

ADOPTED

**Myakka River Management Coordinating Council
Nature Center
Oscar Scherer State Park
1843 South Tamiami Trail
Osprey, Florida 34229**

**March 9, 2007
9:30 A.M. – 3:00 P.M.**

MINUTES

The meeting started at 9:30 a.m. Jonathan Miller explained the procedure and introductions were made.

Teresa Payne – City of North Port, MOA, Warm Mineral Springs, Isles of Athena, Thomas Ranch Updates.

They are in the process of updating their Future Land Use map.

Teresa explained that they are working on the Memorandum of Agreement (MOA) regarding the Myakka River. Even though the MOA hasn't been formally adopted, they have been implementing it just as if it were.

The Warm Mineral Springs Resort area, that holistic wellness center, involves a hotel. Eighty acres were annexed in 2003 and have been rezoned. There has been a concept plan completed, but they do not have any formal application at this time. Conceptually, there would be a hotel with approximately 50 to 70 rooms and a small retail center. There is a 300-ft. protection buffer area around the springs.

Ortiz Place is a townhouse development along Spring Run. There was a question that came up in the review and it was sent back for re-submittal. Council's input will be sought on this project.

The River Road Office Park was annexed in 2000. There is no formal application yet. It would provide jobs, employment and help diversify the tax base for North Port.

Teresa would like to receive from this Council some input on the exact location of the mangrove rookery island on the Myakka River in order to be able to coordinate when the time comes.

The Thomas Ranch was annexed in 2000. It is approximately 9,000 acres and is zoned village land use, which was developed by the City of North Port and approved by DCA.

The Town Center that's going to be between Island Walk and Thomas Ranch does not yet have a formal application. However, Brett Harrington and Teresa's department is in the process of working with a post annexation agreement.

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Isles of Athena is going through Sufficiency review. It is around 5,000 acres. They have reduced their proposed dwelling units from 15,000 to 13,000 units. It is in the initial stages and they have not yet received any comments from Sarasota County.

She went into detail about infrastructures and wastewater treatment facilities for the Thomas Ranch property.

Questions and answers followed.

Thomas Moralee wanted to know what additional protection the City of North Port has done along the Myakka River or along its tributaries as well as any outfall.

Teresa replied that North Port has purchased Tier 1 properties along the creek. They are now in the process of applying for a grant through Florida Communities Trust to purchase Tier II and a several Tier III properties, which would provide an additional layer of protection along the Creek.

In their Comprehensive Plan it states that they will, at a minimum, follow all of the requirements of the River Rule. Teresa wants to receive any suggestions that this Council has of revisions to the comp plan for consideration in the update.

Jono reiterated for the benefit of those concerned for the protection of the Myakka River in North Port that the City of North Port does not yet have a formal Memorandum of Understanding that's compliant with the Act but they are moving forward as if they did.

Jono thought this was the most thorough presentation this Council has had from North Port so far.

Teresa stated that in a past meeting Amy Emmert gave a wonderful presentation that resulted in "this" being added to the DRC checklist, so that when a formal application comes into their planning department, it will be a step whether or not it is located in the Myakka River Protection Zone and affected by the River Rule.

Elizabeth Wong – City of North Port – Big Slough Watershed Study Update.

The Big Slough Watershed is about 195 sq. miles. Runoff from all the rain goes through Myakkahatchee Creek which goes right through North Port and then eventually to the Myakka River.

They have hired a consultant and put together a watershed model. Once the model predicts a real storm flooding it can be used to help them decide what improvement project will be needed. She suspects that improvement projects would include diversions of big holding retention/detention area(s) and then bring the water back when the storm has passed. Those kinds of projects can also help with water quality. She indicated that the pollutant loading into the Myakkahatchee Creek is contributed not only from the City

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of North Port, but also from upstream of North Port within the Big Slough Watershed. She will update the Council on what projects they will come up with to fix this flooding problem.

This model that they are almost finished calibrating is used to generate what a 100-yr. flood looks like.

Elizabeth then described plans to improve water quality, including public education and informational brochures.

Another big part of Elizabeth's work is the National Pollutant Discharge Elimination System (NPDES) program. She briefly described the program.

Elizabeth explained the "neighborhood initiative program" where the City is trying to get septic tanks out of areas and expand the sewer system.

Discussion followed.

Don Caillouette – City of Venice – 2007 Comprehensive Plan Update

The City of Venice is updating their comprehensive plan. They hope to start having some public meetings and public hearings probably in April.

Don described that the new state reformation on property tax may have a large effect in the future. He indicated that they might have to cut back on projects like the Venice-Myakka River Park.

Rick Swier – Sarasota National Cemetery Update.

Rick Swier is the chair or the president of the Sarasota County Veterans Commission. So he is a volunteer. He is not actually part of the VA. He provided a handout.

Secretary Nelson selected the Hawkins Ranch property for the preferred site for the development of the new national cemetery. Hawkins Ranch is on State Road 72, Clark Road, about 4 miles east on the south side of Clark Road. The property boundary and survey of 295 acres of former cow-grazing land has been completed. A company called Miller Legg is doing that for the VA.

Initially, it was 466 acres, but the footprint has gotten smaller and is now 295 acres. It is closer to Clark Road. It has moved away from the Myakka River Basin. In Bush's budget this year there is \$27.8 million to be approved by Congress to be used for Phase 1 development. Phase 1 is the first 60 acres. Rich described what types of gravesites and facilities would be in the 60 acres.

Phase 1 development will cover about the first 10 years. The first phase will be the closest to Clark Road.

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Andrea Lipstein – Sarasota County – Myakka River Protection Zone Update.

Two dock permit applications were under review. They have had 24 incidents in the Protection Zone since the last MRMCC meeting of August 23 last year. From this they had 5 unfounded cases, 4 that have been sent information letters to make them aware of the rules, 4 courtesy letters, 5 incidences were in compliance, two under research, one was referred to a coworker and 3 of them were referred to Land Management.

Marlene Guffey stated that she understood from Howard Berna that there would be some clarifications and updates of the Rules on the Myakka River pertaining to her neighborhood. She explained that she wanted Sarasota County's rules to be easier to access and requested a brochure that describes the rules as they pertain to her neighborhood. She also wants documentation that can be given to homebuyers so that they know the rules.

Thomas Moralee stated that recently he had a notice that Snook Haven was going to replace dockings. Andrea stated that she would look into it.

Discussion continued between Thomas and Andrea about surveying.

Belinda Perry – Environmentally Sensitive Lands Update – Sarasota County

Since August of 2006 the County has acquired properties in three of their protection sites. One is in the North County called Old Miakka and it's 130 acres and has sand pine scrub habitat on it.

Another piece of property acquired in October 2006 at the southern end adjacent to the state park is 100 acres in the Myakka Forest addition. It is predominantly marsh and has about 30 acres of upland.

They also acquired three lots on Warm Mineral Springs Creek that is southwest of the resort area on the other side of Ortiz. The lots are less than a quarter acre: 0.23.

Tom Moralee asked a question about the lots along Warm Mineral Springs Creek. Belinda responded that they have identified the lots, they have looked at where the congregation of manatees are, they've worked with the U.S. Fish & Wildlife Service as well as the Florida Wildlife Commission for acquiring those properties that are most important for the winter refuge of the manatees. They are looking at acquiring blocks so that they can protect those areas. That will have different management implications than other properties and they will have less public access associated with it because they are acquiring it for the manatees as opposed to the public view.

Further discussions followed.

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Teresa Payne asked if Belinda would touch on the issue of the Myakkahatchee Creek being recently removed.

Belinda stated that there were unwilling sellers. Myakkahatchee Creek was in City of North Port and had been on the Protection Priority Program. There was a reevaluation done last year and through the Advisory Committee and staff recommendations it was removed from the program because of the priorities. They didn't feel what was available was going to add to the protection program.

Jono added that it was recommended to remove sites where many of the natural values had been diminished through clearing or development. Jono said that there were few willing sellers and the quality of the habitat and the criteria that they use had diminished since they originally had it in the program.

Further discussion followed.

Peggy Morgan – Department of Environmental Protection Update.

Regarding the TMDLs in the Myakka, the verified and the delisting lists have been adopted by DEP but as far as she knows, they're not approved by EPA. Most of them are the fresh water streams: Owen Creek, Mud Lake Slough, Big Slough and Deer Prairie Creek have all been adopted for delisting for dissolved oxygen nutrients as expressed in chlorophyll and total and/or fecal coliforms. Peggy stated it might be a good idea to get Tom Singleton or Pat Forcano, who are working on the TMDLs to give a presentation.

Peggy discussed the status of the Impaired Water Rule.

Peggy canvassed the DEP Environmental Resource Protection staff to find out any recent permits that have been done. One is a Notice General Permit, North River Road, Venice, Lot 46, single family dock with one mooring area.

Other permits:

- Boat lift within the wild & scenic area, no address;

- 514 Windsor Place, North Port – a 16 ft. dock and associated boat lift in a canal contiguous with the Myakka River

- 126 Martinique Rd., North Port – installation of a 45 linear foot seawall in a canal contiguous with the Myakka River and

- 128 Martinique Rd., North Port – installation of a 52 linear foot seawall within a canal contiguous with the Myakka River.

Discussion on jurisdiction of canals and interagency coordination ensued.

Dianne Davies' presentation would have occurred here (she submitted a written report), but Jono said that we would come back to it before lunch if time. Two things that Jono

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would bring to our attention now are that there is now a Myakka River Watershed Initiative and also the Myakka River SWIM Team.

Lt. Todd Hand for Rachel Shirley – State of Florida Law Enforcement – River Patrol Update.

Todd Hand stated that what they are trying to do is put together a law enforcement (LE) task force for the Myakka River with several law enforcement agencies taking part. At Jono's request, Todd explained which LE entities are involved.

Jono asked if all of the officers are able to enforce each other's laws.

Todd answered, "No." As a matter of fact the Sarasota County Ordinances are not enforceable by them or some other law enforcement agency. Hopefully they can correct that once they get the organization moving.

Jono explained that one of the concepts when we originally came up with a management plan was that we wanted to have better law enforcement on the river. There were a lot of neighbors that were complaining about a wide variety of violations from speeding to poaching. It is good that Todd is implementing a coordinated effort.

Discussion continued. Informational flyers for boaters were discussed.

Dr. Mary Jelks – Friends of Myakka.

A clean-up of the river on May 12th has been scheduled. The river is divided into sections and one can sign-up for the section wanted.

Maran Hilgendorf – Charlotte Harbor National Estuary Program Update.

Maran pointed out that Myakka River was featured for November in the 2007 Charlotte Harbor calendar. She went into detail about how to submit images for the calendar.

May 29 – 31st the CHNEP is sponsoring a Colored Dissolved Organic Matter (CDOM) Workshop. Maran explained some details regarding the workshop. All the details are also on the website which is www.CHNEP.org.

CHNEP is studying the condition of the shoreline and is seeking volunteers. The first phase which has begun is to map the shoreline in Charlotte County and Maran thinks next year they will go into the rivers; probably just the tidal portion of the rivers.

Maran distributed and collected 3 X 5 cards where members submitted top three to five items that people in this area or visit should know about the natural environment.

Manon Lavoie – Department of Transportation – SR 72 Resurfacing Project Update.

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Susan Kinney wanted to be present at this meeting to discuss the SR 72 Resurfacing Project. She will be at the next meeting.

There is a project planned for I-75. Right now the team is discussing public meetings for August. If the next Council meeting is late enough the PD&E team will attend and discuss what is in the study.

There is another PD&E: Isles of Athena is doing an Interchange Justification report. They want an interchange between Toledo Blade and Kings Highway.

The SR 776 Lemon Bay-Myakka Trail is trying to get a scenic highway designation. They went to Tallahassee; they were approved as an eligible scenic highway. Now they are going through the designation stage.

Stacia Hetrick – Myakka Wild & Scenic River Biologist Report.

A handout was provided.

The River Biologist position was vacant from October to December of 2006. Stacia started January 2, 2007.

Stacia summarized the wildlife sightings and activity on the Myakka River since the last Council meeting

For the permit program Stacia had 2 dock applications being reviewed. One is in Myakka County Estates and the other is in Harbor Cove, south of US 41.

There has been renewed interest in erecting some informational sign markers south of the US 41 Bridge.

The Harbor Cove community has been active in trying to obtain permits to do some mangrove trimming in their area.

Many violations on the Myakka River are being recorded. The most common ones are vegetation clearing, mangrove trimming, and dumping of yard waste.

Future projects that Stacia will be working on: they will be collaborating with Sarasota County to document all illegally moored boats on the river and notify the property owners.

They also want to document the existing conditions on the river.

In a few weeks they will be meeting with DEP folks from Tampa to give them an overview of the Myakka Wild & Scenic River Program to facilitate their permitting program that affects the Myakka River and make them aware of the River Rule.

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The Peace River Manasota Regional Water Supply Authority had a lot of articles in the newspaper about their projected plan for water sources in the next 20 years. Mike Coates will be presenting on the future plan of the Water Supply Authority at the next meeting.

John and Stacia have been working with the Friends of Myakka. They led an interpretive tour of the lower Myakka Lake and Deep Hole. They will be doing this again in March if the water cooperates.

The exotics on the river are always an issue. John has been working on treating Japanese Climbing Fern and also Chinese Tallow that are on the river.

Discussion of boat mooring ensued. (between Marlene & Stacia)
Stacia will contact someone from Sarasota County to clarify the ordinance for the next meeting.

Denise of FWC stated that they had four manatees that are tagged currently. All of them had been released at Warm Mineral Springs. Any sightings of manatees that are tagged can be reported to their hotline number. Apparently two are missing their tags.

Jono wanted to know how many manatees had been using the Spring Run this year. Denise replied they had sightings anywhere from a couple to upwards of 50.

A count for the quorum was taken. Role call was taken.

Don Caillouette moved to adopt the Minutes of the last meeting. Marlene Guffey seconded. The minutes were adopted.

PENDING LEGISLATION ON THE MYAKKA WILD AND SCENIC RIVER EXTENSION

Jono stated that it would be nice if Senator Bennett and Representative Fitzgerald had some support from this Council. But we haven't had discussion on it yet. There are a couple of problems with the legislation; it just came out of bill drafting and it's not fully formed. One of the problems is that the new bill defines the 'River Area' based on the 'navigable' portion of the river. We don't even know if all of Sarasota County's river is technically navigable. There is an even bigger question in Manatee County. Based on the Fish Eating Creek experience, we know that determining navigability is complicated and confusing. Jono has spoken with Senator Bennett's office and directly with Representative Fitzgerald and they are aware that there is a problem in the language. They will work on it.

Jono indicated that there were a few dates enumerated in the bill that needed to be revised.

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Jono's understanding of the intention is that it's just an effort to extend the management goals of the river both upstream and downstream. Jono is not aware of a downside.

There is always a risk when a bill is being reconsidered in the legislature that someone will sneak in at the eleventh hour and change shall to shall not so we need to be vigilant. The Council has had a history in the past of supporting an extension of the designation.

Stacia added that it also has language in there that says, "The beginning of the river." That is not a clear-cut issue at all. It would be nice if there was less to interpret.

Jono stated that an alternative would be to identify two geographic points where they think the river stops and where it starts and then there wouldn't be any confusion.

Jono stated that we are hearing that the preliminary word is that the phosphate industry does not have a problem with the legislation. Jono would like to hear more about that. They have been responsible in the past for derailing other legislation particularly at the Federal level. So it would be nice if we had something to say on this subject.

Marlene Guffey made a motion to support the Myakka River Wild and Scenic Extension legislation.

(The Senate bill # is 2346. Jono did not know what the House number was.)

Terry Green seconded the motion.

Discussion followed.

Jono recapped by saying the motion is to support the pending legislation and to offer as a chair to monitor and make recommendations on that legislation.

The motion was passed.

Marlene Guffey brought an article from the Harold Tribune, Feb 5, 2007 edition to the council's attention about a new water treatment and recovery system being demonstrated at Pacific Tomato Growers in Manatee County. (Article attached)

Marlene felt that since Pacific Tomato Growers put forth the money to work with Bethune, this Council should send some type of letter of acknowledgment and appreciation for their efforts.

Jono restated that Marlene is moving to send a letter to Pacific Tomato Growers acknowledging their efforts to use reclaimed water.

Suzanne Cooper seconded the motion. The Motion was passed.

THE COUNCIL TOOK A BREAK FOR LUNCH.

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The meeting resumed around 1:30 p.m.

Discussion began for the next meeting date. July 13th was chosen.

Sid Flannery – Minimum Flows and Levels for the Lower Myakka River

Minimum flows as they are defined in Florida Statutes are the limit in which further withdrawal would be significantly harmful to the water resources or ecology of the area. The district has published the minimum flows report for the Upper Myakka River running from SR 72 (the long-term USGS gage on Myakka River near Sarasota) up to the USGS gage at Myakka City. This report is available from the district website.

The district has been implementing for several years now a percent of flow level method. They want to maintain the natural variability of the flow regime of these rivers. They took that approach in the fresh-water and they divided the year into three seasonal blocks. Block 1 runs in late April to late June; which is the heart of the dry season when the river is typically low. Block 3 is the wet season from late June into late October. Block 2 is the wintertime.

In the fresh-water report, the inundation of different habitat features was looked at as a function of flow: woody snag, fish passage and flood plain inundation. It was concluded that during certain seasons of the year different percentages of the flow can be taken.

The report for the Lower Myakka River Estuary will be published this coming summer. The geographic range of the Lower Myakka River is from the Lower Lake downstream to the mouth of the river; basically the tidal portion of the river. They didn't collect much data in the very upper regions because of the lack of salt water and the difficult navigability issues

Jono asked what point on the river that would be.

Sid replied with Ernie Estevez's help that they have hard data 2 miles upstream of Border Road, down to Charlotte Harbor.

They have established bathymetry, and the area and volume of the river. Detailed bathymetric maps of the Myakka River and its lower most 35 kilometers exist.

Jono wanted to know how far up the river the new bathymetry went.

Ernie Estevez replied pretty much to Border Road.

There is now a hydrodynamic model of the Lower Myakka River that allows them to do simulations of salinity distributions and circulation in the river as a function of freshwater inflow.

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To really come up with a natural flow regime for the Myakka River one should automatically say that water should come out. Estuaries respond to low rates of flow very different than a freshwater stream; very different than Flatford Swamp would. Does that excess agriculture water really hurt the estuary or not? So to take the Myakka River to a “natural flow regime” you would adjust that 1980 to 2004 baseline by taking out that excess agriculture water. Then start asking what happens if 10%, 20%, 30% of flow is taken out.

The basic biological variables being studied in the Lower Myakka River are the bottom benthic macroinvertebrates; vegetation on the shoreline of the river; and also the response of fishes. This is being taken either directly or indirectly to the analysis salinity distribution; analyzing how much change there is.

The reason Sid thinks the agricultural augmentation is not such a simple issue is that there have been changes to the Lower Myakka River that have actually reduced the freshwater input. Cow Pen Slough actually captured some of the drainage of the Myakka River a long time ago. Sid stated that something Ernie Estevez brought up few years ago is the Blackburn Canal...Ernie had suggested they didn't even know what was going on in the Blackburn Canal. (It connects to Curry Creek) Some people suggested that, depending on differences in tide stage, water from Curry Creek would flow backwards toward the Myakka. It is tidally affected. USGS put an Acoustic Doppler device out there a few years ago. That produced about three years of flow records for the Blackburn Canal. It doesn't do much until the Myakka River starts to rise and then it captures about 10-12% on average of flow at that gage. Basically it's getting high enough to push water down to Blackburn Canal and down to Curry Creek.

Discussion followed.

Jane Grogg – Progress with Community Planning Process for Old Miakka area in Sarasota County

Jane gave an update on the Old Miakka Community Plan and what the focus will be for studies. The focus area for study will be the Rural Heritage Estate area. The Community Plan went before the Board in February. Community projects planned include restoring the old schoolhouse in Old Miakka and installing a new community garden.

The O'Neal property, which is at the end of Fruitville Road, was recently acquired by Sarasota County through the Environmentally Sensitive Lands program. They will be doing native plant restoration and exotic plant control at this site.

One of the planning items that was discussed as part of the Community Plan was storm water. Jane referred to a map pointing out a “core focus area” and “that area of interest” and it is where they will see some future development. The community was very interested and concerned about storm water flows from developed property. Sarasota County has been looking for a few years at the Upper Myakka Watershed Study. That study will help create a model for storm water as well as identify areas of concern for

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flooding. Once that study is 100% complete they will be able to identify what the next step could be.

Other planning items included the old schoolhouse restoration and the preservation of the rural character of the Old Miakka Area.

Jono added that it was in between Oakford and Myakka Valley Ranches. It could be developed and it could be protected and thus the negotiations. It is really big and will be very expensive, but it might enable parks to be able to do management in this area of the park that they couldn't do if this were to be developed.

Questions and clarifications followed.

Laura Kleiss Hoeft – Cattedock Boat Ramp site plans.

Laura is the Director of Charlotte County's Parks Recreation and Culture Resources and spoke to this Council when the idea of the Cattedock Boat Ramp site was proposed

SWFMWD is the owner and Parks & Rec. is the manager and operator. They are putting in a final template and they will go to the Board of County Commissioners probably within the next six weeks and then up to State for the final signature. They will go from the conceptual design stage to real design and permitting.

The main road will be East Cattedock. They are looking at five acres of the land and ultimately working on some interpretive work as well with the State park system and signage. The Lagoon will be closed off to boaters and they are working on a boat facility serving about 60 to 70 boat trailers and 30 parking spaces. They will be working with compost type restrooms. There will be no fish-cleaning areas or wash facilities. They will be working with native plants, removing exotics and clean marina practices. They will be working with the Charlotte Harbor Preserve State Park, DEP and other parties on the design process. When they get to the design mode they'll be back to this Council to review for the fall. The estimate is that the boat ramp will be completed 3 years from now.

Jono wanted to know if the clean marina had provisions to keep storm water from going down the boat ramp into the water.

Laura replied that they are required to do that and they do as much as they can.

Glenn Compton – Update on the proposal to extend designation of the Myakka Wild and Scenic River

Glenn summarized the history that led to the proposal to extend the designation into Manatee and Charlotte Counties. The main concern for Manasota-88 was the potential of more phosphate mining in the Myakka River Basin and that Manatee County didn't address the significance of the Myakka River in its Comprehensive Plan.

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Right now Glenn is trying to get people to write the legislators to change the language in the definition of the River Area in the proposed bills.

Glenn's goal for the following week was to try to get the Sarasota County, Manatee County and Charlotte County Commissions on board. He will try to approach all three of the Boards to see if they will support this legislation and try to get other newspapers to write editorials in support. Glenn stressed that things would move fast and that now is the time to pay attention.

Questions and answers followed.

Stacia wanted to know how Charlotte County got put into the legislation.

Glenn replied that he didn't have any control over the legislation that was written. They went to the legislators with the idea. Glenn's approach was to look at Manatee County. Senator Bennett decided to do Manatee and Charlotte at the same time.

Greg Blanchard commented for Manatee County. He couldn't predict how the Commissioners would receive this. They were against the proposal last time primarily because they thought another planning layer wasn't needed. Greg felt there would not be a lot of opposition to it this time. The phosphate company probably won't oppose it this time. The timing may be the best time ever.

Marlene Guffey added that if we sold them on the idea that their county commissioners would be the ones that would make the changes to their ordinances. They don't have to accept what we have in Sarasota County. They have the option to set their own standards on how they are going to protect it.

Manon offered the opinion that MRMCC could be offered as an Advisory Committee, which she felt, would be received well.

Jono stated that we need to be careful that we don't open the whole bill up for changes and that we should keep the changes minimal. It shouldn't be controversial if there is local support.

Jono stated that he would be happy to go to Tallahassee for hearings and if he can help on the Manatee or Charlotte Commission he will try to do that as well.

Other Agenda Items

Ernie Estevez – Report from Myakka Conservancy

The Myakka Conservancy meeting was announced for March 16th. In sharing their agenda Ernie stated they are very impressed by the Cumulative Impact Study that was done for the Peace River Watershed and they are talking about that same study being

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done for the Myakka River Watershed. They continue to try to move forward on the acquisition and restoration of Tatum-Sawgrass. They are planning to make a video with Clyde Butcher.

They are interested in the Comprehensive Watershed Initiative and the Comprehensive Watershed Management Program for the Myakka River.

Greg Nowaski stated that the SWFWMD Environmental Advisory Committee is meeting March 14, 2007 in Sarasota at the District Office on Fruitville. Item number 9 on their agenda is the Myakka River Watershed Management Initiative.

Discussions followed regarding whether this entity really wants stakeholders and participants.

Discussion occurred regarding placing upcoming meetings for everyone interested on the website.

More discussions continued.

Stacia asked for future agenda items.

Reply: follow-up on the initiative; presentation from the district people; update on the status of the bill; update on the plans for the Thomas Ranch property and how it may impact the mangrove rookery island; update on the MFLs; development on the TMDLs.

Jono stated we should update our membership list, contacting members who have not been attending, etc. This must be approved by DEP.

Last item: Stacia wanted to know if members wanted to have lunch brought in for a fee of about \$5.00 each. The idea seemed to go over well.

The meeting was adjourned.

MEMBERS IN ATTENDANCE

Marlene Guffey
Greg Blanchard
Belinda Perry
Mary Jelks
Thomas Moralee
Greg Nowaski
Terry Green

Manon Lavoie
Suzanne Cooper
Maran Hilgendorf
Jeff Thirlwall
Don Caillouette
Peggy Morgan
Jonathon Miller

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Ernie Estevez

INTERESTED PARTIES

Terry Payne
Rich Swier
Denise Boyd
Carissa Carpenter
Andrea Lipstein
James Huish
Lt. Todd Hand
Jane Grogg
Stacia Hetrick
Terry Hingtgen
Elizabeth Wong

Ken Alvarez
Kathy Meaux
Deirdre Grant
Chris Becker
Diana Donaghy
Jason Hale
Glenn Compton
Laura Kleiss-Hoefl
John Chassey
Judy Meents

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This Article was requested to be included in the minutes:

BUSINESS WEEKLY

Recovery, reuse system reduces farm runoff

Combining a sophisticated filtering system with methods used by ancient Egyptians, an engineer develops a cost-effective way to cut runoff from a Manatee tomato farm into the Myakka River system.

By TONI WHITT

toni.whitt@heraldtribune.com



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STAFF PHOTO / ROD MILLINGTON

Agricultural and Civil Engineer Gary Bethune stands among an innovative water filtering station near one of the many Pacific Growers tomato fields. Housed inside the chrome canisters are stacks of disc filters which trap sand, and allow water to pass through.

Lengthy history to swamp dispute

The excess water going into the Flatford Swamp and on into the Myakka River is at the center of a lengthy legal dispute.

The Crowley Museum and Nature Center, established in 1974 to preserve wildlife habitat, filed a lawsuit against Myakka City farmers in 2002 to force them to stop pumping so much ground water and to reduce their runoff.

The nature center later amended its lawsuit to add the Southwest Florida Water Management District, charging that the regulatory agency hasn't forced farmers to change their irrigation practices.

The farmers in the 250-square-mile watershed for the upper Myakka River have permits to pump the water for their crops: cucumbers, tomatoes, bell peppers and squash.

Internal memos at the water district show that agricultural runoff is the likely cause of a significant rise in river levels over the last 30 years.

The Sarasota gauge for the Myakka River shows an increase of more than 24 million gallons a day during the dry season, according to a draft memo.

To reduce pumping and reduce the amount of runoff, the water district has invested in recycling systems at three of the 70 farms there.

Altogether, the state and water management district have spent \$3.1 million toward building these systems, while the farmers have spent nearly \$5 million.

But environmentalists claim that the water district isn't monitoring the farms, even though they are using state money to help implement the tailwater recovery systems that are supposed to capture runoff.

In addition, the district hasn't done the analysis to see how much farmers are conserving.

"They were funding these projects and touting it as a wonderful success story, yet no one was checking to see if these were built the way they said; no one was requiring the monitoring necessary," said Monica K. Reimer, an attorney for Earthjustice, which filed the lawsuit on Crowley's behalf. "They never put anything in place to make sure results were occurring. If you don't do this analysis you don't know whether you've achieved anything."

Eric DeHaven, director of the water management district's resource conservation and data department, said the systems are working, but analyzing the results takes time.

"We're working with the farmers, so maybe that's why we're named in the lawsuit," DeHaven said. "We're getting results, the speed of which can be debated. But we can show that we've been working with the farmers. ... Reducing the actual amount of flows into the watershed has a huge impact."

The lawsuit also claims that the water management district, which bought Flatford Swamp to preserve it for the public,

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has instead been using it as a basin for excess irrigation flows from nearby farms, even though the district knows that it is detrimental to the wetland ecosystem. That also allows the water to flow into the Myakka, destroying trees and wildlife habitat along the way.

"The lands have been wasted. It appears to us that the district has made this decision that it's OK to use this as an irrigation runoff basin," Reimer said. "Until we stop the flow of the excess irrigation water, we're not going to solve anything."

SARASOTA -- When Gary Bethune began looking for ways to solve one of Florida's most vexing environmental problems -- agricultural runoff -- he turned to the most recent scientific research.

He also went back in time. Nine thousand years back.

Combining the most sophisticated filtering system for recycled water with methods employed by ancient Egyptians, Bethune helped develop a system that has reduced runoff by nearly 90 percent at one of Manatee County's largest tomato farms.

It could become a model for other Manatee County farms that have been dumping excess water into the Myakka River system, drowning trees and destroying ecological systems along the way.

The innovative system is the only of its kind in the headwaters of the Myakka.

But Bethune, who is quick to give credit to Pacific Tomato Growers for wanting to conserve water in the Floridan Aquifer, the main source of drinking water for Tampa Bay and irrigation for area farms, is modest about the accomplishment.

"It's an overstatement to say it was a stroke of genius to recognize that the swamp was receiving too much water and that Pacific could draw water from the swamp to reduce that impact," Bethune said.

But Mac Carraway, who was the chief financial officer for Pacific Tomato Growers when the system was designed, said Bethune's genius was in designing something that benefited the water district, the farm company and the environment that was not prohibitively expensive.

"Gary, in all his modesty, has this keen insight into looking at a piece of property and putting together creative and cost-effective engineering solutions that don't get in the way, and probably enhance the farming and environmental attributes," Carraway said.

"Pacific had a long-term interest in the land and were prepared to invest. But Gary saw how to make it happen and was able to convince the company and the district that the solution he envisioned could work well for everyone."

The engineer

Bethune didn't have deep roots in farming when he decided on a career in agriculture.

His father, Ray Bethune, had been a World War II Air Force pilot who flew his first mission in Normandy. He made his career as an Air Force pilot and when Bethune was a child, the family moved from base to base.

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As a member of his high school golf team, Bethune traveled to a variety of courses, hoping to become good enough for the pros.

When that didn't happen, he decided his best route to a life on the greens was to manage golf courses. He went to Lake City Community College, where he got a degree in golf course management and met his wife, Karen.

He was a success, moving in six years from country clubs in Mississippi and Alabama to the New Orleans Country Club, a private club established in 1914.

While he loved being on the courses, Bethune began thinking something was missing. He wanted to contribute to the land.

"I was at a crisis point as a golf course superintendent," Bethune said. "The best way to success was to move up or on to better courses and make more money. But that's really not true happiness."

In 1980, he gave up his job. Bethune and his wife boarded their 25-foot sailboat and set sail for the Chesapeake Bay, not knowing what lay ahead for their future.

It was cathartic.

It allowed Bethune to reflect on what he wanted. He admired Karen's father, George Wise, a Florida rancher. He yearned for that kind of relationship with the land and revered the older man's work ethic.

"He was a conservationist in respecting the land, but he was also using the land," Bethune said.

The couple never even made it out of the Gulf of Mexico. They docked in St. Petersburg, sold the sailboat and moved to Gainesville, where they enrolled at the University of Florida, she in nursing, he in agricultural engineering.

While Bethune, 53, believes he was answering God's call to be a steward of the earth, that didn't make the path easy.

Bethune went from supervising golf courses to mowing lawns to help pay his way through college. And he quickly learned he didn't have innate engineering skills. He started the program in a basic algebra class.

At times it was trying. But Bethune was never tempted to give up -- although he said his professors might have been tempted once or twice to give up on him.

He found the most talented and competitive engineering students and studied with them. And while the choice wasn't always easy on his ego -- he tended to get the lowest test scores among that group -- studying with them helped him graduate.

Bethune's first engineering job was with St. Johns Water Management District. Next he

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joined a consulting firm in Tallahassee before starting his own.

Over the years he has developed a philosophy about conservation based on his work with farmers and what he has learned about the state's limited resources.

He says the state offers few incentives to do easy and obvious conservation, even though it benefits everyone. At the same time, it spends a tremendous amount of money investigating alternatives for drinking water.

"I think the district should focus on conserving our existing resources first before they chase after new initiatives like desalination," Bethune said. "Why should the public have to fund initiatives that are significantly more expensive than agricultural conservation projects? Shouldn't the district fund projects based on the greatest amount of conservation at the lowest cost?"

"Agriculture could have a profound effect on water conservation."

The idea

Bethune learned early on that for all his idealism about the land and the environment, it's not easy to get the huge farms, fighting to remain profitable in a market with ever-increasing foreign competition, to embrace changes that can cost millions of dollars.

"The necessity of survival is to be a low-cost producer," Bethune said. "Unless and until everybody in the world has to implement these systems, there will be a financial impediment for the farmers."

There is a perception that Florida has more water than it can possibly use.

For decades the agricultural industry has won permits to pull water from the state's underground aquifers to prepare fields and irrigate crops. The excess water becomes farm runoff and has been dumped into the state's swamps, creeks, streams and rivers, eventually ending up in the Gulf.

Those waterways have become more polluted over the decades, while the aquifers have become depleted, which is raising concerns that there won't be enough water in the future to both irrigate crops and slake the thirst of Florida's fast-growing population.

Rainwater harvesting and recycling technology is used all over the world, typically where there's not enough water to irrigate crops. Because it rains so much in Southwest Florida, and because sources of water are so easily accessible in the dry season, it simply isn't done here. The cost of constructing the system is greater than the cost of pumping ground water. And the ground water in the Floridan Aquifer is high quality, while the recycled water has to be filtered and treated.

"It's just about money," Bethune said. "There's little incentive for the technology. The only significant benefit is to society."

But Bethune found a partner in Pacific Tomato Growers and Carraway, who was concerned

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about the region's growth and its pressure on water supplies for the long term.

"Mac was of the opinion that there were these possibilities in conservation that existed," Bethune said. "To pay for them we thought to partner" with the water management district.

In 1999, the water management district started a cost-share program for growers investing in conservation practices beyond the norm. Pacific was the only grower to apply to the program. Building the system cost about \$1.6 million, split between the farm and the water district.

Bethune designed plans for harvesting rainwater, recycling irrigation water and capturing farm runoff from the Flatford swamp, on the edge of one of the farms that Pacific Tomato owned.

He worked with one of his former UF professors on the designs. Pacific, which built the system, won the state agriculture department's Environmental Leadership Award in 2000.

Winning the award "was exciting," said Carraway, now vice president of agriculture for Schroeder-Manatee Ranch Inc. "It was a recognition of the fact that we were getting into some new territory and doing this public-private approach to resolving a production, environmental and regulatory issue."

Carraway said that Bethune was collaborative in his approach to the design -- it was one of his strengths in making the project a reality.

"He did a fantastic job," Carraway said. "The meetings were interesting and collegial. There was a lot of give and take, but we got a solution that everyone felt would work."

Bethune's design is much more efficient than they had originally predicted, said Eric DeHaven, director of the water management district's resource conservation and data department, which is working with other farmers to implement similar systems.

Even more importantly, the farm was producing the same quality tomatoes, and getting slightly higher yields.

Bethune shares the credit with the farm managers, who he said have tweaked the system to make it work best for the plants.

As Bethune showed off the system he designed, he waved broadly at the fields nearby with their rows and rows of tall plants, their green fruit hanging heavy above the soil.

"The tomatoes are the stars here."

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