Pre-Development Vegetation Maps to establish targets for comparison. This model has not yet been fully calibrated, but should be done by the end of the year. Modification and use the model should include review by SWFWMD.
2. Review alternative designs, policies and cumulative effects toward restoring natural system (modeled pre-development) flows, based on a period of record of rainfall data.
3. Develop alternatives that best replicate natural systems flows, that are consistent with adopted Minimum Flows and Levels, for rivers and streams, similar to the approach used for the Southwest Florida Feasibility Study (SWFFS). In the SWFFS, Corps staff (Richard Punnett) used STELLA to model the cumulative effects of a variety of project alternatives. Mike SHE hydrologic model inputs were used but STELLA reduced the time necessary to review many alternatives.
4. Implement components of FDEP Peace River Basin Resource Management Plan through EIS alternatives development.
5. Update the FDEP Integrated Habitat Network and integrate into EIS.
6. Test compliance with alternative freshwater and estuarine numeric nutrient criteria within design and policy alternatives.
7. Consider both estuarine targets and thresholds from work completed through CHNEP and the Tampa bay Estuary Program.

Finally, we can provide:

- Water Quality Data
- Estuarine nutrient targets and thresholds
- Pre-Development GIS data
- Historic Subbasin GIS data
- Historic Benthic habitats GIS data
- Seagrass Restoration Targets
- Regional climate change vulnerability assessment
- Consensus-based review of methods, results and alternatives

Thank you for the opportunity to participate in the development of the area-wide EIS.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Lisa B. Beever". The signature is written in a cursive style with a large initial "L" and "B".

Lisa B. Beever, PhD, AICP
Director

Cc: Stephen R. Sullivan, Branch Chief South Permits Branch
Donald W. Kinard, Chief Regulatory Division
Cindy Wood, Project Manager
Tunis McElwain, Mining Coordinator, Fort Myers Office.