

I had noted that such information was desired so that I could make a reasonable determination as how to instruct/ask my elected officials to respond to the "potential expansion" issue. I was recently advised by Council support staff that those items are dealt with after designation. In my opinion, the 1984 NPS Study Report represents an excellent example of a thorough and objective study that included extensive public involvement.

The situation has evolved with the Council determining that all that is required is the subject report. The Legislature will somehow(?) make appropriate and objective determinations as to adding any new segments and regarding other issues such as --

Whether:

- 1) a new, revised or no management plan would be required,
- 2) there will be a new, revised or no permitting review control (which could have the effect of a **default veto**),
- 3) there would be new, revised or no rulemaking authority,
- 4) there would be any directives regarding additional Councils or membership,

... .

It is unclear to me how appropriate and significant public input, especially that of affected parties, is accomplished. The 1984 NPS Study Report process looks appealing.

The suggestion that objectively addressing the kinds of items I would think appropriate to explore would occur only after the "Designated Segment" label was put on the Charlotte County portion of the Myakka River concerns me. This seems to be a less than desirable process. The designation-first approach suggests that at the outset an additional layer of process (the Council), whose initial mission is primarily to "deal with interagency and/or inter-organization communication", would be seemingly added to Charlotte County procedures while any Rule and/or River (Segment) Management Plan, etc. formulation efforts are conducted. Any Rule or River Segment Management Plan particulars are likely to further affect/expand Charlotte County processes and procedures.

In looking through the MRMCC minutes, a couple of items caught my eye relating to 1) involvement of third parties in the Sarasota segment and 2) including the Charlotte County portion of the Myakka River in the study. First, when a query was received about any interest in pursuing national designation over the designated Myakka River segment, a Council member noted that in prior discussions **there was no enthusiasm for external involvement and further "there was nothing in it for us"**. A second item related to first noting that the Charlotte County segment had been added to the then existing/contemplated Manatee segment in the forthcoming "study". The statement was in essence – **Why is Charlotte County included?** I suspect the poor degree of fit with wild and scenic protection/preservation concepts has long been known.



??? So ???

As I consider the situation at this point,

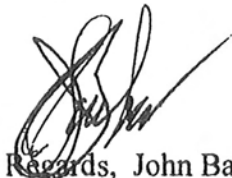
I find that **I am lacking in enthusiasm** and have the same two questions the Council had, but from a local perspective:

+ What's in it for me/us?

+ Why is Charlotte County included?

Based on the absence of effective justifying information, I can identify no objective basis for any extension of the Act to encompass this previously identified ineligible segment (Charlotte County) and ***hereby urgently encourage my elected officials to NOT support any extension at this time.***

Certainly, additional appropriate information could cause me to reconsider this matter.



Regards, John Barbour

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C. Written Comments/Letters



CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM
1926 Victoria Avenue, Fort Myers, Florida 33901
239/338-2556, Fax 239/338-2560, www.chnep.org

March 23, 2007

The Honorable Michael Bennett
Senate Office Building, Room 216
404 South Monroe Street
Tallahassee, FL 32399-1100

Re: Myakka River Wild and Scenic Designation and Preservation Act
Senate Bill 2346, House Bill 1281

Dear Senator Bennett:

The Charlotte Harbor National Estuary Program's Management Conference has reviewed Senate Bill 2346, and its companion House Bill 1281, entitled, "Myakka River Wild and Scenic Designation and Preservation Act." The Charlotte Harbor NEP commends both you and Rep. Fitzgerald for introducing this critical amendment to the original Act passed in 1985 and supports the passage and implementation of SB 2346/HB 1281.

The Charlotte Harbor NEP is a partnership program, created by Section 320 of the Federal Clean Water Act, to protect and preserve the Charlotte Harbor estuary, recognized as an estuary of national significance and one of the most productive estuaries in Florida.

Since 1996, the Charlotte Harbor NEP has developed and adopted a *Comprehensive Conservation and Management Plan* (CCMP) for the estuary and its watershed. This plan was developed utilizing four committees of citizens, scientists, resource managers, industry representatives and policy makers. Our partnership includes, among others, Lee, Polk, Manatee, Sarasota, Hardee, DeSoto, and Charlotte Counties; several cities; the U.S. Environmental Protection Agency; U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; the Florida Fish and Wildlife Conservation Commission; the Florida Department of Environmental Protection; and both the South and the Southwest Florida Water Management Districts.

The Charlotte Harbor NEP supports improving water quality and estuarine habitat within the Myakka River corridor. Senate Bill 2346 and House Bill 1281 are consistent with our CCMP:

- Quantifiable Objective HA-2: Identify, establish and maintain a more natural seasonal variation in freshwater flows by the year 2010 for the Upper Myakka River (with special attention to Flatford Swamp).
- Priority Action FW-B/P: Enhance fish and wildlife habitat along shorelines including canals, lakes, riverine systems, and artificial waterbodies.

On behalf of the Charlotte Harbor NEP, this letter of support is being sent to Senator Burt Saunders and Representative Williams, chairs of the Senate and House committees considering this bill and to the Charlotte Harbor NEP Legislative Delegation in Manatee, Sarasota, Charlotte, Lee, Polk, Hardee and DeSoto Counties.

If you have any questions, please contact me at (239) 338-2556 or at lbeever@swfrpc.org.

Sincerely,



Lisa B. Beever, PhD, AICP
Director

cc: Representative Fitzgerald, Sponsor, HB 1281
Senator Burt Saunders, Chair, Committee on Environmental Preservation & Conservation
Representative Trudi Williams, Chair, Environment & Natural Resources Council
Charlotte Harbor NEP Legislative Delegation:
Senator Paula Dockery, District 15
Senator JD Alexander, District 17
Senator Lisa Carlton, District 23
Senator Dave Aronberg, District 27
Representative Seth McKeel, District 63
Representative Marsha Bowen, 65
Representative Baxter Troutman, 66
Representative Ron Reagan, District 67
Representative Doug Holder, 70
Representative Michael Grant, District 71
Representative Paige Kreegel, District 72
Representative Nick Thompson, District 73
Representative Gary Aubuchon, District 74



SARASOTA COUNTY

"Dedicated to Quality Service"

BOARD OF COUNTY COMMISSIONERS

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Sarasota, Florida 34236
Telephone 941-861-5344
Fax 941-861-5987

October 9, 2007

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

Subject: Expansion of the Florida Wild and Scenic River Designation to Include the Entire Myakka River

Dear Ms. Hetrick:

Sarasota County supports the protection of the Myakka River over its entire 66-mile course. Extending the state wild and scenic designation to include its whole length would contribute to the overall water quality, flood moderation, and viability of fish and wildlife resources throughout the Myakka River and Charlotte Harbor estuary. Protection of the complete river also would moderate the effects of flooding and drought, and provide continued economic stability of water-related recreational activities. Further expansion of the designation into Manatee and Charlotte counties will provide a comprehensive approach to management of the river.

Historically, Sarasota County has worked together with the State of Florida to protect the Myakka River in conjunction with its state designation as a "wild and scenic river." Over the last few years, we have achieved many great successes in protecting the river through significant land acquisitions and revisions to our Comprehensive Plan and local regulations.

Given that the existing level of protection within Sarasota County has worked well to meet our community's needs, we support legislation that will not weaken or limit our ability to protect the river and the "river area" as currently defined in the Florida Statutes and our local regulations. The definition of "river area" provides protection for not only the length of the river but to the maximum upland extent of wetlands vegetation. In addition, the Sarasota County Myakka River Protection Zone and the associated 220-upland buffer extend from the landward edge of the river area. Therefore, this is a key component of the existing legislation that we support maintaining.

We look forward to continued protection of the Myakka River within Sarasota County and the expansion of the designation.

Sincerely,

NORA PATTERSON
Chair

c: Board of County Commissioners
Jim Ley, County Administrator
Dave Bullock, Deputy County Administrator
Nancy Fisher, Interim Executive Director, Environmental Services
Amy Meese, General Manager, Natural Resources

JEFF FEHR

1881 CITRON STREET
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October 10, 2007

Ms. Stacia Hetrick
1643 S. Tamiami Trail
Osprey, FL 34229

Re: For inclusion as public comment regarding Myakka River

Dear Ms. Hetrick:

This is for inclusion as public input regarding the proposed designation of the Charlotte County portion of the Myakka River as Wild and Scenic.

I am a property owner of a residential site located directly on the Myakka, in Charlotte County. I have a vested interest in any proposed changes that will affect my ability to utilize my property. My intent is to one day build a home on this site, with a dock that extends into the river.

I have read some of the preliminary data regarding the proposed change in designation, and wonder why anyone would think it necessary to put further layers of governmental restrictions on these properties. Unless it is the intent to create more interference and more regulation for single family property owner's like myself, I don't see where this proposed change would have any effect.

It is my finding that most of the property along the Myakka in Charlotte County is already environmentally sensitive or publically owned and not available for development. Some of the properties in El Jobean and Port Charlotte subdivision have already been platted as single family home sites that are individually owned. Has anyone done any type of assessment to find if there is any chance of significant development of any vacant acreage properties that any development potential? If my assumption regarding the limited number of parcels available for any development is correct, then the only people affected by this proposed change would be the individual single family lot owners.

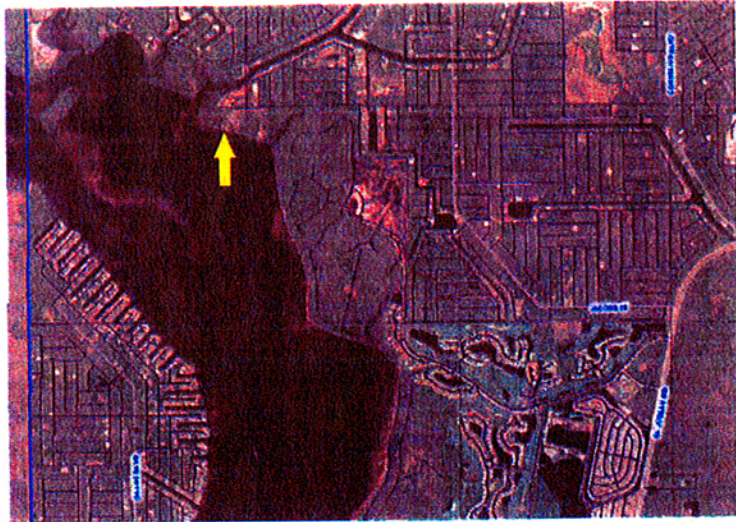
Charlotte County already has significant regulation in place regarding single family construction. Unless it is your intent to make my lot less desirable for building, or to take away my right to have a boat dock, or some other unstated agenda, I do not see the need for any changes.

I have lived in Charlotte County, on the water, for the past 35 years. I utilize and love the rivers and the harbor. I am not in favor of uncontrolled development. However, as a river front home site owner, I can only hope you are not trying to put in place a program that will reduce my rights as a property owner.

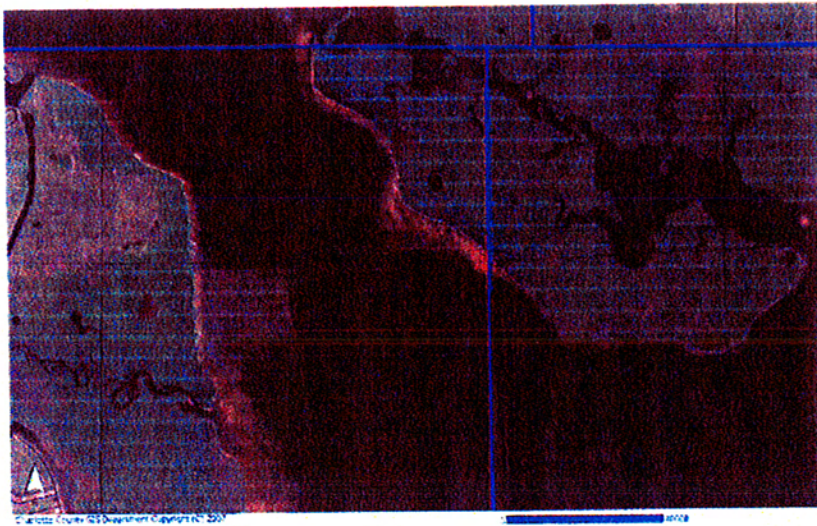
Included with this comment letter are aerial photos of the Charlotte County area through which the Myakka flows. Please note that other than the already platted single family properties, the undeveloped acreage is publically owned or not suitable for any development due to zoning. If you are targeting the already platted lots, please make that part of your mission statement so the public can better understand the intent of this change.



Jeff Fehr



My lot is a three acre site located on the river. The acreage shown on this point has six three acre home sites. All of the green undeveloped areas on the river to the south are unavailable for development.



None of this property, located south of the Myakka River bridge (SR 776) is available for development.

My question remains, to what properties will development restrictions apply?