

**Comments Received on August Draft 2012 LWC Water Supply Plan Update
November 1, 2012**

The development of a water supply plan requires collaboration with many stakeholders to produce a comprehensive plan that meets statutory requirements. The SFWMD appreciates the time and input from the many stakeholders who attended and presented at the public workshops, reviewed and commented on the plan documents, and provided technical input.

During this process, individual chapters were distributed to participants for review and comment as they became available. These comments were considered and addressed, as appropriate, in our preparation of the complete Draft 2012 Lower West Coast Water Supply Plan Update (plan and appendices). This complete version was distributed on August 12, 2012 and stakeholder input was again requested.

The written comments received are posted on the District's LWCWSP website. A number of the comments were suggestions for wording, formatting, or technical clarity or were specific to a particular utility (such as the addition of a project) and many of these were incorporated into the Plan. Other comments are summarized in this document. Stakeholder comment summaries regarding the August 2012 draft plan are shown in black with District responses in italicized purple.

Natural System

- The needs of the area are not being met because there is not an adequate amount of water for the natural system. The needs of the natural system are unknown because there is not a water budget for the area. Include a water use category with estimates and demand projections for environmental restoration.
- Rules should be updated to protect natural systems from harm. Reserve retired LOSA water for the natural system.
- Lake Okeechobee should not be a future source of increased water supply. The Herbert Hoover Dike repairs should support the ecology of the Lake and dike safety issues and not be used as an additional water source for consumptive uses.
- Projected increased agricultural demands will further impact the natural system. Agricultural projections are based on stakeholder input (self generated numbers) but the natural system needs are not quantified. More is known about the needs of the Caloosahatchee than about the needs of agriculture.
- Agricultural permits in LOSA were reissued after LORS08 when the reduced availability was known and more water was allocated than was available. Allocations should return to supply side formulas that tie allocations and deliveries to water availability and trigger water restrictions for all users when supplies are not adequate.
- The Caloosahatchee MFL is insufficient. Other District reports and a study commissioned by District indicate flows of at least 450 cfs are needed. The U.S. Fish and Wildlife Service say a 2010 study indicates that 800 cfs is needed by the river.

- Initiate a process to identify and quantify the existing water available in the watershed for the MFL. Because C-43 Reservoir funding is not yet available, the Caloosahatchee needs more flow from Lake Okeechobee and in-basin storage. Take water from existing permits to meet the needs of the river.
- The MFL Recovery Strategy relies solely on the C-43 Reservoir and is not expeditious. A measure is needed to replace the ASR wells no longer included in the MFL Recovery Strategy. Adaptive Protocols should be added to the MFL Recovery Strategy. There should be periodic reviews and updates to the MFL Recovery Strategy.
- The CERP Water Reservation in rule development is insufficient for the overall CRE Basin. There is a need to develop a true restoration plan for the CRE (similar to what was done for Loxahatchee River).
- Include a statement that the CERP C-43 Reservoir will provide additional water to meet the CERP natural system and built system water objectives for the C-43 Basin.
- Water from the dispersed water management program in the Northern Everglades should be reserved for the Caloosahatchee River watershed.
- Water from the repaired Herbert Hoover Dike (HHD) should be included as a source in the MFL Recovery Strategy.

The FDEP Water Resource Implementation Rule, Chapter 62-40, F.A.C., identifies the six water use classes that must be included in water supply planning. The District continues to use these categories consistent with FDEP direction. The District has an extensive program in place concerning MFLs, consumptive uses, and water shortage restrictions. No changes to these programs are proposed; however, a rule concerning reservation of water for the Caloosahatchee River C-43 West Basin Storage Reservoir Project is in rule development. Additionally, the District is completing data collection and studying the Caloosahatchee MFL. Further information concerning these topics can be found in Chapter 3 and Appendix G of the 2012 LWC Plan Update.

Wording in the Plan regarding water from the HHD was changed to read “any increase in the Lake’s regulation schedule as a result of the HHD repairs by the USACE would be evaluated by the USACE through a National Environmental Policy Act (NEPA) analysis. It is anticipated the additional water from Lake Okeechobee as a result of HHD repairs and a revised Regulation Schedule would return the Lake’s MFL to prevention status, enhance the level of certainty to existing permitted users now receiving less than 1-in-10 level of certainty, and support other environmental objectives.” This is found in Chapter 7 of the 2012 LWC Plan Update.

Agricultural acreage projections (and subsequent water demand projections) were developed based on input from stakeholders as well as information from trends and economic projections provided by government agencies and agricultural groups. This is described in Appendix A of the 2012 LWC Plan Update.

Water stored through dispersed water management is generally not available as a water supply source. The water stored on most sites is generally quite shallow and the sites do not have the pumps and infrastructure needed to move the water. Dispersed water management could result in some localized aquifer recharge and may provide the property owner with some limited water supply. This is described in Appendix I of the 2012 LWC Plan Update.

Conservation

- Develop incentives for onsite retention of storm water, conservation and reuse.
- Incorporate the accomplishments of the state-wide reuse policy work group into the Plan, including recommendations for legislation and substitution credits.
- Research/implement Recycle Water Containment Areas (RWCA).
- Landscape irrigation should be allowed only one day/week.
- More meaningful agricultural conservation is needed, particularly in droughts.

Currently the CUPcon process is looking at state-wide incentives and policies for conservation, stormwater, and reuse. As this process continues, the District will make appropriate changes. Text has been added to the Plan to address the results of the state-wide reuse group.

The District has completed a pilot water farming project in St. Lucie County and is initiating a pilot project in the LWC Planning Area. This is similar to RWCA's and text to describe the pilot project has been included in the Plan in Appendix I.

Water Sources

- Address the impact of Domestic Self Supply (DSS) on the Surficial Aquifer System (SAS).
- Public water suppliers are changing their source from the SAS. What are agriculture and other users doing?
- Utilities need flexibility to change their water supply projects.
- Identify areas where regulatory actions, modeling, or studies could identify a more widespread availability of fresh groundwater.
- The District has reduced the number of wells monitored by the USGS and is relying more on applicants to submit required data. Also, there is a lack of water level and water quality monitoring in the Lower Hawthorn aquifer.
- The effect of LORS08 on agricultural allocations is not clearly stated; the decrease in the level of certainty is an issue of concern.
- The current wording may give the impression that alternative sources such as stormwater and tailwater recovery and conservation are stable sources of water supply for agriculture.

Section 373.219, F.S., exempts DSS from the requirement to obtain a consumptive use permit. Text has been added to Chapter 3 of the Plan to identify areas where aquifer parameters and availability may impact future increases in DSS use. The Plan is consistent with Section 373.709, F.S., which states "the list of water supply development options must contain provisions that recognize that alternative water supply options for agricultural self-suppliers are limited."

Text has been added to Chapter 6 that clarifies that PWS utilities may change or revise the water supply projects listed in the Plan. However, if they do select a project from the 2012 LWC Plan Update, the applicant should have confidence that the project was screened for feasibility and has a likelihood of being permissible. The text has been amended to include the benefits of stormwater and tailwater recovery and conservation and explain that these sources are not a stable source that can be planned on for dry seasons or droughts.

A statement was added in Chapter 3 that agriculture in LOSA does not currently have a reliable source of water during 1-in-10 conditions.

Other

- Improve water management during water shortages, especially for agricultural areas.
- Planning for the adaptation needed to respond to climate change/sea level rise needs to be included with strategies to retard saltwater intrusion, relocate wells, and restore wetlands, etc. Need to include specific adaptation strategies.
- Address Hendry County developments approved by the Department of Economic Opportunity that is not included in BEBR projections because the dates may be past the planning period.
- Per capita rates were based on a year with low use, are too low, and paint a rosy picture.
- Groundwater models need to address all aquifers and be available to users.
- Agriculture needs better incentives to promote stormwater retention because the changes are expensive.
- Review wording regarding impact analysis requirements for new or increased allocations.

Text was added to the Plan in Chapters 1 and 3 regarding climate change and the potential impacts in the LWC Planning Region. Vulnerability Reports prepared by the Southwest Florida Regional Planning Council and Lee County were referenced.

Text discussing potential growth, approved development and BEBR projections was also added to Chapter 2. Over the next several years, District staff will work with Hendry County staff and the appropriate utilities to identify water supply sources.

Per capita rates have been steadily dropping due to conservation, new building codes with higher water efficiency standards, year-round landscape irrigation rules, and the economy. In addition, the LWC Planning Area reuses nearly all of their treated wastewater which also helps to reduce potable use.

Groundwater models will be available as they are completed. Text was added to explain that the LWC Surficial Aquifer Groundwater model includes the Intermediate aquifer.

The language regarding impact analysis requirements reflects that requests for a water use allocation are looked at on an application by application basis.