

Thanks for your recent efforts in regard to the Caloosahatchee water quality problems. The funding commitment of \$15 million over 15 years is appreciated but I think we both know that ultimately it will not get the job done. Getting more local buy-in as a community or overall basin effort might help as the District is now with the "restoration vision" initiative. The state and the feds certainly have funding obligations that apply but waiting for the tide to turn in this regard may not be in our best interest. How this is done is the important part and of course it won't be easy.

I think you will find that the BMAP process is not responsive enough due to biased modeling and assumptions about what portion of the N load actually had to be reduced. Part of the problem is that the modeling was based on 2004 land use, nearly a decade old and many of the assumptions about BMP load reductions are essentially a "paper exercise" that are perhaps liberally applied especially regarding the education credits.

When DEP reboots the modeling in the next phase I think we are going to see that the assumptions from the initial process were inaccurate after examining performance measures in the field. For example, every major tributary to the tidal basin has demonstrated increasing trends in TN concentrations for the past 10 years.

Some of the more recent years have had relatively large increases and this has been at a time when new development has been at a virtual standstill. Yet the BMAP process assumes that 44% of the urban load reduction requirement has already been met beyond the regulatory framework it's that funding will be the limiting factor. Lee County has recently announced that they will be very challenged to address costs for TMDL projects and it appears the legislature will not be helping much in the near future as they continue to issue unfunded mandates to local governments. They also continue to try and limit local community attempts to create fertilizer ordinances which is very counter-productive.

As the BMAP and TMDL process continues it will result in a statutory no additional load standard for new ERPs in the basin. This of is something everyone wants to avoid (already in effect for the estuary basin) and could have some significant economic impacts for future growth. However, it may be the hammer that motivates some novel and real solutions.

Here are some suggestions for funding support regarding TMDL/BMAP issues. Implementation of a stormwater utility for unincorporated Lee County and possibly some (I think Ft. Myers has already made some strides here). Lee County has tried approach twice and has yet to get off the 6 or 7 years ago we (WC) got Lee County and SFWMD to cosponsor a stormwater utility feasibility study. It was feasible and doable then and I suggest the study be redone.

Getting political buy in will be key. A SW is the most equitable way to levy assessments based on runoff generated and has worked very well in other areas of Florida namely Sarasota County.

The beauty of this approach is that stormwater can be more effectively managed and treated at perhaps regional nodes rather than on-site potentially giving developers more options with project design and perhaps streamline permitting. It also guarantees a consistent funding source that effective planning. A potential win/win. These infrastructure projects also create jobs stimulate the local economy as a value added strategy. The downside might be that it could take several years to get up and running but the current situation offers nothing more. The utility assessment revenue would take the pressure of the County's capital fund where they now struggle with a \$25 million deficit. It would also give more flexibility to the BMAP process in developing more effective load reduction BMPs. This is just a different

but more equitable way to pay for nutrient reduction projects. Will also help with MS4 permit compliance for all regional permit holders and as such should generate buy in.

The upstream watershed of course is where the major N reductions (85%) will have to take place. Self-regulated agriculture BMPs that are largely nebulous with regard to effectiveness and verification are not likely to make real progress in my opinion. Again, funding will be the limiting factor. I would suggest looking at a similar approach to the utility concept. A similar idea that levies an independent “watershed nutrient reduction assessment” spread over most of the watershed might work as an alternative funding source especially since the SFWMD budget is being reduced and management is narrowing its focus to “core” mission. There would be a lot of ways to do this but it would likely provide a similar consistency to funding on an equitable basis and perhaps take some pressure off BMP compliance and controversy.

Again, the nutrient infrastructure projects generate jobs and could help diversify the economy of Hendry and Glades Counties. Ultimately stakeholders want to avoid the no new load standard that will come with the TMDL in the upstream watershed and getting real about funding alternatives is necessary to avoid this. Let’s get out in front of the regulatory hammer that only creates more long term problems. To do this there will have to be collective pain from the pocketbook but it could work if all stakeholders agree to some form of equity.

Wrapping all of this in a “special Caloosahatchee basin” management plan approach as was proposed a number of years ago with regard to ERP implementation might help with state or SFWMD implementation and funding. The blueprint is there with the CRWPP but the current jurisdictional segmentation of the region limits implementation and funding solutions in my opinion by scattering the focus on problem solving and creating unfair allocations of cost to certain user groups. Lee County has shown some forward thinking and planning by donating \$10 million to a N reduction project in Hendry County to try and some of this “segmentation” problem but we haven’t seen much forward thinking from upstream stakeholders.

As is, the Caloosahatchee basin is very polarized with respect to (upstream polluters) mostly agriculture versus urban (downstream polluters) segmented at S-79. The demographics, culture and resulting attitudes of both groups as I see it are very different and herein is the challenge of a unified approach. The urban downstream element feels like they generate a disproportionately large share of revenue to SFWMD without much control over how the upstream stakeholders (generating the majority of the load) are required to reduce N further polarizing the situation. A segmented TMDL is having the same effect in my opinion.

Somehow we need a better collective approach that gets all stakeholders on the same page. The current process in my opinion is too slow and relatively unresponsive regarding efficacy and may end up generating more litigation and limits on growth that come with the regulatory hammer. I’m not a planner or an economist but I know what has worked in other areas. Just some suggestions.

Again, thanks for your efforts and hopefully we can collectively make some real progress in the future by thinking of the entire basin as a “community” with common interests. Even some collective dialogue would be good.

I just saw the restoration vision press release before I pressed the send button on this message, so maybe this is a good sign.