

Robert M. Baker
October 12, 1983
Page 2

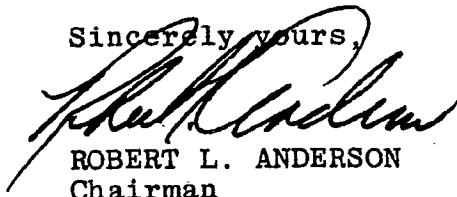
excess floodwaters from the Myakka River may be a possible source of water to be used in conjunction with the surficial water on the adjacent Ringling-MacArthur tract. Before making that decision, however, extensive environmental reviews would have to be completed. We may or may not be able to utilize the river as a source of potable water. In addition, the Water Management District may or may not permit us to utilize the river. However, we could not support Alternative "A" if that would preclude us from even considering the Myakka River as a source of potable water. If we did use it, we would not be considering any kind of a dam as a part of that process. At this point, the worst case scenario would include an unobtrusive, environmentally-acceptable, off-stream reservoir and/or possibly a subterranean hydrological connection (perhaps using existing sands) between the well-field and the Myakka River.

In giving you our support of Alternative "A", we do so assuming that there will be no impact of Alternative "A" on the above potable water considerations.

For your use, please find attached our staff's review of your draft document. As you can see, we are very interested in seeing this document be the very best product possible. I think you will find that the comments reflect an indepth review of the draft. Should you have any technical/scientific questions, please contact Dr. Lincer (813) 365-1000 Ext. 2403.

If we can be of any further assistance, please let me know. I look forward to seeing the final report.

Sincerely yours,



ROBERT L. ANDERSON
Chairman

RLA/JLL/tdd

cc: Dr. Lincer, Scientific Advisor
Mr. Dye, Superintendent, M.R.S.P.

R E V I E W

of the

National Park Service's
DRAFT WILD AND SCENIC RIVER STUDY:

THE MYAKKA RIVER

by

Sarasota County Staff

October 13, 1983
Date

Jeffrey L. Lincer, Ph.D.
Coordinator

INTRODUCTORY COMMENTS

In response to the Board's request for a review of the National Park Service's document, entitled "Draft Wild and Scenic Rivers Study: Myakka River", the County Scientific Advisor coordinated said review. Chapters and subject matter were divided according to established responsibilities and skills (see attached matrix - Appendix A).

The review is divided into general comments, specific/technical comments and attachments.

GENERAL COMMENTS

Staff agrees with Alternative A (discussed on pages 1-3 and 1-4). Basically, the proposed action is that the twelve-mile segment of the river within the Myakka River State Park be included as a state-administered component of the National Wild and Scenic Rivers System; this section be classified as a combination of "wild" and "scenic", and; if additional segments of the river become eligible, as local and state initiatives to provide permanent protection of the river corridor are implemented, those segments would be designated as components of the national system. To help coordinate these efforts, a Myakka River Commission could be established. Finally, the management of all segments of the river coming under special management should emphasize preservation of natural values and discourage intensive recreational use and federal agencies would be required to support, in their planning and projects, the preservation of the Myakka River, as a National Wild and Scenic River.

Staff feels that this alternative could be supported as long as the limited designation within the state park would not, in any way, preclude the county from considering the feasibility of using excess floodwaters from the Myakka River as part of the MacArthur tract well-field. Clearly, the County of Sarasota has taken the lead in protecting the Myakka River (see Appendix B - Ordinance #82-94/Resolution #82-200, new mining ordinance, amendment to APOXSEE, TDR ordinance, Environmental Element of APOXSEE, new tree protection ordinance, and proposed new wetlands protection ordinance). In fact, Sarasota County initiated the study of the Myakka River for possible inclusion in the Federal Wild and Scenic Rivers Program.

Although the proposed Alternative A is a long way from U. S. Representative Bafalis' nomination of the entire 66-mile length of the Myakka for Wild and Scenic River designation, the designation of the 12 miles of the river already within the state park does provide some real potential benefits. The need for regional perspective in protecting the Myakka, involving upstream (Manatee County) and downstream (Charlotte County) areas as well as Sarasota County is recognized throughout the draft study. The recommended alternative provides for the establishment of a Myakka River Commission to represent the three-county Myakka River area. This commission would be represented by a cross section of the various communities and special interests groups, much like the Governor's Charlotte Harbor Resource and Planning Management Committee. Given the success of that committee, and a similar one working on the Loxahatchee (Palm Beach County), there is reason for optimism relative to the Myakka River Commission.

Designation may also offer some upstream protection for the Myakka from phosphate mining in Manatee County. However, designation could possibly create difficulties in considering the Myakka River as part of a potable water source program in Sarasota County. Although both issues are touched upon in the draft study, no definitive statements are made by the Park Service. Should designation inhibit or preclude considering the Myakka in connection with the Ringling-MacArthur tract, as a potable water supply, a conflict with the Sarasota County Potable Water Plan, included in the County Comprehensive Plan, would result.

SPECIFIC/TECHNICAL COMMENTS

Page 1-1, Finding 1 - Staff disagrees with the statement that ... "Myakka River upstream of county road 780 does not possess the outstanding remarkable values". This portion of the river provides fish and wildlife habitat, especially for the threatened Florida Sandhill Crane. It is historically valuable because it represents the original waterway and meanders through two extensive native habitats (i.e. Flatford Swamp and Tatum Sawgrass). Local citizens and governments have expressed concern about the phosphate mining interests along this stretch of the river and references to the necessity "to assure adequate water quality and quantity for the remainder of the river downstream" should be expanded to explain what kinds of special management are contemplated and who would develop and implement such special management measures. Additional comprehensive study is apparently needed prior to deciding whether the Myakka River north of State Route 780 should be included in or deleted from the National Wild and Scenic Rivers designation.

Page 1-3, Proposed Action 3 - Relative to the establishment of a Myakka River Commission, it is important to recognize the key role that Sarasota County could play in such a commission. This local government has completed a comprehensive review of scientific and technical studies involving the Myakka River, has hosted several workshops and through its own efforts, actually initiated consideration of this river for Wild and Scenic status.

Page 1-8, Outstandingly Remarkable Recreational Values - Staff agrees, wholeheartedly, that recreation on the river should be limited by carrying capacity and is particularly pleased to see that the concerns of riparian landowners has been highlighted in this section.

Page 1-12, Paragraph 1 - On lines two and four, reference is made to the Ringling-MacArthur tract running along the west side of the Myakka River and the eastern side of the river not being included in this tract. In fact, the Ringling-MacArthur tract runs along the east side of the Myakka River and the western side of the river would not be included in this tract.

Page 1-12, Paragraph 2, last sentence - Perhaps reference to the "state-administrative component" should be expanded to include likely roles of the county and/or a multi-agency commission.

Page 2-2, Paragraph 3 - Reference is made to the protective role of Section 7 of the Wild & Scenic Rivers Act, as it relates to stream segments being studied for potential inclusion or which have already been included in the National Wild & Scenic Rivers System. As staff and others have indicated to the National Park Service, the Ringling-MacArthur tract, after successful condemnation, will be developed as a source of potable water and, in addition, for recreation and open space. As part of the development of a water supply on the Ringling-MacArthur Reserve, it is anticipated that the Myakka River will be, at least, considered as part of a comprehensive water management and supply system. Although the river would not be utilized if unacceptable environmental impact were identified, staff would like a clarification on what, if any, impact designation of the river within the Myakka River State Park would have on the county's ability to, at least, consider the Myakka as part of this water supply development.

Page 2-4, Paragraph 4, last two sentences - It should be recognized that any possible increase in use of the state park will probably be more than offset by the development of the Ringling-MacArthur Reserve, as a recreational area.

Page 2-7, Current Land Use Regulation 4 - This paragraph should be updated to address the adoption of the revised tree protection ordinance (Ordinance #83-44; see Appendix B). Footnote #2, referencing APOXSEE as the source of the possible 200-foot vegetation buffer should be corrected. While a 200-foot "no clearing of vegetation zone" is a commendable idea, it does not appear in APOXSEE. This section on development policy should also be revised to include the environmental management guidelines (V B.1.2.) which specifically address the Myakka River and other sections which address all the native habitats along the river (see Appendix B).

Page 2-8, Management Objective #2 - Staff proposes that this objective be expanded to consider restricting recreational access of boats on the upper Myakka River to the Myakka River State Park. Further, consideration should be given to restricting motorized boats to some appropriate section of the river, perhaps below river mile #18 (Snook Haven) or river mile #23 (First Residential Development).

Page 3-5, Water Quality - Staff recommends that the Federal 201 Study of Myakka Lake, just completed by the Mote Marine Laboratory, be used to update analysis of Myakka River water quality.

Page 3-7, Table G-1 - The County's Pollution Control Division has a great deal of chemical data not included in this table that would be made available upon request.

Page 3-5, Paragraph 4 - There are many mangrove islands in the river, south of river mile #12 (U.S. Highway 41 crossing) that serve as important bird rookeries for herons, egrets and ibis in the Sarasota-Charlotte County coastal areas. Mention should be made of this. The County Historian has access to a turn-of-the-century photo that could be made available for the final report (see Appendix C).

Page 3-11, Paragraphs 3, 4, 5, and 6 - These vegetated associations, that line the river, are protected, very specifically, by the Environmental Element of APOXSEE. Reference is only made to state protection by the Florida DER. In actuality, more specific and greater protection is provided by Sarasota County regulations (see Appendix B).

Page 3-12, Threatened and Endangered Species - See Appendix D for table, entitled "Sarasota County's Special Species and Their Preferred Habitat". For cross-reference to federal and state protective status of these species, a second table, entitled "Sarasota County's Special Species and Their Status" is also in Appendix D.

Page 3-15, Paragraph 5 - Reference is made to the State of Florida regulating the phosphate mining. It should be noted that the local mining ordinance of Manatee and Sarasota County are far more stringent than the state regulations. It should also be noted that repeated water quality violations and spills are recorded at the Beker Mine. Unfortunately, the initiation of the Beker Mine preceded some of the more recent environmentally-protective regulations.

Page 3-18, Paragraphs 1 & 2 - Considerations, involving historical and archaeological aspects, are lacking in many ways. There is not nearly enough emphasis placed on the great potential for locating archaeological sites along the shoreline of the Myakka River. No mention is even made of the important Little Salt and Warm Mineral Springs, which are nearby.

Page 3-19, Paragraph 2 - There is no mention of the river's original name, "Asternal River". Similarly, there is no mention of the legendary "Miakka Gold Hole", the Knights, the Handcocks, the Murphys or others who grazed cattle in large numbers on both sides of the Myakka, beginning as early as 1860. There is no mention of Jesse Knight's famous cattle pen, bordered on the east by the Myakka River for nearly three miles.

Page 3-19, Paragraph 2 - There is a distinct error in this paragraph. The early community that is described is not Myakka City; it is Miakka, known today as Old Miakka. Myakka City is a town established by the railroad around 1915, clearly 50 years after the first settlers founded Miakka.

Page 3-19, Population - The demographic data included in Table 4 does not correspond to the final 1980 U.S. Census Counts. Corrections are provided (see next page). These corrections are based upon the latest U.S. Census data we have available.

Page 3-20, Table 5 (Population Projections) - The University of Florida publishes revised population projections each year. Since the 1983 addition is now available, we would recommend that Table 4 and the relevant text be updated accordingly. Note that APOXSEE utilized the University of Florida populations projections published in 1978 and these were lower than the later University of Florida projections.

Table 4

Population Change 1970-80, U.S. and Study Area

	<u>1970</u>	<u>1980</u>	<u>% Change</u>
United States Total	203,302,000	224,478,000 226,504,825	+ 10.9% + 11.4%
Florida Total	6,791,418	9,579,965 9,746,324	+ 41.8% + 43.0%
Study Area	245,087	409,808 409,153	+ 67.0%
Manatee County	97,115	148,442	+ 52.9%
Sarasota County	120,413	202,251	+ 68.0%
Charlotte County	27,559	59,115 58,460	+114.5% +112.1%

Source: 1980 U.S. Census of Housing and Population

Page 3-21, Economy - The statement that Sarasota County had the highest per capita income in Florida in 1979 is not valid. According to APOXSEE's Economy Chapter (page 323), in 1977, Sarasota had the highest per capita income based upon U.S. Department of Commerce data published in 1979. In actuality, Palm Beach County had the highest per capita income in 1979, with Sarasota County coming in second.

Page 3-23, Land Use Controls - The second sentence should be amended to read that APOXSEE was adopted June 30, 1981, by the Sarasota County Board of County Commissioners (County Ordinance #81-30). In addition, the last sentence should be altered to indicate the consultants have been hired to develop the appropriate buffer criteria.

Page 3-25, Riverfront Zoning/Sarasota County - A key to the zoning ordinance district acronyms and the maximum densities allowed in each zoning district should be provided if this graphic is to be meaningful. Also, similar information and maps for Charlotte and Manatee counties would seem appropriate.

Page 3-26, Land Ownership - The purchase of the Venetia tract by the Berry Investment Group is significant enough to justify an update of this section of the draft study since: 1) this tract has three miles fronting the Myakka River, and; 2) a preapplication meeting for an Application for Master Development Approval (AMDA) has been held although Berry Investments has withdrawn the original proposal.

Some misspellings - Glay Gulley should be Clay Gulley; van der Ripe Slough should be Vanderipe Slough, and: McArthur Tract should be MacArthur tract.

Page 4-1, Alternative A Proposed Action - Paragraph 1 - Again, staff requests clarification on the impact of designating the river within the State Park on considering the downstream portion of the Myakka River as part of a comprehensive, and environmentally-acceptable, potable water source development program (i.e. on the Ringling-MacArthur Reserve).

Page 4-5, Paragraph 1 - The last sentence indicates that the counties could adopt impact assessment procedures similar to those of the state. In fact, this is already being done in Sarasota County through the Environmental Element of APOXSEE (copy attached). All development proposals (whether rezoning, special exception, site and development review, preliminary plat, sector plans, etc.) are reviewed through a specific habitat-based regulatory program.

Page 4-5, Paragraph 2 - To update this paragraph, it should be mentioned that the transfer of development rights ordinance has already been adopted by the Board of County Commissioners (copy attached - see Appendix B).

Page 4-5, Fish and Wildlife - Staff disagrees that there would be very little difference in the impact on fish and wildlife habitat between Alternatives A and B for the river corridor segment within the state park. This is primarily because of the increased protection we would hope to get from upstream land use changes, in particular phosphate mining and large developments. In addition, designation itself would provide: 1) impetus for other protective mechanisms, and; 2) a springboard for the ultimate inclusion of other sections of the river, hopefully including upstream portions.

Page 4-7, Paragraph 2, line 2 - As indicated, the County's Comprehensive Plan identified the Myakka as a potential water supply source. In that it is just a potential, staff suggests that the next sentence be changed to read "...a reservoir might be constructed to capture the excess flow".

General comments on this chapter - None of the scenarios seem to address the main water quality problems identified on page 3-10 or prevent future water quality problems from urban development. Nor do Alternatives A or B address the potential impact on the county's needs to develop the Ringling-MacArthur Reserve as a multiple-use wellfield, which would include considering the Myakka River as an adjunct potable water source.

Additional County Input

Although all county staff would certainly be available for additional assistance, our County Historian, John McCarthy, is especially anxious to work with the National Park Service staff in an effort to provide additional and necessary input on the historical and archaeological aspects of the river. We anticipate that such a review will be supplied to the National Park Service by early November.

APPENDIX A

Matrix of Staff Input vs. Subject Area

DEPARTMENT						CHAPTER	SUBJECT(S)	PAGES
Planning	Environmental Services	Natural Resources Mgmt.	Scientific Advisor	Parks & Recreation	County Historical	I	All	1-1 thru 1-12
X	X	X	X	X	X	II	All	2-1 thru 2-10
X	X	X	X	X	X	III	Reg. Loc.	3-1
X						III	Descrip. of River Corridor	3-1 thru 3-5
		X				III	River Basin	3-5
		X				III	Water Qual.	3-5 thru 3-10
	X					III	Vegetation	3-10 thru 3-11
		X				III	Fish-Wild.	3-11 thru 3-12
		X				III	End. Spp.	3-12
		X				III	Geology	3-12 thru 3-13
	X					III	Soils	3-13 thru 3-15
	X					III	Min. Res.	3-15 thru 3-16
	X					III	Air Qual.	3-17
	X					III	Climate	3-17
					X	III	Arch & Hist.	3-18 thru 3-19
X						III	Population	3-19 thru 3-21
X						III	Economy	3-21 thru 3-22
X			X			III	Land Use	3-22 thru 3-25
X			X			III	Ownership	3-26 thru 3-30
		X				III	Navig. & Rip. Rights	3-30 thru 3-31
					X	III	Rec. Res's.	3-31
X	X	X	X	X	X	IV	Only pertinent portions	4-1 thru 4-7



MANATEE COUNTY

BOARD OF COUNTY COMMISSIONERS

November 22, 1983

Mr. Robert M. Baker, Regional Director
U.S. National Park Service
75 Spring Street, S.W.
Atlanta, Georgia 30303

Dear Mr. Baker:

The Manatee County Board of County Commissioners has considered the alternative actions for designation of a section of the Myakka River as a Wild and Scenic River as presented in the July, 1983 draft report by the National Park Service. It is the opinion of this Board and our staff that the optimum protection of the Myakka River can be accomplished through Alternative B. This alternative includes the same protective measures as Alternative A except that the Myakka would not be included in the National System.

An important reason for our choice of Alternative B over Alternative A is our observation that efforts of State and local governments to protect water resources in Manatee County and the Tampa Bay Region have been much more effective than any federal actions. For example, the recent designation of the Little Manatee River as an Outstanding Florida Water and the reclassification of the entire Lake Manatee Watershed as Class IA waters represented significant steps to protect those waterbodies. The same kind of joint local, regional, and state effort which made those accomplishments possible can be applied to the Myakka River most effectively through Alternative B.

We appreciate the opportunity to comment on the draft report and look forward to seeing the final report.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

Edward W. Chance

Edward W. Chance
Chairman

EWC:RME:jk

cc: Dick Eckenrod
Phosphate Mining Coordinator

EDWARD W. CHANCE • WESTWOOD H. FLETCHER, JR. • PATRICIA M. GLASS • KENT G. CHETLAIN • VERNON E. VICKERS

P. O. Box 1000, Bradenton, Florida 33506



City of Orlando

649 W. LIVINGSTON STREET
ORLANDO, FLORIDA
32801 - 1497

OFFICE OF
BUREAU OF RECREATION

TELEPHONE
(305) 849-2288

September 20, 1983

Sharon C. Keene, Chief
Rivers and Trails Division -
Southeast Region
U. S. Department of the Interior
National Park Service
Southeast Regional Office
75 Spring Street, Southwest
Atlanta, Georgia 30303

Dear Ms. Keene:

We have received the draft copy of the Myakka Wild and Scenic River Study and Environmental Assessment which you forwarded for our review. Due to Orange County/City of Orlando being so far removed from the study subject area and our staff being unfamiliar with the site, the bureau does not feel that a feasible and justifiable review can be made. We are, therefore, returning the study for your future use and distribution.

We would appreciate the opportunity to assist the Department of the Interior in the future with any project relative to the Orlando/Orange County area.

Most cordially,

Don W. Wilson, Bureau Chief
Bureau of Recreation

DWW:st

Enclosure

cc: Tom Farnsworth, Director of Parks and Recreation
William Haycock, Assistant Bureau Chief of Recreation
File

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT



2379 BROAD STREET, BROOKSVILLE, FLORIDA 33512-9712
PHONE (904) 796-7211 SUNCOM 684-0111

• BRUCE A. SAMSON, *Chairman, Tampa* • Wm. O. STUBBS, JR., *Vice Chairman, Dade City* •
• JAMES H. KIMBROUGH, *Secretary, Brooksville* • RONALD B. LAMBERT, *Treasurer, Wauchula* •
• DONALD R. CRANE, JR., *Assistant Secretary, St. Petersburg* • MARY A. KUMPE, *Assistant Treasurer, Sarasota* •
• WALTER H. HARKALA, *Plant City* • JACK STRAUGHN, *Winter Haven* • MICHAEL ZAGORAC, JR., *Belleair* •
• GARY W. KUHL, *Executive Director* • STEPHEN A. WALKER, *General Counsel* •
• JAMES M. HARVEY, *Deputy Executive Director* •



November 15, 1983

Mr. Robert M. Baker
Regional Director
National Park Service
75 Spring Street, S.W.
Atlanta, Georgia 30303

SUBJECT: Myakka River; Draft Wild & Scenic River Study

Dear Mr. Baker:

The staff of the Southwest Florida Water Management District (SWFWMD) has reviewed the above referenced Draft Wild & Scenic River Study for the Myakka River. Based on this review, the SWFWMD has no adverse comments on the study as presented.

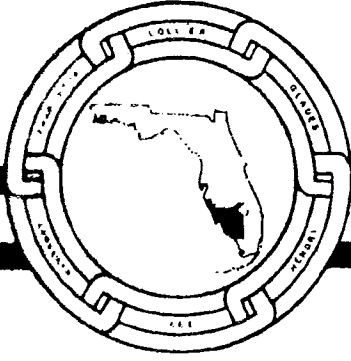
Please be advised that this review reflects staff opinion only and not that of the District Governing Board.

Thank you for this opportunity to participate in this review; and if I can be of further assistance, please feel free to contact me.

Sincerely,

PHILLIP W. WALDRON, Planner
Planning & Performance Evaluation

PWW:kag



Southwest Florida Regional Planning Council

2121 West First Street, Fort Myers, Florida 33901

(813)334-7382

October 25, 1983

Mr. Robert M. Baker,
Regional Director
National Park Service
75 Spring Street, S.W.
Atlanta, GA 30303

RE: IC&R project #83-185
D.O.I. #L58(SER-PT)

Draft Myakka Wild and Scenic River
Study and Environmental Assessment

Dear Mr. Baker:

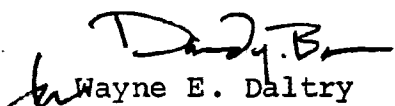
In accordance with the Florida Intergovernmental Coordination and Review process, and the Council's adopted regional clearinghouse review procedures (Chapter 29I-5, F.A.C.), the above-referenced draft study has been reviewed by this office and determined to be regionally significant.

The Council staff supports Alternative "A" recommended in the study, provided this alternative does not preclude the use of the Myakka River, by Sarasota County, as a supplemental potable water supply source if this is found to be environmentally feasible. The enclosed comments from Sarasota County also indicate support of this alternative.

This recommendation will be discussed at the next scheduled Council meeting. Should Council action differ from the staff recommendation, you will be notified.

Sincerely,

SOUTHWEST FLORIDA REGIONAL
PLANNING COUNCIL


Wayne E. Daltry
Executive Director

WED/BD:vg

Enclosure

FLORIDA NATURAL AREAS INVENTORY

254 East Sixth Avenue • Tallahassee, Florida 32303 • (904) 224-8207

November 29, 1983

Robert M. Baker
Regional Director
National Park Service
75 Spring Street, SW
Atlanta, Georgia 30303

Dear Mr. Baker:

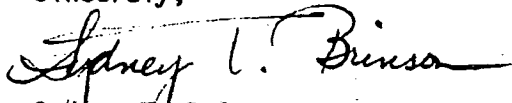
I have reviewed the Draft Wild and Scenic Study/Environmental Assessment for the Myakka River and would like to offer comments in behalf of the Florida Natural Areas Inventory.

Although the Myakka River is not entirely pristine, much of the river remains in its natural state as a lotic system unique to Florida. For this reason I would offer support for Alternative A to designate the 12-mile segment within Myakka River State Park as a State-administered component of the National Wild and Scenic Rivers System. I would also support the inclusion of additional eligible segments, based on the importance of upstream areas in maintaining the integrity of the lower reaches of a riverine system.

From my past experience in restoring degraded water bodies within the state, I can attest that any costs incurred in establishing the Myakka River as a Wild and Scenic River would be but a fraction of the cost required to attempt restoration of such a system once it was degraded or to perform, artificially, the natural functions which the river now provides. Therefore, from an economic standpoint as well as from an ecologic and aesthetic standpoint, Wild and Scenic status of the Myakka River is justified.

Thank you for the opportunity to provide comments on this important matter. If our office can be of assistance in the designation, please let me know.

Sincerely,


Sydney T. Brinson
Marine/Aquatic Ecologist

STB/bjm



October 19, 1982

Mr. Robert M. Baker
Regional Director
National Park Service
75 Spring Street
SW Atlanta, Georgia 30303

RE: MYAKKA RIVER DRAFT WILD AND SCENIC STUDY/ENVIRONMENTAL
ASSESSMENT

Dear Mr. Baker:

Florida Power & Light Company would like to comment on the National Park Services' proposal to include a portion of the Myakka River in the National Wild and Scenic Rivers System. It is our understanding that the designation would initially encompass only that portion of the River which is within the Myakka River State Park, but that additional segments could be added later.

Florida Power & Light is an electric utility serving Charlotte, Manatee, Sarasota and 32 other Counties in Florida. Thus we have a major interest in proposals affecting the future growth and development of this area, and which could potentially represent a restrictive influence on the siting of electrical service facilities. As you may know we currently own and operate a transmission line that crosses the Myakka River in the Myakka River State Park on a 160 foot wide right-of-way. This line is a vital part of our transmission system, and as such must be maintained, and if necessary, upgraded. FPL's continued use of this line and its right-of-way should not be restricted in any way by the designation. Moreover, although we currently have no plans for additional transmission facilities that would cross the Myakka River, such a future possibility cannot be ruled out. In addition, future development in the eastern part of Sarasota County may necessitate the construction of distribution facilities in the River corridor. At present we recognize the future need to provide electrical service to Sarasota County's proposed public water supply development on the 33,000 acre McArthur tract which lies east of the Myakka River and south of SR 72. We are concerned that the proposed River corridor may result in an unintended barrier to essential utility facilities should the Wild and Scenic River protection program not recognize this possibility and provide for such facilities.

We would like to stress that at present FPL has no specific plan to expand its facilities in or near the Park. Further, we recognize that the Myakka River has many outstanding environmental attributes that may qualify it for Wild and Scenic River status. Our comments should in no way be construed as opposing the designation. Rather, we would like to see a clarification in the program that the designation would not interfere with the issuance of permits for utility facilities.

Mr. Robert M. Baker
Page Two
October 19, 1983

Thank you for this opportunity to comment on the proposed Scenic River designation. If you have any questions concerning our comment, please do not hesitate to contact me.

Yours very truly,

A handwritten signature in dark ink, appearing to read "TR Fair". The signature is stylized with a large, sweeping "T" and "F".

Thomas R. Fair, Manager
Environmental Planning and Projects

TRF:bh

3130 Riviera Drive
Sarasota, Florida 33582

November 30, 1983

United States Dept. of the Interior
National Park Service
Southeast Regional Office
75 Spring Street, S.W.
Atlanta, Georgia 30303

Re: Myakka Wild and Scenic River Study
L58 (SER-PT)

Attention: Sharon C. Keene
Chief Rivers and Trails Division

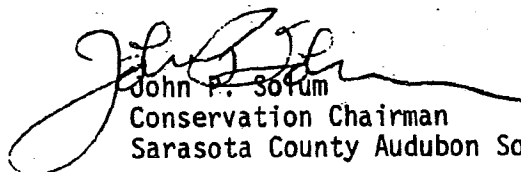
Dear Ms. Keene:

The Conservation Committee of the Sarasota County Audubon Society has completed its review of the Parks Services draft of the Wild and Scenic River study completed in July 1983. The Sarasota Audubon Society strongly recommends inclusion of the Myakka River as part of the Wild and Scenic River system.

We feel that this will provide the necessary protection for this important waterway in our County and provide the necessary habitat protection for the flora and fauna that abounds in this area. It is doubly important that this action be taken at this time, due to the tremendous growth which we are experiencing in this County. Development on the lower section of the Myakka river continues and will soon be encroaching on the recommended sectors of the river should this proposal not be adopted with all due speed.

In conclusion, we strongly support the recommendations of the National Park Service in this endeavor.

Sincerely Yours,


John P. Sotum
Conservation Chairman
Sarasota County Audubon Society

General Development Corporation

Wayne L. Allen
Senior Vice President and
General Counsel

October 28, 1983

Mr. Robert M. Baker, Regional Director
National Park Service
75 Spring Street, S.W.
Atlanta, Georgia 30303

Dear Mr. Baker:

We have reviewed your agency's draft Myakka Wild and Scenic River Study and support inclusion of the 12-mile segment within the Myakka River State Park as a State-administered component of the National Wild and Scenic Rivers System. We do, however, have some concerns and comments about your proposal to designate additional segments of the river in the future. Areas of particular concern to General Development Corporation are (1) the portion of the river designated eligible for future inclusions that lies in Sections 1,2,11,12, and 13, Township 40S, Range 20E in the City of North Port, Sarasota County; and (2) the portion of the river designated eligible for future inclusion that extends from El Jobean to the river's mouth in Charlotte County. The reasons for our concern and specific comments on the draft study are discussed below.

1. The General Land Use Map on page 3-24 of the study should be modified to show General Development Corporation lands in the City of North Port and Charlotte County as urban uses rather than barren. While some areas may not have large numbers of homes constructed at present, most areas do have road and drainage infrastructure in place and local government comprehensive plans designate these areas for residential and commercial uses. The lots in this area have been sold to numerous individual lot purchasers. Urban growth is expected to take place in these areas.

2. In the first paragraph on page 3-30, the report states that "Below State Route 771 land adjacent to the river is State-owned." It is true that most of the land along the shore is in state ownership as General Development Corporation sold it to the Trust for Public Lands in the early 1970s. Nevertheless, General Development still owns approximately 450 acres of unplatted land in this area as well as the Gulf Cove Marina. This land is planned for residential and commercial development, some of which will take place around the Marina. We request, therefore, that this portion of the river be classified as recreational on the map on page 1-10 rather than scenic as the map currently shows.

Thank you for the opportunity to provide comments on the study.

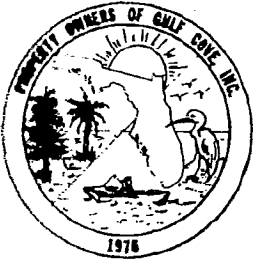
Sincerely,



Wayne Allen
Senior Vice President
General Counsel

WA/tm

cc: Margaret Gentle, Mayor, City of North Port
Steve Bostwick, Chairman, Charlotte County Commission



Property Owners of Gulf Cove, Inc.

Port Charlotte, Florida 33953

October 5, 1983

Mr. Robert M. Baker, Regional Director
National Park Service
75 Spring Street, S.W.
Atlanta, Georgia, 30303

Dear Mr. Baker:

You have asked for comments on the draft study of the Myakka River preparatory to its inclusion into the National Wild and Scenic Rivers System.

Although our Association comprises a group of folks who live in a segment along the river where development and shoreline alteration has made that piece ineligible for inclusion in the National System, we are wholeheartedly and unanimously behind the attempt to see that those segments that do qualify for inclusion in the system, be included as rapidly as possible.

We represent a group of homeowners 285 strong who have, to a man, expressed their strong desire to stand with the study group for Alternative A; that is, designation of the 12-mile segment within the Myakka River State Park as a state-administered component of the National Wild and Scenic River System; that the State of Florida continue its current management practices protecting the natural and cultural qualities of the designated segment of the river within the Myakka River State Park; that the 37 miles of additional segments of the river be designated as components of the National System as soon as is possible; and, that a river commission be established to coordinate efforts to conserve the Myakka River area.

We are vitally interested in securing this river as a part of the National River System without delay.

We would like to commend the five-member team of preparers who obviously worked very hard and thoroughly on the study. It is a fine job and is valuable to us all. We can only hope that the people will succeed in this case over land-developers and the phosphate mining industry in the battle for nature over dollars, to preserve this marvelous free-flowing river for all of us and for those yet to come.

Thank you for considering the Myakka River remarkable enough to qualify for this program. We, who have seen the manatee, heron, otter, eagle, and osprey along its banks, know what a treasure it is!

Sincerely yours,


Joseph Dickerson, President

JD/h.



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

DEC 30 1983

Honorable G. Ray Arnett
Assistant Secretary for Fish
and Wildlife and Parks
Department of the Interior
Washington, D.C. 20240

Dear Mr. Arnett:

We appreciate the opportunity to review your draft wild and scenic study/environmental assessment for the Myakka River in Florida.

We concur with the proposed action that a 12-mile segment within the Myakka River State Park be included as a State-administered component of the National Wild and Scenic River System. We agree with the findings that the 12-mile section contains outstandingly remarkable ecological, fish, wildlife and recreation values which make this river segment a worthy addition to the system.

One of the main concerns that we have is the way recreation has been addressed (outside the State Park). The objective seems to be to discourage and control, or even prohibit recreation activities by using the restrictive powers of the Wild and Scenic Rivers Act. This is somewhat contrary to the purpose of the Act. If trespass and poaching are a problem on the private lands adjacent to the river, better management is needed, rather than prohibition or restrictions on use. Restrictions should be used to limit deterioration of the river values which made it eligible for wild and scenic river status.

The report seems somewhat biased toward the private landowners, giving them exclusive rights to the river if it is designated, and denying public access to the river through private lands. There is no specific indication of the need for zoning, acquisition, or other controls on private landowners (perhaps the State has this power).

The description of the river corridor and watershed is well done. We would suggest adding a more thorough discussion of the carrying capacity and fragile nature of the river corridor. Include an evaluation of the relationship between river values, recreation use, and private land developments.

There is very little mention about fishing on the river; what species, how much fishing, potential, etc. We would suggest that additional information be included since it is listed as one of the outstandingly remarkable values.

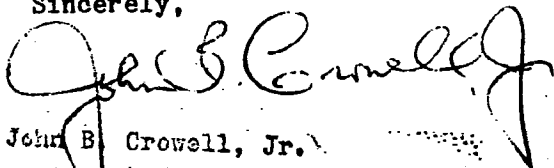
Honorable G. Ray Arnett

2

There is no economic analysis in the report. It would help to include an estimate of costs to manage the river as a wild and scenic river, and an indication of values that may be foregone. This would be particularly important if additional segments of the Myakka River are proposed for designation as components of the national system (outside of the Myakka River State Park).

We have listed some suggested editorial modifications for the study report on the enclosed pages. Also enclosed are comments from the SCS State Conservationist office in Gainesville, Florida, which were sent to our Forest Service regional office.

Sincerely,



John B. Crowell, Jr.
Assistant Secretary for
Natural Resources & Environment

Enclosures



United States
Department of
Agriculture

Soil
Conservation
Service

State Office
401 S.E. First Avenue, Rm 248
Gainesville, FL 32601

October 31, 1983

237C

Mr. John E. Alcock
Regional Forester
USDA-Forest Service
1720 Peachtree Rd., NW Suite 820
Atlanta, GA 30367

Dear Mr. Alcock:

We have reviewed the draft of the Myakka River Wild and Scenic River Study report as requested in your September 30, 1983 correspondence. Our comments are as follows:

1. The river is presently being used by farmers and ranchers for irrigation and livestock watering. The Land Use portion of this report (page 4-1) is inadequate. It does not describe the effects to farmers and ranchers with properties along the river. There would be detrimental effects to them and to those not directly on the river but who use water from the river for livestock water, irrigation, and freeze protection to citrus.
2. The third paragraph on page 3-23 is an inadequate statement regarding the river corridor use. A forage use inventory is needed to analyze the livestock use of the land. Without such an inventory, a true use and effect determination cannot be made.
3. This report is unclear, especially chapter III with its many references to river mile numbers which are not identified on any of the maps. Other features referred to that should be identified on the location map are Myakka River State Park, Wingate Creek, Flatford Swamp, Tatum Sawgrass, Gray Gully, etc. Without locating the points of discussion, the reader cannot accurately determine the affected environment, as intended in this chapter.
4. Page 3-3 (last paragraph). There is mention of a privately constructed dam one-half mile below the Myakka River State Park, but there is no indication if this proposal would affect this dam. This report should state if the dam would be maintained, removed, or left to nature. It should also state the expected environmental effect. The report should also state the present purpose of the dam.

-MORE-



The Soil Conservation Service
is an agency of the
Department of Agriculture

11/3/83


Mr. John E. Alcock

2

5. Page 3-10 (beginning with last paragraph). There is a discussion regarding the problem presented by the hydrilla growing within the waters and that it can entirely choke out the waterway. The first paragraph on the following page explains that this weed problem is presently being handled. This chapter should explain the effect this proposal will have. Will the weed control program continue or be abandoned? If abandoned, what will be the effects?

Thank you for giving us the opportunity to review this report.

Sincerely,



JAMES W. MITCHELL
State Conservationist

cc:

Elmer Sauer, AC, Palmetto AO
Anthony Polizoos, DC, Palmetto FO



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON, DC 20310

5 DEC 1983

Honorable G. Ray Arnett
Assistant Secretary for Fish
and Wildlife and Parks
U. S. Department of the Interior
Washington, D. C. 20240


Dear Mr. Arnett:

This is in response to your recent letter, requesting Department of the Army views on the draft report and environmental assessment on the Myakka Wild and Scenic River Study, Charlotte, Manatee, and Sarasota Counties, Florida.

We have reviewed these documents and conclude that the several segments of the Myakka River identified in the report can be included in the National Wild and Scenic Rivers System as such action will not conflict with nor adversely affect flood control, navigation, or other programs or projects of the Corps of Engineers. In addition, we note that due to the nature of this action, no regulatory programs of the Corps of Engineers will need to be addressed.

Thank you for the opportunity to review this draft report.

Sincerely,


William R. Gianelli
Assistant Secretary of the Army
(Civil Works)



DEPARTMENT OF THE ARMY

SOUTH ATLANTIC DIVISION, CORPS OF ENGINEERS

510 TITLE BUILDING, 30 PRYOR STREET, S.W.

ATLANTA, GEORGIA 30303

October 13, 1983

REPLY TO
ATTENTION OF:

Environmental Resources Branch

Ms. Sharon C. Keene, Chief,
Rivers and Trails Division
Department of the Interior
National Park Service
Southeast Regional Office
75 Spring Street Southwest
Atlanta, Georgia 30303

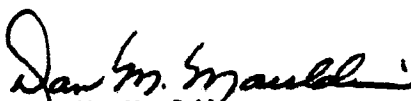
Dear Ms. Keene:

I am writing in response to your request of September 2, 1983 for comments on the Draft Myakka Wild and Scenic River Study, Florida.

We concur that the several segments of the Myakka River identified in the report meet the eligibility for inclusion in the National Wild and Scenic Rivers System. Inclusion of the segments in the system will not adversely impact any existing or proposed Corps of Engineers projects.

We appreciate the opportunity to review this report.

Sincerely,


Dan M. Mauldin
Chief, Planning Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET
ATLANTA, GEORGIA 30365

SEP 22 1983

4PM-EA/CJD

Mr. Robert M. Baker
Regional Director
National Park Service
Southeast Regional Office
75 Spring Street, S.W.
Atlanta, Georgia 30303

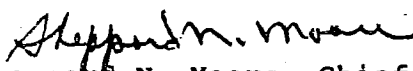
Dear Mr. Baker:

We have completed our review of the Myakka River Draft Wild and Scenic Study/Environmental Assessment, Charlotte, Manatee, and Sarasota Counties, Florida.

Based on our review, we support the inclusion into the National Wild and Scenic River System of those segments of the Myakka River specified in Alternative "A", with the provisions outlined on pages 21 through 28. We agree that the proposed plan offers the best opportunity of retaining the present conditions in the remaining undeveloped river system and will preserve water quality and wildlife values, which would otherwise be lost to the area, for future generations.

If we may be of additional assistance, please contact us.

Sincerely yours,


Sheppard N. Moore, Chief
Environmental Review Section
Environmental Assessment Branch

APPENDIX E

BIOLOGICAL ASSESSMENT

1. Describe the proposed project:

The Myakka Wild and Scenic River Study was conducted pursuant to the Wild and Scenic Rivers Act, Public Law 90-542, as amended. The National Park Service considers 37 miles of the river eligible for inclusion in the National System based on its outstandingly remarkable scenic, ecological, fish and wildlife, and recreational values. The National Park Service proposes that, (1) the 12-mile segment within the Myakka River State Park be included as a State-administered component of the National Wild and Scenic Rivers System; and (2) additional eligible segments of the Myakka River be designated as components of the National System as local and State initiatives to provide permanent protection for the river corridor are implemented.

State/County: Florida/Charlotte, Manatee and Sarasota

2. Was an environmental assessment (EA) prepared for this project? Yes or No.

a. If yes, was an Environmental Impact Statement (EIS) required? Yes or No.

1. In process - expected completion date _____.
2. Draft complete: _____
Date Document Number
3. Final complete: _____
Date Document Number

b. Were endangered species mentioned as being located within the project area? Yes or No. If yes, list them.

Red-cockaded woodpecker
Eastern brown pelican
Southern bald eagle
Peregrine falcon
Bachman's warbler
Florida panther

c. Were threatened species mentioned as being located within the project area? Yes or No. If yes, list them.

American alligator
Eastern Indigo snake

- d. Did the project area encroach on a designated or proposed critical habitat? Yes or No. Explain.

There would be no habitat loss.

3. Has the project been specifically discussed with the U.S. Fish and Wildlife Service concerning compliance with the Endangered Species Act of 1973, as amended? Yes or No.

- a. Date of discussion and evidence of documentation (attach all correspondence to this Biological Assessment).

March 6, 1984

- b. Fish and Wildlife Service contact person Mr. David Smith,
Endangered Species Coordinator, Vero Beach Office.

4. When is the project scheduled to start?

N/A.

(Filled out by Region)

1. Verification with USFWS:

a. Date March 19, 1984.

b. Contacted Mr. David Smith.

2. Impact of project on endangered species, threatened species as critical habitat:

☒ a. No effect

b. Positive effect

c. Negative effect

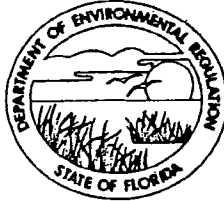
3. Signature Trish Patterson.

4. Comments:

APPENDIX F

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
1600 BLAIN STONE ROAD
TALLAHASSEE, FLORIDA 32301-8241



BOB GRAHAM
GOVERNOR
VICTORIA J. TSCHINKEL
SECRETARY

May 3, 1984

Mr. Neal G. Guse
Acting Regional Director
Southeast Region
United States Department of the Interior
National Park Service
75 Spring Street, S.W.
Atlanta, Georgia 30303

RE: Myakka River Wild and Scenic River Study/Environmental Assessment (WSRS/EA)

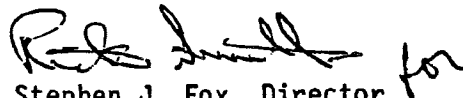
SAI: FL8403221017C

Dear Mr. Guse:

The State of Florida hereby concurs with your consistency determination. This concurrence is based on information set forth in the notification of proposed federal action and State agency comments thereon. Future consistency determinations may be required as more information is developed. 15 CFR 930.37. Subsequent State consistency evaluations, if needed, will take previous State agency comments (attached) into account. Finally, failure to object should not be construed to mean the State agrees with the sufficiency of this or subsequent consistency determinations.

Thank you for the opportunity to review your project for consistency with Florida's Coastal Management Program.

Sincerely,


Stephen J. Fox, Director
Division of Permitting

SJF/RSd

Attachment

**APPENDIX K – Written Correspondence (October 9, 2007 through
October 25, 2007)**

Hetrick, Stacia

From: Grant, Michael [Michael.Grant@myfloridahouse.gov]
Sent: Monday, October 08, 2007 10:58 AM
To: Hetrick, Stacia
Cc: Grant, Michael
Subject: FW: Myakka Wild and Scenic Extension in Charlotte County

Stacia-
Public comment sent to our office instead of to you. Please include in your comment file for the Charlotte public hearing.
Thank you
Maureen Garrard LA for
Representative Michael Grant, District 71

From: Christie Carlomany [mailto:christie.carlomany@coldwellbankerflorida.com]
Sent: Sun 10/7/2007 2:17 PM
To: Christie@CCLists.com
Subject: Myakka Wild and Scenic Extension in Charlotte County

I am writing to you to voice my concerns about the Charlotte county portion of the Myakka River to Cattledock Point going Wild and Scenic. First of all I am outraged that this continues to be revisited on a regular basis.

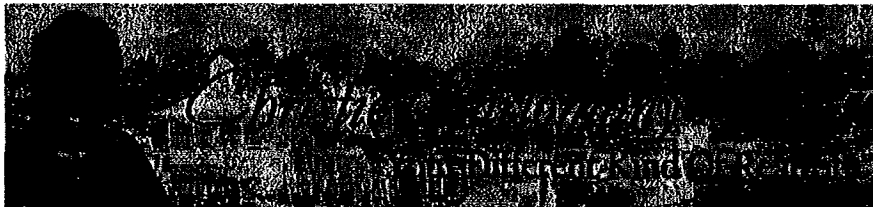
I am a Gulf Cove resident. We moved here, specifically, because it has "open water" access to the Gulf of Mexico. Of course we are avid boaters. We could afford this area, at the time. Since we bought and contracted to build, the taxes and insurance has increased so much that we would never be able to afford to buy here now, but that is another story. The property values, though, have decreased due to those escalating costs, which is why I mentioned the taxes and insurance. Now, if you make the river "wild and scenic" it leaves it open to government funds. Now that may not seem like a bad thing to you, but it could stomp out our rights as boaters and property owners here!

*There is NO **FLORIDA** definition for "Wild and Scenic"! We have been told that you are not going by the Federal definition. So where is the definition that spells out your intent? How can you*

mandate something as something not yet even defined? Aren't you putting the cart before the horse?

Also, as you can see I am already a starving Realtor. Are you trying to stop growth here? Do you want to KILL the economy here, even more? Clean up river first. That is where the problem lies any way (Phosphorous mine). From looking at some of the committee minutes.... it surely looks like the protection of the animals will also be a concern. I, frankly want someone in the government office that wants to look out for ME, US, THE PEOPLE, THE VOTER.... When is that going to happen? I am truly tired of my government working for everyone (thing) else.... illegals included.

I will be out of town for the meeting, for my mother-in-law's 92nd birthday is that weekend so we have to go up to Maryland. I did, however, want my voice to be heard once again! I have never been politically attuned, but since you are trying to tear my whole retirement dream life apart, at the seams.....



*It's A Great Day To Buy SW/FL Real Estate!
Thanks And Have A Great Day!*

Christie

941-875-3887 Cell

800-955-3540 Toll Free

941-697-9800 Fax

800-679-8525/941-697-8525 Office

www.CCLists.com

<mailto:Christie@CCLists.com>

Top Producer, Quality Service and Rising Star Awards Recipient

Hetrick, Stacia

From: Jono Miller [jonosarasota@gmail.com]
Sent: Friday, October 12, 2007 6:05 PM
To: Tom and Ginny Black
Cc: Hetrick, Stacia
Subject: Re: Federal manatee designation

Tom... I can't get to your Riverwood question right now, but I think we are essentially in agreement about Federal critical habitat designation -- it does exist, and doesn't seem to have much bearing unless a federal project would be involved. I don't think I claimed otherwise and I believe I pointed out that there is no follow-on manatee protection plan in Charlotte (and I'm not arguing for one).

Correct me if I'm wrong, but I think Lee and Sarasota have manatee protection plans. I sense some might be tempted to view this as a sort of ominous vice that is putting the big squeeze on Charlotte from North and South, but I view this situation as a major factor reducing the likelihood that Charlotte will need to implement more stringent manatee protection. If Lee and Sarasota do the heavy lifting to reduce manatee mortality then there may not be any need to ramp anything up in Charlotte.

I think it should be obvious that if, for whatever reason, there is a significant uptick in Manatee mortality anywhere in Charlotte County that increased scrutiny will be brought to bear regardless of what is designated what. It really has to do with how manatees are fairing locally and statewide and not what rivers are wild and scenic.

I can't speak for others, but I've never viewed extending the designation in Charlotte County as a back-door, or stalking horse for increased manatee protection. Nor do I have any evidence anyone else is.

People whose big issue is manatees know the appropriate venue is the state wildlife commission and if you know someone whose goal it is to thwart additional manatee protection in Charlotte County they would be well advised to monitor that arena and not get distracted by the Wild and Scenic efforts.

Your contention seems to boil down to the notion that it may be misleading to mention the critical habitat designation if it has such little bearing on most Myakka issues in Charlotte. Since I suspect the MRMCC will be reluctant to remove the first fact (as they declined to do so when we last met) perhaps you could offer additional language that would temper the implications you perceive by clarifying that the federal designation only pertains to federal projects. No promises, but my guess is that would be accepted.

Jono

On 10/12/07, Tom and Ginny Black <retblack@yahoo.com> wrote:

> Jono, the document that you pointed me toward that delineates the
> Critical Habitat designations for Florida also has one small paragraph
> that describes what they consider to be " Critical Habitat ". I have
> included a copy from the same web page and section 17.95 below.
> 17.95 Critical habitat-fish and wildlife .
>
> The following areas (exclusive of those existing man made structures
> or settlements which are not necessary to the normal needs or survival
> of the species) are Critical Habitat for the Species indicated.
> Pursuant to Section 7 of the Act,
> all Federal agencies must insure that actions authorized, funded, or
> carried out by them do not result in the destruction or adverse
> modification of these areas :
>
> The last portion of the definition (reference to section 7) would lead
> me to believe that Critical Habitat has no direct bearing on the Wild
> and Scenic question posed by the Fla State legislature. Since the


> MRMCC does not get funding from a Federal agency to manage the Myakka
> River, the Manatee Critical Habitat verbiage is superfluous, and will
> only tend to mislead a legislator. The last two sentences on page 28,
> should be deleted from the report as they only add confusion and
> indirectly takes a shot at Charlotte County's lack of a Manatee
> Protection Plan. Which Charlotte County is not required to produce.
>
> In that light, The Florida Manatee Recovery Plan ranks this as a
> priority task important to the recovery of the species. In October,
> 1989, the Governor and Cabinet directed 13 "key" counties to develop
> manatee protection plans. Charlotte County is not one of the 13.
>
>
> The following url seems to further define what the term Critical
> Habitat means to the US Fish and Wildlife Service should you need to
> refresh your memory.
>
> <http://www.fws.gov/endangered/listing/index.html#CH> at the bottom of
> the page there is a subject titled about Critical Habitat and the
> first listing under it is a pdf file titled " Critical Habitat, What is it?
> " the following is the url
> http://www.fws.gov/endangered/pdfs/listing/Critical_Habitat_12_05.pdf
> I have copied a couple of paragraphs as shown below.
>
> "What is the purpose of designating critical habitat?"
> "Federal agencies are required to consult with us on actions they
> carry out, fund, or authorize to ensure that their actions will not
> destroy or adversely modify critical habitat. In this way, a critical
> habitat designation protects areas that are necessary for the
> conservation of the species."
> "A critical habitat designation has no effect on situations where a
> Federal agency is not involved—for example, a landowner undertaking a
> project on private land that involves no Federal funding or permit."
> "Do listed species in critical habitat areas receive more protection?"
> "An area designated as critical habitat is not a refuge or sanctuary
> for the species.
> Listed species and their habitat are
> protected by the Act whether or not they are in an area designated as
> critical habitat. To understand the additional protection that
> critical habitat provides to an area, it is first necessary to
> understand the protection afforded to any endangered or threatened
> species, even if critical habitat is not designated for it."
>
> Jono, and Stacia, thanks for indulging me. In addition to the above,
> there does not seem to be a clear picture of the Myakka River south of
> Sarasota County to the EL Jobean Bridge. Inserting reasons that we
> would like to see have some effect, is not forthright and can be
> construed as an attempt to sway the legislature.
> Along those lines the description of the Eastern bank in the
> vicinity of Riverwood would seem to connote that there is extensive wetland communities.
> What would your estimate be as to how many miles of this bank is
> extensive wetland, or would it be better described in yards?
>
> Tom Black
> 941-697-7921
> retblack@yahoo.com
>
>
> Check out the hottest 2008 models today at Yahoo! Autos.
>
>

Hetrick, Stacia

From: Jono Miller [jonosarasota@gmail.com]
Sent: Wednesday, October 10, 2007 6:02 PM
To: retblack@yahoo.com
Cc: Hetrick, Stacia
Subject: Federal manatee designation

Follow Up Flag: Follow up
Flag Status: Completed

Attachments: US Fish and Wildlife Website.tiff; 42 FR 47840 47845 9_22_77.tiff; All Critical Habitat Documents- Manatee.tiff; North florida field office.tiff


US Fish and Wildlife Website.tiff; 42 FR 47840 47845 9_22_77.tiff; All Critical Habitat Documents- Manatee.tiff; North florida field office.tiff...

Mr. Black

Stacia forwarded a copy of your email to me for consideration.

I'm sorry this manatee stuff is so confusing. Part of the function of the Council is to cut through some of the fog and I am working with Stacia in an attempt to develop a graphic that will clarify the situation prior to the hearings.

The Federal government graphics that accompanied the Critical Habitat designation are an embarrassment as you will see when you open the version that features the crude map (as opposed to the Federal Register with no map).
But you may not be able to because (at least right now) I can't.

The Myakka River in Charlotte County was designated as Critical Habitat by the U.S. Fish and Wildlife Service in the 70's. If you wish to view the document where this is stated, see

<http://ecos.fws.gov/speciesProfile/SpeciesReport.do;jsessionid=A1997760F83DE73D9329B4031030D05C?spcode=A007#crithab>

Part of that page should look like the file I labeled US Fish and Wildlife Website.If you click on Final Correction and Augmentation...
you should see the Federal Register language (attached).

If you click on View All Critical Habitat Documents, you should see something like what I labeled All Critical Habitat Documents-Manatee.

If you go to
<http://www.fws.gov/northflorida/>

Then click on Florida Manatee, you should see

<http://www.fws.gov/northflorida/Manatee/manatees.htm>

Then you'll see a North Florida Field Office page that promises a Manatee-Critical Habitat - PDF. It's not opening for me today, but it did yesterday and the lower Myakka was a big black blob. Maybe they are improving their artwork.

I hope this helps. Between State and Federal actions, this is a confusing body of regulation. For instance, it is Federally Designated Critical Habitat, but (as far as I can tell) NOT a Manatee Protection Area (another link describes those). We're all learning.

Sincerely,

Jono Miller

PS. I guess it is for others to decide if I am over-zealous, I don't see myself that way. I can tell you I will not deliberately misrepresent the facts in an effort to protect the Myakka.

Hetrick, Stacia

From: Tom and Ginny Black [retblack@yahoo.com]
Sent: Tuesday, October 09, 2007 7:21 PM
To: Hetrick, Stacia
Subject: Re: Myakka River- Preliminary Draft Report available

Stacia, I am still troubled by a statement that is made in the last paragraph on page #28, which is the fifth paragraph of the Description of the Myakka River in Charlotte County.

I have put in about 5 to 6 hours of searching on the Internet and the only place that I have found that would be considered close to Charlotte County in the way of a Manatee Critical Habitat would be on a Florida Fish and Wildlife Conservation Commission map and it stops at the Sarasota County /Charlotte County line.

The US Fish and Wildlife sites that I have reviewed do not have a reference to any "Critical Habitat in Charlotte County other than "Lemon Bay area and the area North East of US HWY 41 on the Peace River.

I believe this it is in fact misleading and incorrect to include this statement in this document as all it does is to take away from truthfulness of this document. At the review meeting, you said you would put the map that officially designates this a Critical Habitat in the Draft. I cannot find it. Does such map really exist? or is this just smoke being blown by an over zealous environmentalist in order to prove their point. Facts should be facts, especially when it is our State Government that is presenting them.

Tom Black
retblack@yahoo.com
941-697-7921 or cell 941-830-0637

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10/23/2007

Hetrick, Stacia

From: Corrine Lawman [rinron@verizon.net]
Sent: Monday, October 15, 2007 9:11 PM
To: Margie Oriorden; Hetrick, Stacia
Subject: Re: Myakka Wild and Scenic River Designation

Excellent, Margie. As a native, I know all this in my head, I just cant formulate the words as beautifully as you do. Thanks for speaking for all of us. Corrine

----- Original Message -----

From: Margie Oriorden
To: stacia.hetrick@dep.state.fl.us
Sent: Monday, October 15, 2007 8:41 PM
Subject: Myakka Wild and Scenic River Designation

October 15, 2007

Stacia Hetrick, Environmental Specialist,
Myakka Wild and Scenic River Management Program,
1843 South Tamiami Trail,
Osprey, Florida 34229

Re: Designation of the Myakka River as Wild and Scenic

To the Council:

I would like this letter to be part of the official records.

I strongly believe the Myakka River must be protected to the maximum extent possible.

My husband and I lived and farmed on 373 acres near Old Miakka for seventeen years. Not only do we love the land and rivers of Florida, but we realize their value as essential for undisturbed drainage for aquifer renourishment, microclimate stability, sustainable agricultural and Gulf fishery uses.

Without pristine rivers and land, mankind everywhere faces an uncertain future --- the earth supports us. We claim to care about future generations, but Florida's recent developmental history belies that claim. Our elected representatives have, for the most part, chosen to favor big business and fast growth over cautionary planning that could retain the best of Florida that brought most of us here in the first place.

I do not like the phosphate industry's attempts to boondoggle the average resident. I know that most of Florida's phosphate is shipped to China. I have seen the terrible scrub wastelands that are so-called reclaimed phosphate mines. I see Piney Point and other potential Piney Points every time I fly across the State. And I know that tomatoes taste better without the use of fertilizer.

And for those who are indifferent to nature, I say: fine. Stop breathing, because the wetlands and forests produce oxygen. Stop drinking and bathing, because the water comes from the aquifers. Stop eating, because your food comes from the land. And stop your petulant whining about Florida's heat, hurricanes, insects and environmentalists, and leave. Go back to whatever city you came from. Even

better, go live in Beijing where pollution will give you something to really whine about.

As a commercial pilot for forty years, I am dismayed at the change in Florida's scenery as seen from the air. It is more of a roofscape, mallscape and Interstate-scape than landscape. Where does a Florida child go to learn about nature or fishing? Certainly not their backyards because most backyards have no trees or gardens or wildlife. Every bit of Florida that you, our elected representatives, can save, is immensely more valuable than the biggest and most upscale development or business because it will benefit both current families and future generations forever.

Please save the Myakka.

Yours very truly,

Marguerite O'Riorden
4931 Bay Shore Road
Sarasota, Florida 34234
941-351-3252

Hetrick, Stacia

From: Trish and Tony [bordercollesar@comcast.net]
Sent: Tuesday, October 16, 2007 10:04 AM
To: 'Margie Oriorden'; Hetrick, Stacia
Subject: RE: Myakka Wild and Scenic River Designation

Well said Margie! The problem is not limited to Florida. The drive for short term profits to satisfy the short term stock market investment culture, and the drive for bigger, more and showier in our consumption driven culture is everywhere, and it is wrong in Florida, and wrong out here in the Northwest. The specific symptoms are just different...the result everywhere will be the same; a world that we will find increasingly unpalatable as we humans become increasingly neurotic in our search for ever more elusive happiness.

Tony

"Lord grant me the company of those who seek truth, and protect me from those who have found it." - Sir Thomas More

*Trish, Tony, and
Darby, Anna, and Rio
(425) 644-8512*

From: Margie Oriorden [mailto:browndogsmom@gmail.com]
Sent: Monday, October 15, 2007 5:42 PM
To: stacia.hetrick@dep.state.fl.us
Subject: Myakka Wild and Scenic River Designation

October 15, 2007

Stacia Hetrick, Environmental Specialist,
Myakka Wild and Scenic River Management Program,
1843 South Tamiami Trail,
Osprey, Florida 34229

Re: Designation of the Myakka River as Wild and Scenic

To the Council:

I would like this letter to be part of the official records.

I strongly believe the Myakka River must be protected to the maximum extent possible.

My husband and I lived and farmed on 373 acres near Old Miakka for seventeen years. Not only do we love the land and rivers of Florida, but we realize their value as essential for undisturbed drainage for aquifer renourishment, microclimate stability, sustainable agricultural and Gulf fishery uses.

Without pristine rivers and land, mankind everywhere faces an uncertain future --- the earth

10/16/2007

supports us. We claim to care about future generations, but Florida's recent developmental history belies that claim. Our elected representatives have, for the most part, chosen to favor big business and fast growth over cautionary planning that could retain the best of Florida that brought most of us here in the first place.

I do not like the phosphate industry's attempts to boondoggle the average resident. I know that most of Florida's phosphate is shipped to China. I have seen the terrible scrub wastelands that are so-called reclaimed phosphate mines. I see Piney Point and other potential Piney Points every time I fly across the State. And I know that tomatoes taste better without the use of fertilizer.

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As a commercial pilot for forty years, I am dismayed at the change in Florida's scenery as seen from the air. It is more of a roofscape, mallscape and Interstate-scape than landscape. Where does a Florida child go to learn about nature or fishing? Certainly not their backyards because most backyards have no trees or gardens or wildlife. Every bit of Florida that you, our elected representatives, can save, is immensely more valuable than the biggest and most upscale development or business because it will benefit both current families and future generations forever.

Please save the Myakka.

Yours very truly,

Marguerite O'Riorden
4931 Bay Shore Road
Sarasota, Florida 34234
941-351-3252

Hetrick, Stacia

From: Hetrick, Stacia
Sent: Tuesday, October 16, 2007 10:34 AM
To: 'Benjamin Henry'
Subject: RE: Myakka River

Mr. Henry,

I am helping to compile the public comment (recommendations and concerns of affected parties and other interests) for the Council's report that is being submitted to the Governor and Legislature on the potential Wild and Scenic designation extension.

If you wish to provide public comment for the report, you can email or mail me a letter with your comments/recommendations. The letter should be addressed to the Myakka River Management Coordinating Council. The comments are due by October 25, 2007.

To view a preliminary draft of the report, see www.myakkarivermanagement.org . Please let me know if you have further questions.

Stacia Hetrick , Environmental Specialist II
Myakka Wild and Scenic River Management Program
1843 South Tamiami Trail
Osprey FL 34229
(941) 486-2052, Cell (941) 915-7820
SC 516-1324
Fax (941) 483-5941
email: stacia.hetrick@dep.state.fl.us

From: Benjamin Henry [<mailto:bhenry@lamar.com>]
Sent: Tuesday, October 16, 2007 8:06 AM
To: Hetrick, Stacia
Subject: FW: Myakka River

Ben Henry-Real Estate Manager
Lamar Advertising of Fort Myers
17660 East Street
N. Fort Myers, FL 33917
239-543-3002 Office
239-543-8079 Fax
239-940-9793 Cell

From: Benjamin Henry [<mailto:bhenry@lamar.com>]
Sent: Tuesday, October 16, 2007 7:02 AM
To: 'bennett.mike.web@flsenate.gov'
Subject: Myakka River

I noticed an article in the Charlotte Herald Tribune about the Myakka River.

I am in favor of extending the Wild and Scenic designation South into Charlotte County and North into Manatee.

10/16/2007

Unfortunately, I am unable to attend either of the public hearings, but I would like my voice to be heard.

If there is a mailing list or a petition to sign, please let me know. If there is an individual or an organization that I should write to show my support, please forward their information to me. The Myakka is a resource for the entire state of Florida and it must be protected for future generation.

Thank you for your time and I appreciate anything that you can do.

Ben Henry
11538 Lake Cypress Loop
Fort Myers, FL 33913

10/16/2007

Hetrick, Stacia

From: Peace River Valley Citrus Growers Association [oj@prvcitrus.org]
Sent: Wednesday, October 17, 2007 2:20 PM
To: Hetrick, Stacia
Subject: Myakka Wild & Scenic Designation
Attachments: image001.jpg; Myakka MCC.doc

Please direct the attached letter from Mrs. Barbara Carlton, Executive Director for the Peace River Valley Citrus Growers Association to the Honorable Amy Stein, Chair, Manatee County Board of County Commissioners.

Thank You,

Christa Strauss
Communications Assistant

Peace River Valley Citrus Growers Association



10 East Oak Street, Suite B
Arcadia, FL 34266
(863) 494-0061, (863) 773-2644
Fax (863) 494-4976
Email: oj@prvcitrus.org; Website: www.prvcitrus.org

10/18/2007



10 East Oak Street
Arcadia, FL 34266
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Fax (863) 494-4976
oj@prvcitrus.org, www.prvcitrus.org

October 16, 2007

The Honorable Amy E. Stein, Chair
Manatee County Board of Commissioners
P. O. Box 1000
Bradenton, FL 34206

Dear Commissioner Stein:

The Board of Peace River Valley Citrus Growers Association has voted in opposition of expanding the "Wild & Scenic" designation for the Myakka River.

Three specific items are of concern. First, the plan calls for additional regulation through ordinances which will be conceived after the designation expansion is agreed upon. There is no guidance for these ordinances and no way for growers, farmers and ranchers to know if their production agriculture operations will be impacted by these yet to be written ordinances.

Secondly, the establishment of a 220 foot building buffer from the river will impact property values and is simply an encroachment on basic property rights without compensation. State legislation exists through the Bert J. Harris Private Property Rights Protection Act (ss. 70.001 and 166.031, Fla. Stat.) to prevent taking without compensation.

Finally, with the increasing population expected in Florida brings concerns there will be enough potable water for the population. This designation would halt the possibility future public water supplies are available from flood waters of the Myakka River. This is a concern to growers because our production water supply is a common target for other water users. Should agriculture lose its water supply, production agriculture will no longer contribute to the economic well being of Florida. The result would be large tracts of land converting from agriculture to development, threatening green space and water recharge areas now available in rural areas.

We ask you to oppose expansion of the "Wild & Scenic" designation in Manatee County.

Sincerely,

Barbara Carlton
Executive Director

Hetrick, Stacia

From: Hetrick, Stacia
Sent: Wednesday, October 17, 2007 3:43 PM
To: 'DJNoles92'
Subject: RE: Questions regarding the Expansion of the FL Wild and Scenic River Designation

Mr. Young,

Thank you for your email. I would like to be able to address all of your questions, although most of your questions do not have a short, simple answer. Please call me or provide me with your phone number so that we may discuss your questions further. In response to a few of your questions, the Florida Wild and Scenic River designation will not allow the public to have access to private property and the designation will not take your private property from you. I hope to hear from you soon.

Stacia Hetrick , Environmental Specialist II
Myakka Wild and Scenic River Management Program
1843 South Tamiami Trail
Osprey FL 34229
(941) 486-2052, Cell (941) 915-7820
SC 516-1324
Fax (941) 483-5941
email: stacia.hetrick@dep.state.fl.us

From: DJNoles92 [mailto:DJNoles92@cfl.rr.com]
Sent: Tuesday, October 16, 2007 9:55 PM
To: Hetrick, Stacia
Cc: ronyoung3@verizon.net
Subject: Questions regarding the Expansion of the FL Wild and Scenic River Designation

Stacia,

My name is Jason Young and I am a third generation land owner along the Myakka River approximately 1 mile above the Myakka State Park. My family has owned our 5 acre plot since the 1960's when my grandfather purchased the property. I generally feel that my family would support this designation but there are concerns and questions we would like answered. First, how does this designation affect our current land ownership? We have a well maintained cabin along the river bank and obviously would not want this altered. In addition, we would like to know the limitations to further enhancing our property going forward. Another concern, how much involvement would the state of Florida have in maintaining the river? Would they have rights to our property for maintenance of the river and would our annual costs increase in the way of higher taxes or maintenance fees? Also, would the designation open the river to potentially increased public use? As I mentioned, my family sees benefits in designating the river. Over the years the potential encroachment from developers and general lack of upkeep from adjacent land owners has caused me a few restless nights sleep. It would be nice to leverage to improve the quality of the land in our surrounding area. Needless to say, we really care about this land. Any answers you can provide to ease our concerns would be much appreciated.

Sincerely,

Jason Young

10/22/2007

Hetrick, Stacia

From: Dennis Curtis [dcurtis@ewol.com]
Sent: Saturday, October 20, 2007 9:15 PM
To: Hetrick, Stacia
Cc: Michael.Grant@myfloridahouse.gov; Keith.Fitzgerald@myfloridahouse.gov; Charlie Crist; bennett.mike.web@flsenate.gov
Subject: Wild and Scenic from Dennis Curtis - Charlotte County, South Gulf Cove
Attachments: Myakka wild and scenic.doc



Myakka wild
d scenic.doc (24
Stacia,

I'm the President of the South Gulf Cove Homeowners Association in Charlotte County. Our community has over 14,000 lots with over 5,000 of those lots on water. We are very proud of our community and we care about the environment along with the river. We protect our waters and Charlotte Harbor in every way we can but we can not, in any form, support this extension for the "Wild and Scenic" into our waters.

I've attached the soft copy of the paper I gave you at the Charlotte County meeting, so, you would have it in an easy to use form.

I must say I'm very disappointed in the half truths that were provided in that meeting. Particularly where the presentation group, you included, said the Manasota-88 group had asked Rep. Fitzgerald for this designation be added to the rest of the river, not the MRMCC. However, in looking at the make up of the MRMCC I see where Manasota-88 (Greg Nowaski) is part of the MRMCC. Shame on you and Jono for misleading the people in that manner. I really do not like half-truths, the statement "we (MRMCC) did not ask for this" is misleading by omission.

Denny Curtis
South Gulf Cove, Charlotte County
(941) 626-2248

Dennis Curtis
9348 Spring Circle, South Gulf Cove, Florida 33981

First, let me say that this effort is not well received by myself or other property owners that live along, or require access, to the Myakka River. This is like asking us to sign a check and give it to you with no idea of what you plan to do with it, or, how much it will cost! How could any reasonable person give their rights to any state agency without prior knowledge of the final plans?

The Charlotte County board has voted to opt out of this Myakka designation legislation and the Manatee County commission has also rescinded their support of the bill. While you are not obligated to follow our directions I want to make it known, in a very loud voice and as clear as I possibly can that we do not want the "Wild and Scenic" additional oversight of the river. In fact, I applaud and support the decision of the Charlotte and Manatee County commissioners in stating that this bill must not go any further into our counties. Their concern for future water supply, private property rights and confusion of what the designation would mean to the counties should be enough to keep this from going forward. I urge you to heed their decision, and our overwhelming objections, when you report to the legislature. This bill is not in the best interest of the communities along the Myakka River and we don't want it!

I was not present at the Sarasota meeting but I was told that riparian rights, overzealous park patrols and lack of consideration for property owner rights are high on their concerns. Several stories of land rights abuse were also reported. One example had a woman that has lost use of 50 feet of her land! Constant patrols of the river on land, air and water provide constant harassment to homeowners living on, or near, the water already under this act. One person was even cited for removing poison Ivy and pepperbushes! One Grandmother was even forced to remove a swing set, used by her small Grandchildren! Multiple horror stories were related to you in Sarasota and they are all unacceptable. The fact you acted with surprise is not a good thing either! You should be aware of this abuse and the fact you did not stop it does not hold well for anyone else coming under this act. It appears this is not about wild and scenic, but it is about control of the river by abusive extreme environmental activists.

The state and county already own 56.4% of the Charlotte County Myakka River borderland. The remaining 43.6% are private lands, already plotted and developed. This is not an area where wild and scenic should even be considered. The state is already protecting over half of this land already! Why make laws that would affect private property that do not need a wild and scenic designation, as it simply does not apply. Remember, this legislation was to keep the river looking wild and scenic and not to be used to control the river!

The Clean Water Act for the Charlotte estuary already protects the area in Charlotte County. The lower part, past the El Jobean bridge, is covered under the Florida aquatic preserve/ (Outstanding Florida Waters) OFW. The upper part of the Charlotte River (north of the ElJobean Bridge) is also protected by OFW and SWFWMD (Southwest Florida water management district). Having multiple agencies doing, essentially, the same thing is unneeded.

I know that many people will talk about their Riparian rights but I also want to talk about the 5th amendment of the US Constitution. While the 5th amendment is usually associated with self-incrimination it also states that the power of state and federal governments to impinge on the riparian rights of landowners by enactment of any laws or regulations that amount to the "taking" of private property is unconstitutional. Laws and regulations that deprive a riparian owner of legally cognizable water rights constitute an illegal governmental taking of private property for Fifth Amendment purposes.

The Environmental Dispute Resolution Act (the "Dispute Resolution Act"), Chapter 95-181, Laws of Florida, states that any governmental entity that unreasonably or unfairly burdens the use of the owner's real property shall be subject to litigation, or mediation. The burden for this state agency would be to prove that the action of a "Wild and Scenic" designation would be for the public health, safety and welfare, which would be difficult as the Myakka River is already covered under other restrictions already in force that provide that protection, additional laws and restrictions are unnecessary.

I'm, personally, very angry about this effort. I came here from Iowa where the people are known to be stewards of the land. I hold the environment, as do most Iowans, very high on my list of things to protect. What this effort has done is place me in a difficult position of having to choose between the extreme environmentalist positions and common sense. I've made the decision to use common sense and to reject this madness. This legislative act was unnecessary and it has done nothing but make former supporters of environmental issues into adversaries.

Common sense should prevail here and the madness of over protection needs to stop! The people, and elected officials, in Manatee and Charlotte have made it clear we do not want to be included in this designation and we hope the legislature understands this is not what we want as part of our future. We want to keep the usage of the land in our local governments jurisdiction and not hand it over to abusive environmental extremists!

Hetrick, Stacia

From: Mjelks99@cs.com
Sent: Saturday, October 20, 2007 11:30 PM
To: Hetrick, Stacia
Subject: You did the best in difficult conditions.
Follow Up Flag: Follow up
Flag Status: Green

Comments on Myakka River Wild and Scenic River Designation Hearing

Mary L. Jelks, M.D.
1930 Clematis St.
Sarasota FL 34239-3813
ph:941 366 0446
Email mjelks99@cs.com

The water quality and quantity is dependent on the activities along the entire river and the watershed. The Manatee section has a phosphate mining operation which could have a bad impact if the operation is not meeting the regulations required. The Manatee section of the Myakka River has intense agricultural activities with irrigation methods that in the past have caused 1000 trees to die from flooding. There has been some correction of this situation but not entirely. Best management practices only work if the people involved really care about the river.

The Charlotte County has so much development along the river with boating being a major source of speeding and careless dumping of garbage and fishing lines along the shore. Without a feeling of pride of a wild and scenic designation, they will no doubt continue in their abuse of the river. I am saddened that wildlife will not fare as well where there is this attitude.

Hetrick, Stacia

From: Dennis Curtis [dcurtis@ewol.com]
Sent: Saturday, October 20, 2007 5:51 PM
To: Randy Roberson; Hetrick, Stacia
Cc: Nancy Detert; Grant, Michael; Charlie Crist; Jono Miller
Subject: RE: Statement of opposition to the proposed expansion of the Myakka River Wild and Scenic River Act

To all,

I echo Randy's opposition to the proposed extension. I believe this law is being used by a few extremist to abuse private property rights and to control the river. The overkill in Sarasota is just an example of how this designation is out of control and being used to harass people that love the river and protect it. In the end, it has caused more harm than good as people are starting to create a backlash over it. I would also agree with Randy in asking that the Myakka River Management Coordinating Council be abolished. I know that suggestion may not be well received but it's obvious that the ordinary people, and homeowners, are not represented on this council and that needs to stop! We have more than enough protection for the river and adding this only seems to be overkill.

I would also ask that someone look into this harassment of people that live on the water. To require a Grandmother to remove a swing set or to get a citation for removing pepper bushes and poison ivy or for planting a blueberry bush on their own property is unacceptable. (This is just a few of the horror stories presented during the meetings by people currently living under this law in Sarasota.) This is where the opposition comes from, and to be frank about it; rightly so. This is still America and this type of abuse needs to be stopped right now!

Denny Curtis

South Gulf Cove

-----Original Message-----

From: Randy Roberson [mailto:fishamingo@comcast.net]
Sent: Saturday, October 20, 2007 4:47 PM
To: Stacia Hetrick
Cc: Nancy Detert; Grant, Michael; Gov. Charlie Crist; Jono Miller
Subject: Statement of opposition to the proposed expansion of the Myakka River Wild and Scenic River Act

October 20, 2007

To the Florida State Legislators:

Please consider this as my statement of opposition to the proposed extension of the State Wild and Scenic designation into Charlotte and Manatee Counties.

Because the Myakka River Coordinating Council failed to give measurable benefits of this designation to the citizens or even be able to define it or to give it's rules or regulations, I am vehemently opposed to the designation into Charlotte County and, after hearing heart wrenching stories from Sarasota resident's about how they have been treated by members and affiliates of the MRCC, I also oppose the designation for Manatee County.

10/22/2007

I have attended all the meetings and public hearings concerning this topic, but they all pale into comparison to the October 18 public hearing held here in Charlotte County. We had people travel all the way from Sarasota County to give us their warning about what could happen to the citizens of Charlotte if this designation is allowed to pass by the state legislation. After at least a partial testimony from them, Jono Miller was asked what benefit's the citizens who live along the Myakka in Sarasota County have received over the 20 some years of their oversight or management. The only benefits that he could remember even after scratching his head for a few moments was that the MRCC was instrumental in getting a highway rest stop closed that had become a field of drug use and transactions and sexual activity. He also took credit for having a large pipe moved that spanned the river in it's upper reaches. There was no testimony from any of the council members, when this question was asked, about improved water quality, less harm to any of the mammals, birds or fish that live on or within the river. There was no mention of dwindling populations of any fish, bird or mammal increasing because of their oversight. Over the twenty some years of MRCC oversight, we citizens have been spent, through this program, several million dollars. All to the best of our knowledge only to have a pipe moved and a rest stop closed.

Therefore, in addition to asking for the designation to cease and desist, I strongly recommend that the Florida State Legislature **abolish** the Myakka River Management Coordinating Council in totality.

Randy Roberson
13487 Hopewell Ave
Port Charlotte, Florida 33981
941-270-6065
Email: fishamingo@comcast.net

!DSPAM:4749,471a696542594751374330!

Hetrick, Stacia

From: Hetrick, Stacia
Sent: Monday, October 22, 2007 9:20 AM
To: 'Tom McGhee'
Subject: RE: Myakka River W & S R designation

Mr. McGhee,

Thank you for your email. In response to your first question, the protections that were put into place for Sarasota County are the Myakka River Wild and Scenic River Rule (which applies to the actual river and contiguous wetlands) and 4 Sarasota County Ordinance amendments (which apply to the 220-foot Protection Zone). All 5 of these documents are available as Appendices of the preliminary draft report, which can be obtained at www.myakkarivermanagement.org. Please know that these protections were put into place specifically for the Sarasota County segment of the river. Also, they were put into place in order to follow through with the intent of the Designation Act, which states that river's resource values should be "preserved and enhanced for the citizens of the State of Florida".

In response to your second question, the Wild and Scenic River program that exists in Sarasota County involves almost daily clean-ups of the river by the river ranger. It's amazing how much trash, fishing line, etc. that he cleans up. Also, larger scale volunteer clean-ups are conducted once or twice a year and numerous clean-ups of the high-use areas (such as bridges) are conducted by the Friends of Myakka group every year. The concentration is on the river in Sarasota County because this is the segment that is designated as Wild and Scenic. If the segment of the river in Charlotte County were designated, I am confident that there would be much more attention focused on river clean-up in Charlotte County.

Please let me know if you have further questions and please don't hesitate to call me if you would like more detailed information.

Stacia Hetrick, Environmental Specialist II
Myakka Wild and Scenic River Management Program
1843 South Tamiami Trail
Osprey FL 34229
(941) 486-2052, Cell (941) 915-7820
SC 516-1324
Fax (941) 483-5941
email: stacia.hetrick@dep.state.fl.us

From: Tom McGhee [<mailto:tomnor6@comcast.net>]
Sent: Saturday, October 20, 2007 3:18 PM
To: Hetrick, Stacia
Subject: Myakka River W & S R designation

Ms. Hetrick and Mr. Miller,

Thank you for the work you put into the Charlotte County meeting on October 18th. My wife, Noreen McGhee, and I attended the meeting. If the public had known that Mr. Miller was a volunteer their comments may have been softer in tone.

I think a lot of concerns were the result of confusion of the W & S R restrictions. Where can I find what the restrictions are currently?

I personally feel we could improve the river quality by dredging a 6 foot channel so boaters do not meander into sensitive areas to find navigable depth. Also, could the DEP sponsor a group of volunteers to pick up debris from the river on a quarterly basis? My wife and I, twice a year by kayaks, help North Port clean our Myakkahatchee

Creek and always have picked up several bags of debris.

I liked Mr. Miller's comment about trying to coordinate all agencies to inspect any project for permit approvals together to speed up approval times.

Thanks for listening,
Tom McGhee
tomnor6@comcast.net
941 426-5191

Hetrick, Stacia

From: John Barbour [jbarbour@embarqmail.com]
Sent: Monday, October 22, 2007 10:51 AM
To: Hetrick, Stacia
Subject: Re: Thanks For Hostessing the Thursday Session at Edison College

He did indeed call and give me his perspective.

Thanks for your followup, JohnB

— Original Message —

From: Hetrick, Stacia
To: John Barbour
Sent: Monday, October 22, 2007 8:15 AM
Subject: RE: Thanks For Hostessing the Thursday Session at Edison College

Mr. Barbour,
I forwarded your email to Jono Miller. I understand that he has responded to you. Please let me know if you have further questions.

Stacia Hetrick, Environmental Specialist II
Myakka Wild and Scenic River Management Program
1843 South Tamiami Trail
Osprey FL 34229
(941) 486-2052, Cell (941) 915-7820
SC 516-1324
Fax (941) 483-5941
email: stacia.hetrick@dep.state.fl.us

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

From: John Barbour [mailto:jbarbour@embarqmail.com]
Sent: Friday, October 19, 2007 10:53 AM
To: Hetrick, Stacia
Cc: Tom and Ginny Black; Strong, Carl(POGC); Randy Roberson; Ohm, Bob&Patti; Greene, John&Millie; Garrard, Maureen; Denny Curtis
Subject: Thanks For Hostessing the Thursday Session at Edison College

I mis-managed my three minutes a bit. The lady, former member of SWFWMD, touched on the topic I had to omit.

It seems that that SWFWMD clearly has Myakka River basin-wide authority and responsibility for water quality. DEP, of course, has special control regarding phosphate activities. Why doesn't the Council's River Management Plan aggressively support the SWFWMD CWM(Comprehensive Watershed Management) Plan? Given the appropriate water quality concerns in Sarasota County and all along the Myakka River, it would seem meritorious for your plan to pro-actively endorse and support SWFWMDs efforts.

Any clarification, context, etc. would be appreciated.

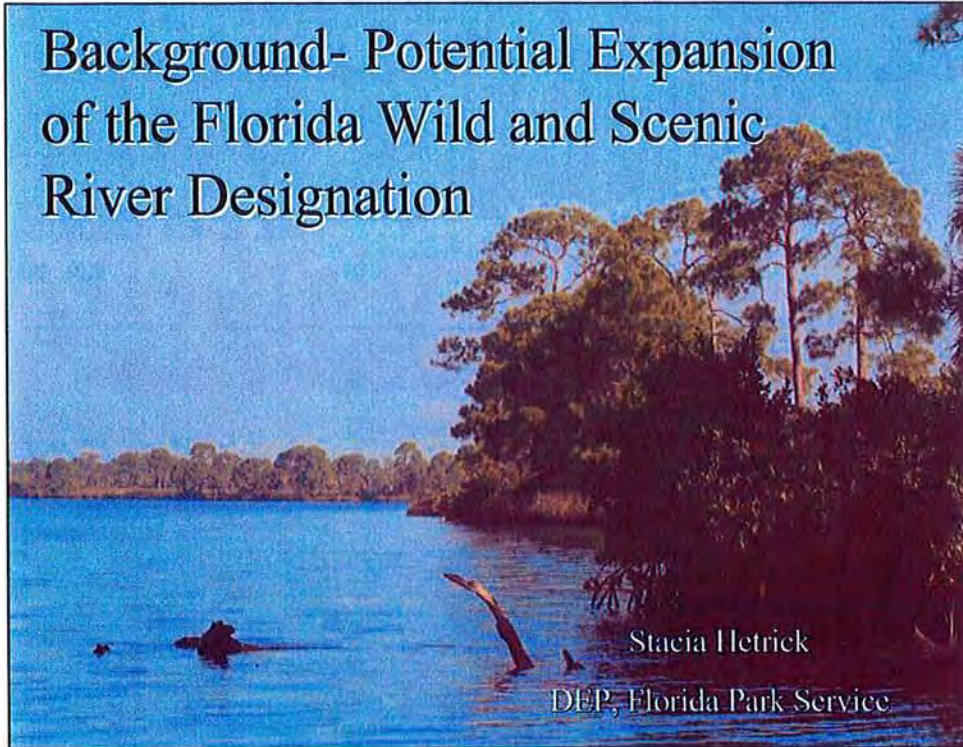
Regards, JohnB 941.697.5669

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10/22/2007

**APPENDIX L – Presentation Given at Public Hearings – “Background-Potential
Expansion of the Florida Wild and Scenic River Designation**

Slide 1



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Legislation Passed

The Myakka River Management Coordinating Council shall prepare a report concerning the potential expansion of the Florida Wild and Scenic River designation to include the entire Myakka River.

At a minimum, the report shall include a description of the extent of the Myakka River area that may be covered under the expanded designation and any recommendations or concerns of affected parties or other interests.

During the development of the report, at least one public hearing shall be held in each of the affected areas of Manatee, Sarasota, and Charlotte counties. The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 1, 2008.

Outline

- Florida Wild and Scenic Designation
- Florida vs. National
- Designation Process
- Description of the River



Flatford Swamp, Manatee County

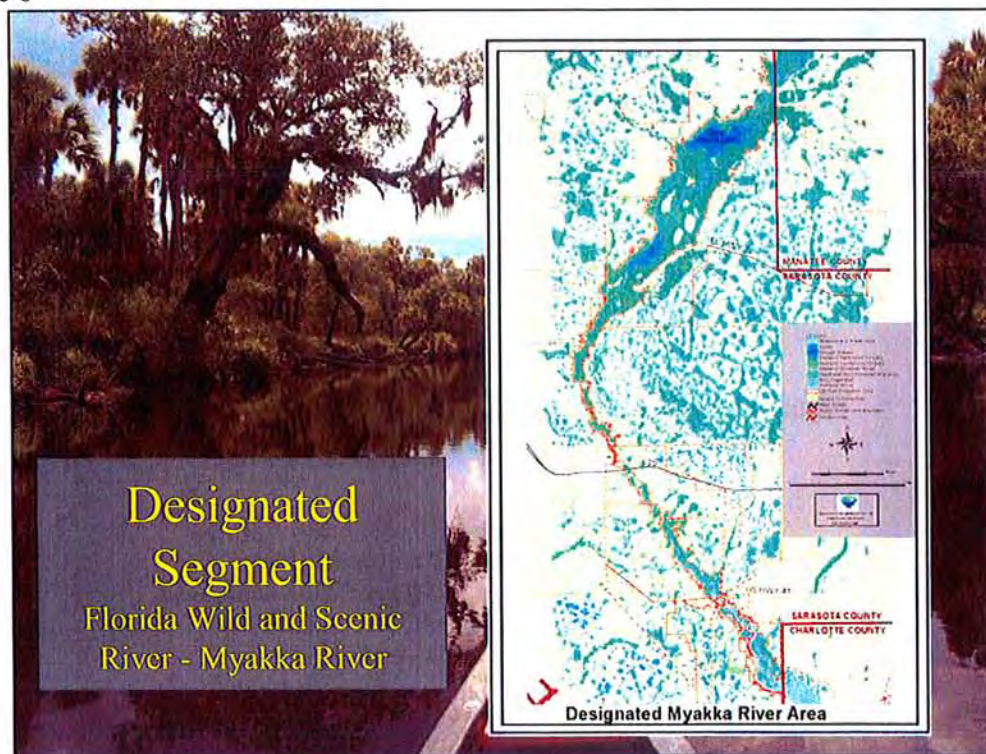


Slide 5

Myakka River Basin



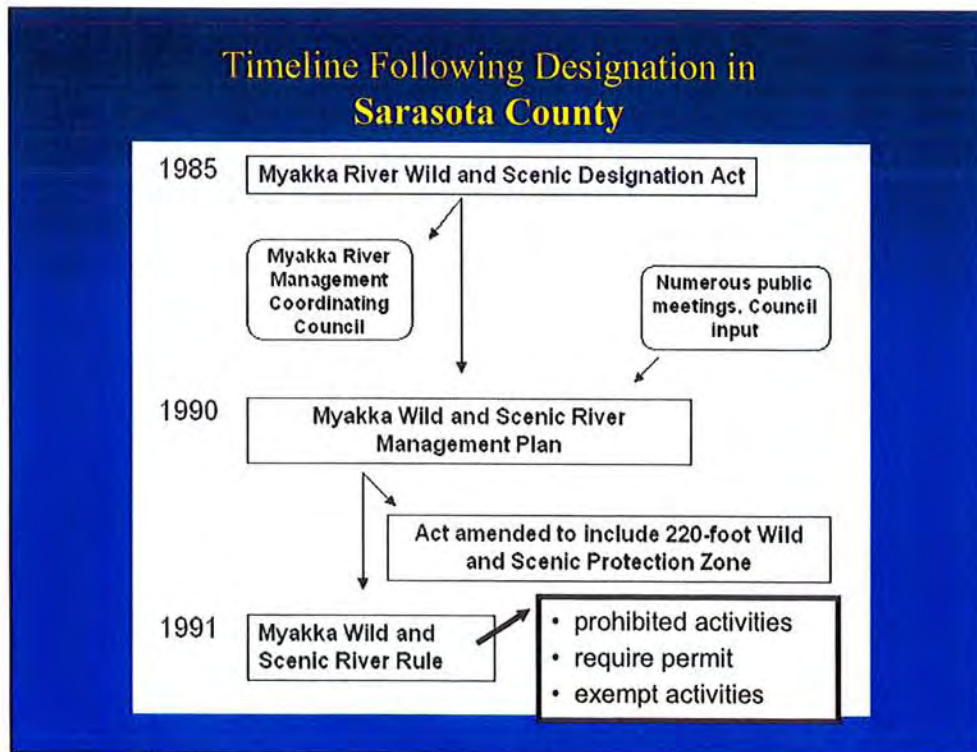
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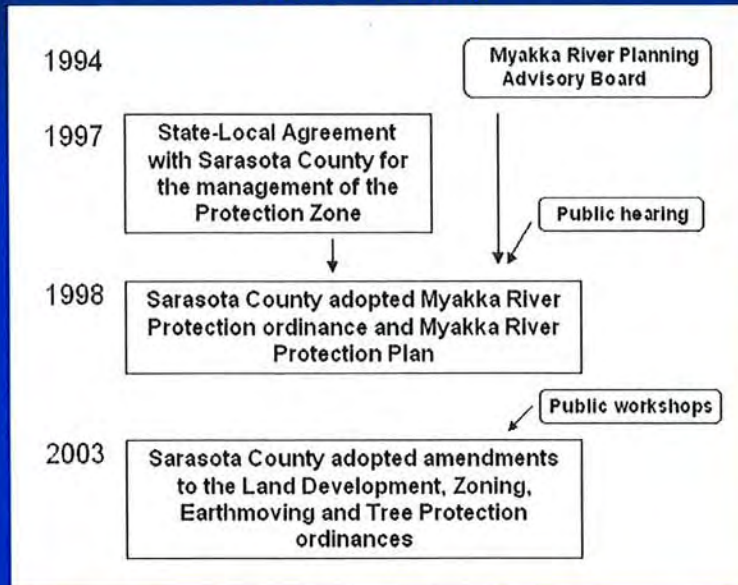


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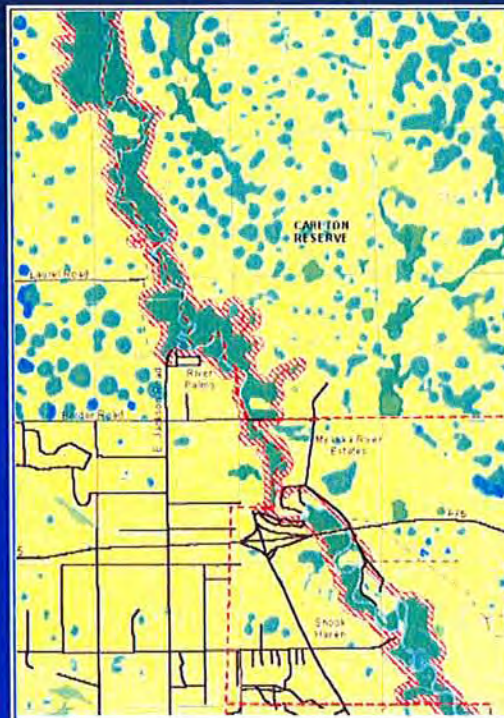
Slide 9

Timeline Following Designation in Sarasota County



Slide 10

Protection Zone- Sarasota County



Florida vs. National Wild and Scenic River Designation

Florida

- Florida Legislature
- no specific established eligibility criteria
- no Federal involvement

National

- Congress, Sec. of Interior
- specific eligibility criteria- Wild and Scenic Rivers Act
- Federal government oversees management

Florida vs. National Wild and Scenic River Designation

- Myakka River studied for inclusion in the *National* Wild and Scenic River System
- 1984- *Myakka River- Final Wild and Scenic River Study*
- 1985- designated a *Florida* Wild and Scenic River



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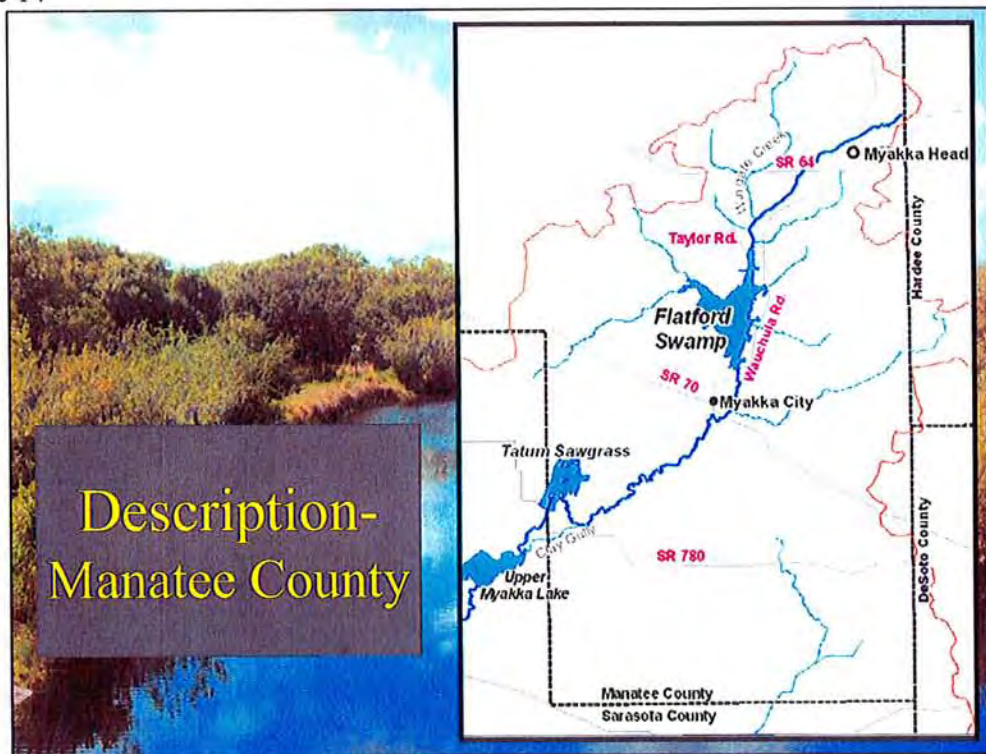
Florida Wild and Scenic River Designation Process

- Action of Florida Legislature to expand
- Legislation would determine process
- Parallel process that followed original designation?



Charlotte County

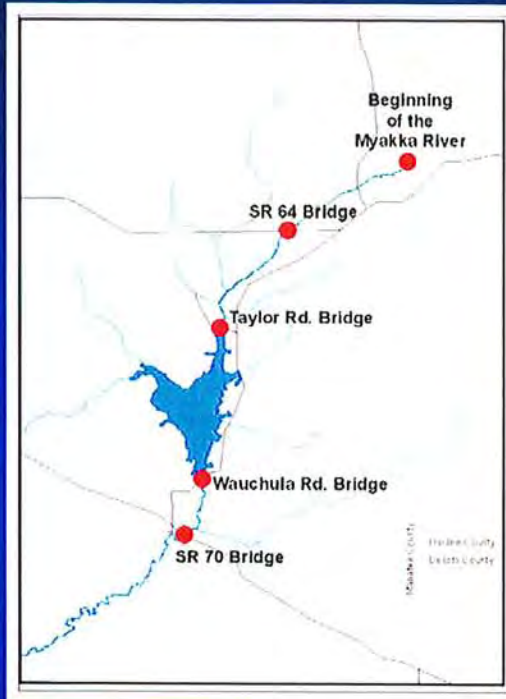
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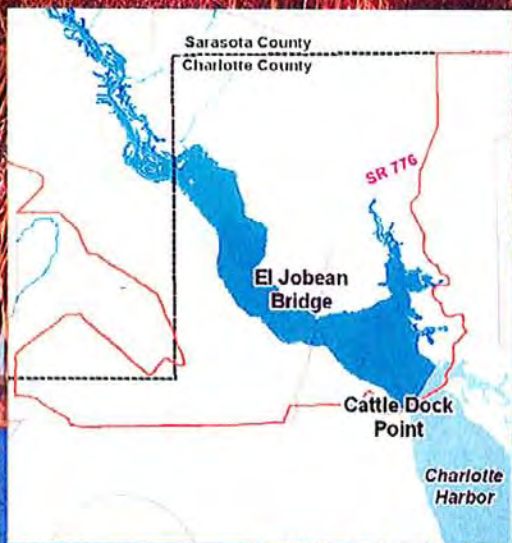
Alternative Starting Locations for Designation

Manatee
County

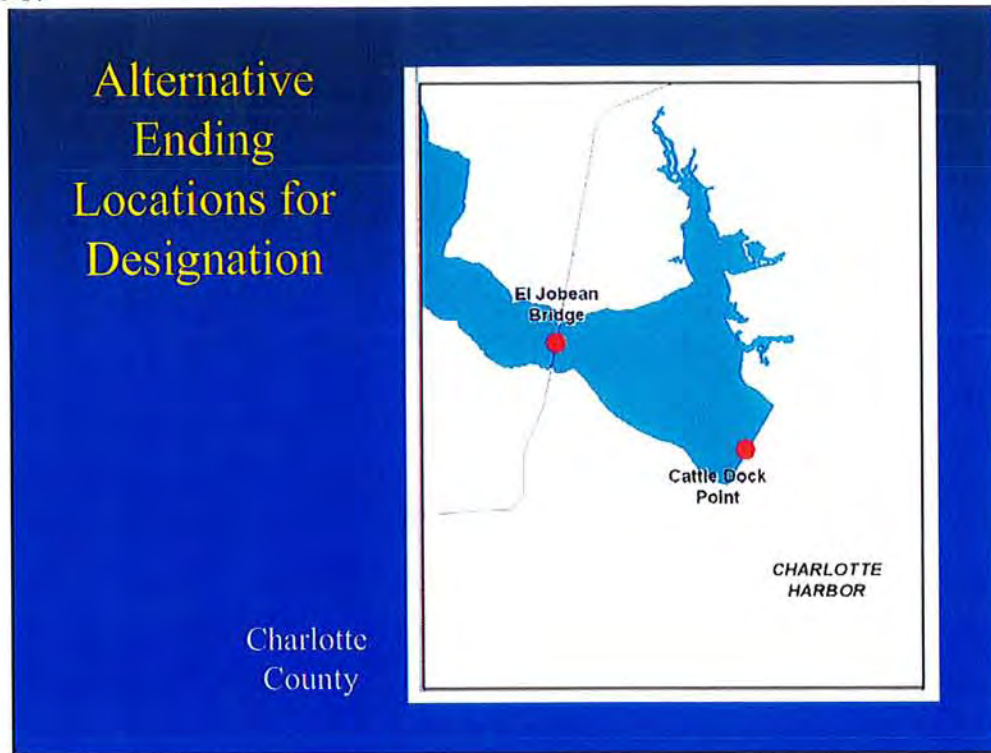


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Description- Charlotte County



Slide 17



Slide 18

