DRAFT Village of Estero support letter to Fla Forever on new proposed CREW Headwaters Project
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May 18, 2016

The Office of Environmental Services
Division of State Lands
Department of Environmental Protection
3900 Commonwealth Blvd., Mail Station 140
Tallahassee, FL 32399-3000
PHONE: 850/245-2784 FAX: 850/245-2572
Attention: Paula Allen
Paula.L.Allen@dep.state.fl.us

RE: Support for proposed CREW Headwaters Florida Forever project application

Dear Ms. Allen:

I am writing on behalf of the Village of Estero to fully support the proposed new Florida Forever project in Lee County called CREW Headwaters. We have reviewed this project and find it provides the same benefits to the regional which the present Corkscrew Regional Ecosystem Watershed Project provides. Those include protection and enhancement of water supply, cleansing water, flood protection, habitat for imperiled wildlife species, including the Florida panther, wood stork and wading birds, and public recreation, ecotourism and a foundation for our quality of life in Southwest Florida. The Village of Estero, incorporated in 2015, has a long history of human relationship to nature in this region. It has been and remains our lifeblood and is what draws people here and keeps them.

Estero owes a large debt to the partners of the Florida Forever CREW Project in their vision since the 1980's to acquire, protect and restore the heart of our region's water resources and wildlife. However, CREW is not finished, especially the essential Edison Farms parcel. Now we read in this new CREW Headwaters Project description there is a pressing need to fix the increasing damage being done to CREW and Corkscrew Swamp wetlands and habitats by citrus and agricultural pumping on these 2800 acres and other farms north of Corkscrew Road. Estero is encouraged by this proposal and recognizes the urgency of approving and implementing it.

Sincerely,

Nick Batos, Mayor

ATTACHMENT A

GENERAL DESCRIPTION

CREW HEADWATERS

1. The land being proposed for a new Florida Forever project – named the CREW Headwaters -- is immediately adjacent to the existing Florida Forever Corkscrew Regional Ecosystem Watershed ("CREW") project, which has been an "A" priority Florida Forever project since 2004 and is a shared acquisition project with the South Florida Water Management District ("SFWMD"). The new project is located in extreme southeastern Lee County. The total acreage being proposed is **2,840.91 acres**, with a total **value of $ 13,707,889.00**, according to the Lee County tax cards.

2. General physical, natural resource, biological, hydrological, archaeological and historical characteristics of the project:

Southeastern Lee County is a vast plateau with an elevation of approximately 30 feet above sea level. Because of the flat terrain, rainfall was retained on the land supporting extensive cypress, marsh and wet prairie wetlands. Natural drainage during high water levels was to the southwest into the Flint Pen Strand area. In the 1960's, agriculturalists realized the tremendous drainage potential of diverting flows from Lee County directly south into the Corkscrew Swamp wetlands in Collier County that lie at an elevation of 20 feet above MSL or less. This transition from the higher Lee County plateau to the lower Collier County wetlands occurs over a relatively short distance of only one to one and one half miles which begins in the approximate location of Corkscrew Road (County Road 850) and slopes downward quickly into Corkscrew Swamp.

Citrus and avocado groves such as SandersBrooksNeal (SBN) and Alex Rosbaugh, constructed in the late 1960's and early 1970's, made the first drainage connections between the two watersheds. Due to limited size and drainage requirements these groves were not perceived as a significant detriment to water levels, hydro periods or water quality in the Corkscrew Swamp watershed.

However a very large citrus grove planned further north in Lee County, Wildcat Farms, in the early 1980's proposed drainage discharges of up to 600 CFS directly into Corkscrew Swamp via an enlarged drainage system. The National Audubon Society retained an attorney and made formal petition against the permit application to the SFWMD. The permit was modified, resubmitted and petitioned over the course of several years. Ultimately, the permit was granted on condition of vastly reduced discharges, the construction of a fixed crest weir one half mile north of Corkscrew Swamp and limited water quality monitoring.

Since then additional farms, groves and a rock mine (Preferred Rock) have added discharge into the drainage system until the flows from Lee County are overwhelming the weir structure and flowing continuously, year round, over the structure into Corkscrew Swamp. Hydroperiod increases in Corkscrew have resulted in a lack of ability to perform prescribed burns and significant changes in marsh plant communities. The entire CREW is experiencing the transition of marsh habitats into coastal plain willow and increased nutrient loads.

The CREW Headwaters project would incorporate willing seller groves and farms into a project area ideally positioned to solve historic drainage impacts in sensitive and important wetlands. The hydrologic fix might manifest as a Storm Water Treatment Area (STA) for CREW, or as a Spreader Basin and Berm system. While conservation benefits would be realized on the project footprint, the implications for downstream restoration are significant.

Multiple benefits include;

- Significant reduction of fresh water resource loss in southeastern Lee County, needed for growth, that is now hemorrhaging into Collier County and wasted.

- Restoration of water levels, hydroperiod and quality in world class wetlands of CREW and Corkscrew Swamp, a Ramsar Wetland of International Importance.

- Wildlife habitat improvement including important listed species such as Florida panther and wood stork within CREW Wetland restoration and wildlife habitat creation on acquired lands, much of this by simple rehydration.

- Enhanced public use opportunities in SFWMD CREW project with addition of wildlife viewing opportunities.

Staff at the SFWMD recently met with staff at the Florida Department of Transportation, in part to explore the possibility of using this new project area as mitigation for improvements that the FDOT is performing on State Road 82 in Lee County. FDOT staff was supportive of the new project, as FDOT is favoring a watershed approach to mitigation. Water from eastern sections of State Road 82 drains into CREW.

This is primary and secondary panther habitat. This new CREW project would facilitate current efforts and plans to connect Florida panther habitat from the CREW marsh to the 32,000-acre Okaloacoochee Slough State Forest and Wildlife Management Area. Wildlife underpasses to facilitate panther movement between these important watersheds would make strategic sense.

A few improvements occur within the proposed project. None appear to be at least 50 years old. Parcels identified as Folio No. 10436020, 10435845, 10436021 and 10436018 each appear from the Lee County Property Appraiser's photographs to have a pole-barn or other farm-related structure. Parcels identified as Folio No. 10426012 and 10436019 appear to have 2 farm-related structures. Parcel identified as Folio No. 10435854 appears to have a 2-story residential structure that may be used currently as an office or for storage. The Lee County Appraiser's website, leepa.org, has aerial photographs of the structures.

Two parcels totaling 50.51 acres are owned by the applicant, CREW Land & Water Trust, Inc. Two parcels totaling 11.63 acres are owned by the National Audubon Society, Inc. Both groups are supportive of this application. The Lee County Appraiser lists one parcel totaling 30 acres as being owned by the US Bureau of Land Management. Included in this Attachment A is a 1984 US Land Patent from the BLM to the Lee County School Board and related documents. The Patent restricts the use of the land by the School board to "an environmental Education and

Recreation study site." If the School Board changes the use of this land, title reverts back to the BLM. Both the BLM and Lee County School Board state that they do not own the land. The good news is its use is compatible with the Florida Forever goals.

The two MLIC Asset Holdings parcels totaling almost 173 acres were just taken back by the lender from Keystone Grove (thus the tax cards still reflect the owner as Keystone Grove). The Dearborn Street Holdings parcels totaling 1,800 acres may be in receivership with the lender. This is good news, as the lenders may want to unload the properties.

3. Potential recreational activities or other public uses: As with the Okaloacoochee Slough State Forest, hunting may be permitted within a portion of this project, particularly where the South Florida Water Management District will be managing the land. The BLM, National Audubon Society and CREW Trust lands do not permit hunting on their lands. The CREW Trust properties do not qualify for hunting under FFWCC laws because it is not adjacent to a current wildlife management area. Camping is already permitted on SFWMD and CREW holdings in the CREW Florida Forever project, and it is anticipated that the same will be true of this new project.

4. Known threats or development plans: Several of the parcels are intensively farmed or were intensively farmed for citrus. The increasing nutrient loads from these uses, and their consequences, are detailed on page 1 of this Attachment. Corporate landowners just south and east of CREW in Collier County have already created a "new town" surrounded by farmland and panther habitat, called Ave Maria. They have proposed another "new town" south of CREW and have plans for about 10 more in the immediate vicinity of CREW.

5. Local resolutions concerning the potential public acquisition of the project: In the immediate vicinity of this proposed project are lands acquired by both Lee County's Conservation 20/20 and Collier County's Conservation Collier programs, both voter-approved conservation land acquisition programs. Currently, Lee County is negotiating with Coral Creek, LLC, to purchase 574.3 acres within the proposed CREW Headwaters project (on the West side), with funds from Lee County's Conservation 20/20 program. Conservation Collier is not currently acquiring lands, but it may activate its acquisition program again.

6. How the project meets criteria and furthers the goals and performance measures of Florida Forever: Florida Forever long ago declared the CREW to be essential to the Southwest Florida ecosystem. The CREW Headwaters adds to the CREW Florida Forever boundary.

Information has revealed since the 1990's the following:

1) Flooding events south and west of the current CREW boundary affect a greater area than formerly believed;

2) A significant degradation in the quality of water flowing into the current CREW project is occurring directly from this proposed new area, due to increased citrus grove operations;

3) The science of landscape linkages is more refined, making it clear that keystone species like Florida panthers would benefit exponentially from access between the CREW marsh and the Okaloacoochee Slough, particularly because an array of "new towns" are proposed or planned just south and east of CREW; and

4) Already, state and local governments are expressing interest in using this new area for mitigation of ongoing development. Southwest Florida's growth is on the rise again. Lee and Collier Counties are considering "new towns" quite near CREW and this proposed project. Most of the land in the CREW Headwaters is unprotected farmland, ripe for a "new town."

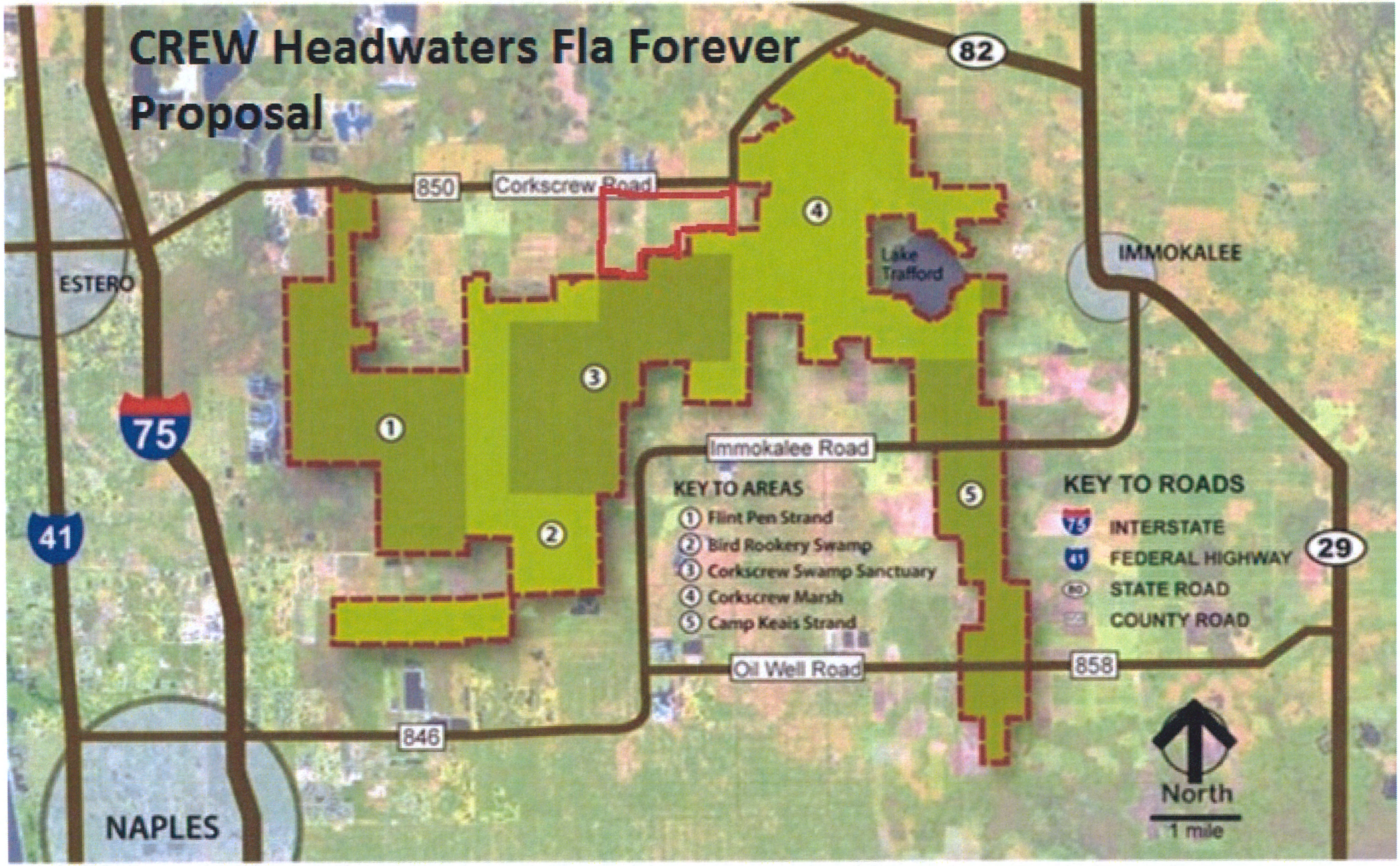
7. With the exception of the CREW Land & Water Trust, National Audubon Society and BLM parcels, this project is proposed for fee simple acquisition, as they are privately owned by profit-seeking companies. Lee County has partnered in the past with Florida Forever projects. If the Coral Creek purchase is successful, Lee County would own and manage that property. Regarding the CREW Land & Water Trust, National Audubon Society and BLM parcels, these entities would be interested in a partnership with the State or less-than-fee acquisition. In the current CREW boundary, the SFWMD, Lee and Collier Counties, and these non-profit entities have forged a tremendously close partnership in managing the CREW for conservation, watershed protection and environmental education (the legislature authorized joint acquisitions with SFWMD in § 259.041(17), F.S.). The management partnership flourishes. The non-profit entities would be interested in continuing ownership of their parcels for conservation purposes in perpetuity, as they do now in the current CREW Florida Forever project.

8. The proposed land manager would be SFWMD, except as described above in number 7.

Respectfully submitted,

Mimi S. Wolok
Trustee
CREW Land & Water Trust, Inc.

CORKSCREW REGIONAL ECOSYSTEM WATERSHED



Support Letters: Office of Envirnomental Svcs, Div. of State Lands, FDEP; 3900 Commonwealth Blvd, Mail Station 140; Tallahassee, FL 32399-3000; ATTN: Paula Allen, Paula.L.Allen@dep.state.fl.us