



CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

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February 18, 2004

Mr. David Moore
Executive Director
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604-6899

Re: Southern Water Use Caution Area Draft Recovery Strategy and Rules

Dear Mr. Moore;

This letter is to provide comment on the Southern Water Use Caution Area Draft Recovery Strategy and rules. The Charlotte Harbor National Estuary Program (NEP) is a partnership program, created by Section 320 of the Clean Water Act, to protect and preserve the Charlotte Harbor estuary, recognized as an estuary of national significance and one of the most productive estuaries in the State. The Peace River is a major tributary to and key component of the Charlotte Harbor estuary; protecting the natural flow regime and ecological integrity of this river is of great importance to the Charlotte Harbor NEP. Since 1996, the Charlotte Harbor NEP has developed and completed a Comprehensive Conservation and Management Plan (CCMP) for the estuary and its watershed. This plan was developed utilizing four committees of citizens, scientists, resource managers, industry representatives and policy makers. Our partnership includes, among others, Polk, Hardee, DeSoto, and Charlotte Counties; the U.S. Environmental Protection Agency; U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; the Florida Fish and Wildlife Conservation Commission; the Florida Department of Environmental Protection; and both the South and the Southwest Florida Water Management Districts. A part of the implementation of this CCMP is determining the consistency of proposed actions in the Charlotte Harbor watershed with the CCMP.

The effort to develop the Southern Water Use Caution Area Recovery Strategy and rules by the District addresses the following goals, among numerous others, of the CCMP:

- **HA-1:** Establish values for minimum seasonal flows and levels beginning with the Myakka River at State Road 72 and for Big Slough; the Peace River at Bartow, Zolfo Springs, and Arcadia; and for the tributaries Horse Creek, Joshua Creek, Shell Creek, and the lower Peace River/ upper estuary by the year 2005. Achieve these minimum seasonal flows by the year 2020.
- **HA-2:** Identify, establish, and maintain a more natural seasonal variation (annual hydrograph) in freshwater flows by the year 2010 for... Upper Peace River and its tributaries from Tenoroc to Zolfo Springs;...
- **HA-G:** Plug abandoned groundwater wells to improve groundwater quality, increase water levels, and promote water conservation.
- **HA-H:** Where possible (practical), restore groundwater levels to historic seasonal mean levels.

- **HA-Q:** Restore hydrologic surface features of the Peace Creek flood plain.
- **FW-2:** Meet the stated objectives for the target extent, location, and quality of the following habitats in the Charlotte Harbor NEP study area: ...e) restore, maintain, and manage freshwater wetland systems in current extents and to a quality capable of maintaining all natural functions within the range or natural variability;

The Charlotte Harbor National Estuary Program (NEP) Management Conference strongly supports the Southwest Florida Water Management District's efforts to develop the Recovery Strategy and rules to meet Minimum Flow and Levels rules for the upper Peace River and Floridan aquifer as well as the District's technical methodologies in determining these rules. We applaud the District's inclusion of the development of MFL rules for medium to high flows of the upper Peace River within the Recovery Strategy, the District's MFL Priority Schedule and the draft upper Peace River MFL rule. We also commend the District on the inclusion of water reservations, land acquisition and water conservation within the Recovery Strategy and rules to ensure maintenance of the flows and levels into the future. Furthermore, the November 14, 2003 draft document *Southern Water Use Caution Area Recovery Strategy* is very informative and a great resource.

To strengthen the Recovery Strategy and rules, the Charlotte Harbor NEP requests the following be included:

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;
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.

We thank you in advance for your input and efforts to address these requests. If we can be of assistance in furthering your efforts or if you have any questions, please contact me at (239) 995-1777 extension 235 (email: lbeever@swfrpc.org) or Catherine Corbett at extension 241 (email: ccorbett@swfrpc.org).

Sincerely,



Lisa B. Beever, PhD, AICP
Director
LBB/CAC/cac

CC: Richard S. Owen, AICP, Planning Director, Southwest Florida Water Management District