





CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

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May 9, 2005

Mr. Tommy Strowd
Accelerated Projects Office Program Director
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33416-4680

Re: C-43 West Reservoir Water Quality Components

Dear Mr. Strowd,

This letter is to provide comment on the design and construction of the C-43 West Reservoir within the Charlotte Harbor watershed and request certain actions from the SFWMD. The Charlotte Harbor 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 Florida. The Caloosahatchee River is one of 3 major tributaries to and a key component of the Charlotte Harbor estuary; protecting the natural flow regime and ecological integrity of these rivers is of great importance to the Charlotte Harbor NEP. In 2000 the Charlotte Harbor NEP adopted the *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, Manatee, Sarasota, 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. Section 320(b)(7) of the Clean Water Act establishes that the implementation of the CCMP includes the determination of the consistency of proposed actions in the Charlotte Harbor watershed with the CCMP. Lee County has requested that the program provide comments on the design and construction of the C-43 West Reservoir for consistency with the CCMP.

The C-43 West Reservoir project may impact our ability to implement the Charlotte Harbor CCMP, especially the following Quantifiable Objectives:

- **HA-2:** Identify, establish, and maintain a more natural seasonal variation (annual hydrograph) in freshwater flows by the year 2010 for:
 1. Caloosahatchee River;
 2. Upper Peace River and its tributaries from Tenoroc to Zolfo Springs; and
 3. the Upper Myakka River (with special attention to Flatford Swamp).

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- **HA-3:** Restore, enhance, and improve where practical historic subbasin boundaries and natural hydrology for basins within the Charlotte Harbor NEP study area, with special attention to Outstanding Florida Waters, Class I waterbodies, and tributaries to Estero Bay by the year 2020.
- **FW-2:** Meet the stated objectives for the target extent, location, and quality of the following habitats in the Charlotte Harbor NEP study area:... a) native submerged aquatic vegetation should be maintained and restored at a total extent and quality no less than caused by natural variation;... f) *restore, manage, and improve the habitat quality of oyster bars in the Charlotte Harbor NEP area based on the existing historic data;*...
- **WQ-3:** Identify specific actions and develop timetables for achieving all non-mercury TMDLs by the year 2011, and identify specific actions and develop timetables for achieving mercury TMDLs by 2013.
- **WQ-6:** Meet or exceed designated water quality standards throughout basins of the Charlotte Harbor NEP study area by the year 2015 with possible exceptions for natural and/or site-specific conditions.

The Caloosahatchee River is the major source of nutrients to the Caloosahatchee estuary (Environmental Research and Design 2003), and the Florida Department of Environmental Regulation over a decade ago reported that the estuary had reached its nutrient loading limits as indicated by elevated chlorophyll *a* and depressed dissolved oxygen levels (DeGrove 1981; DeGrove and Nearhoof 1987; Baker 1990). The estuary and sections of the East basin are currently listed as impaired for nutrients, dissolved oxygen, metals and others on the state's Group 3 draft verified list (based on IWR Run 17) and projected Total Maximum Daily Load (TMDL) development in 2009. Thus, the water quality reaching the Charlotte Harbor estuary from the Caloosahatchee is a major concern of the program and its partners.

The Charlotte Harbor NEP applauds the District's efforts to better mimic natural hydrology of the river by fast-tracking this project of the Comprehensive Everglades Restoration Plan. However, addressing hydrology without including water quality improvement is insufficient in protecting the estuary and aquatic resources of this nationally recognized system and potentially wasteful of public funds. This project serves as a rare opportunity to improve water quality from the upper basin before it reaches the estuary and proactively address Section 303(d) of the Clean Water Act regarding TMDLs. Therefore, the program requests the District incorporate water quality components of the Southwest Florida Feasibility Study into the purpose, design and construction of the C-43 West Reservoir project.

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We thank you in advance for your efforts to address our concerns. If we can be of assistance in furthering your efforts or if you have any questions, please contact me at (239)338-2556 extension 235 or Catherine Corbett at extension 241.

Sincerely,



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

CC: Alice J. Carlson, Governing Board, South Florida Water Management District
Dennis Duke, U.S. Army Corps of Engineers
Ken Ammon, South Florida Water Management District
Tom Welborn, U.S. Environmental Protection Agency, Region 4

REFERENCES

Baker, B. 1990. Draft Caloosahatchee water quality based effluent limitations documentation (Lee County). Florida Department of Environmental Regulation, Water Quality Tech. Ser. 2 (121).

DeGrove, B.D. 1981. Caloosahatchee River wasteload allocation documentation. Florida Department of Environmental Regulation, Water Quality Tech. Ser. 2. 52pp.

DeGrove, B. and F. Nearhoof. 1987. Water quality assessment for the Caloosahatchee River. Florida Department of Environmental Regulation, Water Quality Tech. Ser., 3. 19pp.

Environmental Research and Design, 2003. Caloosahatchee water Quality Data Collection Program. Final Interpretive Report for Years 1-3. Report to the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach Florida 33406.