

Updated Water Study Testimony of
Nick Batos, Brooks Concerned Citizens,
April 8, 2008

I am here to speak to you about the Scope of services that will be presented to you today concerning the Joint project between Lee County and the South Florida Water Management District, concerning the proposed Culverts under I-75.

If you are here to approve only the Joint agreement, and not the scope of services we would like to make sure that the scope of services is still open to modification and input by interested parties. I have given each of the commissioners a copy of our concerns, based on the scope of services we received.

I first want to express our position that being give only one day to review this proposed scope of serves we feel is unfair. As you all know the Conservancy of Southwest Florida and the residents of Estero were very involved in this issue for over 2 months and we would hope that you would at least give our experts a chance to explain to you the areas they feel this scope of services are deficient, and in some cases do not even include what was agreed to in Special Condition 14.

We ask you to understand that almost two months have gone by and now to accept the scope of study without at least listening to our expert's comments would be unfair.

To point out some of our concerns that a non expert like myself can explain I have a short list for you to consider.

- 1) The scope of services calls for only one Stakeholders meeting at the end of the process. We feel there should be at least 3. One at the begging, one mid way and one at the end. This would allow for any comments to be considered before the study is concluded.
- 2) There is no additional monitoring of for water quality. I brought this up at the Districts Meeting on Feb. 14 and there was some agreement that

monitoring going under US 41 makes no sense at all unless you monitor the water leaving the Agripartners land at I-75.

- 3) The draft Statement of work in task 4 dealing with establishment of control elevations leaves out the requirements in the Addendum to staff report to incorporate relevant information from the County's DR/GR study and to assess wet season water table information and other available field identifiers as part of the establishment of the control elevation.
- 4) The statement of work should be modified to provide that if the models established in the South Lee Comprehensive Watershed Plan are determined to be inaccurate or incapable of validation, then the model shall be modified or a different model used.
- 5) Calibration results in the 1999 South Lee County Watershed Plan did not include calibration results for any stations in the Estero River, Spring Creek or Halfway Creek Watersheds. The study should include all available calibration data so that the reviewers can understand if the model has the ability to simulate exchanges between the Halfway Creek, Estero River, Spring Creek and Imperial River watersheds.
- 6) We want to make it clear that our interests in having this study done and done completely is to assure everyone that the decisions being made by the District and the County are based on the most recent and most accurate science and engineering available. We want to assure that not only the Estero area but all the areas, including Bonita Springs are given the most protection possible.