

Minutes of the Inaugural Meeting for the Caloosahatchee Watershed Working Group

Attendees included: Tamara Pigott, Kurt Harclerode, Erin Deady, John Fumero, Matt Caldwell, Greg Rawl, Bill Hammond, Roland Ottolini, Rob Loflin, Wayne Daltry, Tammy Hall, Pete Quasius, Mike Valiquette, Dan Wexler, Phil Flood, Scott Legg, Pinar Balci and Kevin Carter.

Introduction

Commissioner Tammy Hall made opening remarks to the group about the concept for originating the Caloosahatchee Watershed Working Group (“CWWG”) as a continued effort of the Tourist Development Council to bring stakeholders together and advocate for projects to improve the health of the Caloosahatchee Watershed and River. Commissioner Hall stated that the purpose of the forum was to provide for an exchange of ideas to prioritize watershed projects and plans in a concerted effort.

Structure and Purpose of the CWWG

John Fumero spoke about the structure and logistics for the CWWG. He stated that this is going to be the first of a series of meetings over the coming months and the intention is to ask additional stakeholders to join. The reason these invitees were chosen to attend the first meeting was that they have first hand knowledge of the various local, state and federal initiatives being undertaken in the watershed.

Governance of the CWWG will be determined as the CWWG continues to meet. The agenda for the initial meeting is that the CWWG needs to determine what role it can have in implementing the Caloosahatchee Watershed Protection Plan, recognizing that in the future the Watershed Plan will need to be modified and updated.

John stated that additional water quality and storage is a recognized need in the watershed. A questionnaire was sent to attendees to receive feedback on priority projects and determine where there is, or is not, consensus on how to proceed with a common goal of restoring the watershed.

Composition of the CWWG

Pete Quasius inquired as to how attendees were determined. John responded that the original list was approximately 40 to 50 people. Although all of these individuals were identified as important to eventually be “sitting at the table” organizers for the first meeting realized it was important to start small and build from a core group. Commissioner Hall reported that this is not an exclusive meeting but that it needs to be inclusive. The process for today is to determine what the issues were facing the watershed (as this group sees it) and then expand to reach out to neighboring local governments, and other organizations, that would like to have a seat at the table.

Scope of CWWG and Survey Results

John Fumero reported that there are many initiatives ongoing at all levels of government and the CWWG priorities should not be limited as they are being developed. He presented an initial mission statement which is attached to these minutes. Bill Hammond suggested that the mission statement be revised and it be stated that the River and Estuary be changed to focus on the watershed.

Erin Deady provided an overview of initial survey results. The survey was intended to be a tool to help develop consensus regarding priorities and obstacles to restore the watershed. As the CWWG forms, the survey will be an ongoing tool to help form the priorities of the group. The survey results can be found at: http://www.leewaterfacts.com/cwwg_3.pdf. Increased water storage and water quality treatment was an agreed upon priority and funding shortfalls were recognized as a key obstacle to restoring the watershed.

Presentation of Pinar Balci, South Florida Water Management District

Pinar Balci provided an update on the Caloosahatchee Watershed Protection Plan and other regional restoration initiatives. Pinar's presentation can be found at: http://www.leewaterfacts.com/cwwg_1.pdf.

Mike Valiquette raised concerns with groundwater seepage from the C-43 Reservoir. The response was that this issue was being analyzed through implementation of the test cell project. John Fumero responded that the Water Resources Development Act of 2000 included requirements that the Comprehensive Everglades Restoration Plan projects must create no impact on existing flood control or water supply functions of the Central and South Florida Project.

Bill Hammon discussed the fact that there was good slope and base flow on the north side of the River but that previous dredging effort caused more of run-off to be sent to tide. Questions were raised about the historic flow of the River from north to south.

Kurt Harclerode asked about the status of plans for phases 2 and 3 of the Four Corners project and the likelihood of those occurring. Phil Flood said the current focus now is on the flow way/ monitoring wells for flow and then the South Florida Water Management District is going to initially clean the ditch. Money has been set aside to keep that phase of the project moving along. Future phases are not funded and on hold for now due to funding.

John Fumero reported that in years past Community Budget Issue Requests ("CBIRs") were a funding mechanism for projects and he asked what projects the South Florida Water Management District was identifying as priorities this year even if CBIRs are not funded. Pinar responded that the BOMA project is the biggest priority for funding in this region. Pinar reported that a Phase II Project Implementation

Report (“PIR”) for C-43 was a stand-alone project under the Comprehensive Everglades Restoration Plan. Although this is included as part of the Comprehensive Everglades Restoration Plan, water quality treatment was also included in the Caloosahatchee River Watershed Protection Plan. The U. S. Army Corps of Engineers is attempting to complete and receive authorization for C-43 this year. Kurt Harclerode updated the group and stated that discussions with the Corps are ongoing. In terms of losing any momentum due to a change in leadership at the Corps in Jacksonville, Kurt stated that the existing Colonel (Grosskruger) is willing to do an “overlap” in duty with the new Colonel and our congressional leadership could request a hold over to implement the stimulus package to allow this to occur. John Fumero asked Pinar the level of funding for BOMA which is \$8.2 million for this current year.

Presentation of Roland Ottolini, Lee County

Roland Ottolini provided a presentation on Lee County’s initiatives and projects to restore habitat, increase water storage and improve water quality in the watershed. Roland’s presentation can be accessed via the following website: http://www.leewaterfacts.com/cwwg_4.pdf.

There was discussion from the group regarding the status of the Spanish Creek project. It was reported that this project was on hold because the Four Corners project was also on hold and the two were interdependent.

There was also a discussion about the relationship between larger regional projects and more local projects. There was a request from the group to develop a map to show Lee County 2020 acquisitions and planned regional restoration projects in the Caloosahatchee Watershed.

Local infrastructure and stormwater management issues were discussed by the group. One point raised was the need to prioritize planned retrofit projects to achieve the greatest benefit to improve water quality and stormwater run-off. The status of various stormwater management rules was also raised by the group. Individual basin rules and a Statewide Stormwater rule were both mentioned but the understanding of the rules’ status was that the individual basin rules were on hold until the Statewide rule is completed. Additionally, John Fumero reported that some of those rules would require larger land set asides for projects, and in this econom, that might not be popular to stimulate growth and development. The group discussed the need to determine the relationship between, and status of, these rule efforts.

After Roland’s presentation, the discussion focused on new initiatives and ideas beyond ongoing governmental efforts.

Overview of Other Projects and Initiatives, Wayne Daltry, Lee County, Greg Rawl & Bill Hammond

Wayne reported that the only reason there is an effort at restoring the Caloosahatchee Watershed is that there has been significant pressure brought to bear on addressing the issues in recent years. He cited to the development of a new Lake Okeechobee Regulation Schedule as an example of results from

this pressure.

Wayne reported that the Southwest Florida Feasibility Study, authorized under the Comprehensive Everglades Restoration Plan (and the Water Resources Development Act of 2000) is approaching completion.

Wayne reported that Lee County has a strong land acquisition program (the 2020 Program) investing \$40 million a year in acquisition and the intent of the program is to focus on acquiring many of the flow ways needed to restore the basin. This effort will assist in the development and implementation of Total Maximum Daily Loads (“TMDLs”) and Basin Management Action Plans (“BMAPs”).

The Southwest Florida Regional Planning Council has also worked on various initiatives including a fertilizer ordinance. Wayne also discussed local efforts at central wastewater and stormwater infrastructure improvements and reuse of wastewater. Working with agricultural interests to implement best management practices should be key priority as outlined by Wayne. These types of infrastructure issues need to be addressed by new growth and redevelopment alike.

Bill Hammond and Greg Rawl made a presentation (http://www.leewaterfacts.com/cwwg_2.pdf) on some of their priority projects for watershed restoration. In their observations, if the TMDL’s are met in the lower Caloosahatchee, the result would be only a 40% improvement in water quality. Their feeling is that other projects in area will have to bridge the gap to reduce nutrient loading to acceptable levels.

Their feeling was that the C-43 was a costly over-engineered solution with the potential to create many unintended consequences. They felt a watershed project of this magnitude should work with the natural flow. Through consensus amongst agricultural, business, environmental interests and elected officials a more natural solution was developed. They felt that some version of the C-43 Project needs to occur, but that project was too far off in the future. Their presentation focused on creation of a stormwater treatment area on the Disston Island Property adjacent to Lake Okeechobee. They felt this project could be the cornerstone of watershed restoration and smaller projects, such as Four Corners, could build upon that success. Environmental permitting in the basin has compromised the topography and land area with which projects can be successfully developed to restore natural flows and attenuation.

The Disston Island property includes approximately 18,400 acres and about 60% of it is owned by U.S. Sugar. Water can be routed through a project on these lands instead of routing it to the Caloosahatchee River, working with gravity, not against it. Bill and Greg reported that the South Florida Water Management District was receptive to exploring this idea. Water on these lands would be held at various stages in a series of treatment cells. They felt that restoration in the watershed should focus on a “distributed storage” concept. They also felt that some of this “distributed storage” could be accomplished by working with landowners through the environmental permitting process.

Concluding Remarks

John Fumero concluded the meeting and asked where the CWWG should go from this meeting forward. He asked the attendees:

Is this a forum worth pursuing?

Who needs to be added to the CWWG?

Can we work on consensus to build on success?

Wayne Daltry stated that a primary focus for the CWWG should be a two-pronged strategy to implement the Caloosahatchee Watershed Protection Plan and the Southwest Florida Feasibility Study. Bill Hammond discussed the fact that there is a void in the way the South Florida Water Management District is structured and the CWWG could be the only forum to vet these issues. Rob Loflin felt that while the meeting was helpful, there was a “missing hour” to discuss action items and next steps forward.

Follow Up Actions

The next meeting for the CWWG has been set for March 23, 2009 and a call in number for those wishing to attend by teleconference will be provided. Please respond to Tammy Hall and Erin Deady regarding your availability to attend the next meeting at: DIST4@leegov.com; edeady@llw-law.com.

Attendees at the first meeting are requested to supply additional names to John Fumero and Tammy Hall to add for the next meeting at Jfumero@llw-law.com; DIST4@leegov.com. This will not be the ultimate “list” of members of the group, just a small expanded version from those that attended the first meeting.

Any new attendees, or anyone that has not completed it yet, are requested to complete and forward the survey to Erin Deady at edeady@llw-law.com.

The South Florida Water Management District has offered to make a presentation on the status of the C-43 Project at the next CWWG meeting.

Create talking points regarding the continued involvement of Colonel Grosskruger in restoration activities by providing some “holdover” time when the new Colonel assumes command.

Develop a map to show 2020 acquisitions and planned restoration projects in the Caloosahatchee Watershed.

Provide a summary of ongoing rulemaking initiatives including various basin environmental resource permitting rules required in the Northern Everglades and Estuary Protection Act and the Statewide Uniform Stormwater Rule.

Attachment "A": Revised Mission Statement

To create a diverse, stakeholder based forum to discuss, develop consensus, and set priorities on projects, programs and initiatives to protect and restore the natural resources vital to the economy and quality of life of Lee County and its residents, including the Caloosahatchee Watershed River and Estuary.