



September 8, 2008

Steve Sentes, Lead Project Manager
South Florida Water Management District
2301 McGregor Blvd.
Ft. Myers, FL 33901

CONSERVANCY
Of Southwest Florida

*Preserving Southwest Florida's
natural environment and
quality of life ... now and forever.*

RE: Draft Deliverable 1B to SFWMD Contract No. 4600000791-WO01

Dear Mr. Sentes:

The Conservancy of Southwest Florida on behalf of our over 6,000 members in Southwest Florida would like to submit the following comments for your consideration relating Draft Deliverable 1B to SFWMD Contract No. 4600000791-WO01. As you know, we were instrumental in the initiation of this contract and are very interested in its outcome. In the interest of creating the strongest work product which will effectively answer the questions that prompted this study, we offer the following:

Task 3 – Data Collection of Historical Flow Data Needs to be Expanded to Include New Information

All information relating to the pre-development conditions and historic hydropatterns being produced for the concurrent DR/GR study needs to be included in the data collection for Task 3. Specifically, the *Ecological Memorandum of the Density Reduction/Groundwater Resource Area (DRGR)* prepared for Dover, Kohl & Partners by Kevin L. Erwin Consulting Ecologist, Inc. has a very thorough and useful analysis of historic hydroperiods throughout the DR/GR that would be imperative to include in this study's data collection and analysis efforts (attached).

It is important to note that the impetus of this study was to determine what the predevelopment natural flow regimes were for the North and South Branch of the Estero River, Halfway Creek, Spring Creek and Imperial River to accurately determine which systems are currently over or under their historical natural flow regime levels. This is paramount to determining what is "restoration" on a case by case basis, for example, whether diverting additional water to a waterbody is restorative. Additionally, the study needs to identify which waterbodies would benefit and the degree of additional restoration opportunity (i.e. additional flow volume needed to reach or not exceed predevelopment flows) which presently exists. This type of information is essential to determine what measures for additional conveyance to waterbodies that are presently below, or inversely additional control structures/diversions/retention for waterbodies above their historical flow regime, are needed for flow restoration. In order to achieve this, Data Collection for Task 3 needs to gather whatever information and data is needed to (1) determine the predevelopment natural hydropatterns in the watershed, (2) determine the predevelopment natural flow regime and flow rates, as well as include (3) comparative data and analysis to compare historical flow regimes and rates with current flow regimes and flow rates.

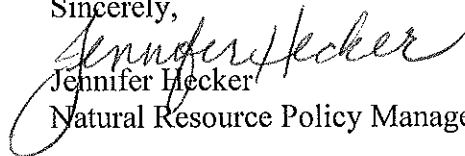
Task 4 – Verification of Conveyance Capacity Needs to be Expanded to Include Field Verification of Real World Conditions

Task 4 is to “verify, through review of as-built drawings and permit records, the installed conveyance capacity from I-75 to tidal waters”. This was the point of issue that also was the impetus for this study - that permit records can reflect structures and conveyances that do not exist in the real-world conditions. To simply verify that on paper that such conveyance structures and channels were planned for does nothing to address whether those structures and channels exist on the ground or are sized appropriately... which is, of course, paramount. It is a known fact that some of the conveyances indicated on permit drawings downstream within this region are not in existence and are sized below what was anticipated; thus the concern that the capacity does not exist to adequately convey proposed flows from I-75 to tidal waters. Therefore, Task 4 should be expanded to include field verification of conveyances in order to accurately depict real-world conditions, and not simply what had been planned for but which might have been never built.

Additionally, this study was proposed to address in addition to the engineering question of “Can we convey those proposed flows through these means (ex. Brooks flowway to Halfway Creek) to the tidal waters?”, -the hydrological and ecological question of “Would conveying those proposed flows through these means be restorative in being consistent with the predevelopment natural flow regime for this system?”; thus answering in part the larger overarching question of “Should we convey those proposed flows through this means (ex. Brooks flowway to Halfway Creek) to the tidal waters?”. We would recommend that the data collection and analysis needed to answer this second and third question be included in this effort in order to ensure that we can effectively answer these overarching question of how to create regional watershed solutions which will provide additional flood protection through truly restorative flow improvements while ensuring the preservation of wetlands and the natural predevelopment retention necessary for sustaining our surface and groundwater public water supply resources.

The Conservancy of Southwest Florida would respectfully request that the aforementioned issues be addressed by the consultant in the completion of Deliverable 1B to SFWMD Contract No. 4600000791-WO01. We believe this information is absolutely essential to conducting the analysis, as well as providing the information that the study was commissioned for. Please feel free to contact me at (239) 262-0304 x250 for any questions you may have or to discuss further.

Sincerely,


Jennifer Hecker
Natural Resource Policy Manager

c.c. Commissioner Ray Judah and Lee County Commission, Lee County
Roland Ottolini, Lee County Natural Resources
Sam Lee, Lee County Natural Resources
Carol Wehle, South Florida Water Management District
Phil Flood, South Florida Water Management District
Damon Meiers, South Florida Water Management District
Ricardo Valera, South Florida Water Management District
Mayor Ben Nelson and City Council, City of Bonita Springs
Jim Beever, Southwest Florida Regional Planning Council