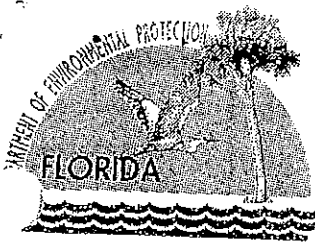


10. OLD BUSINESS

- a. Water Quality Issues
 - 8. Fertilizer Regulation
 - a. Correspondence from City of Bonita Springs to Lee County



Department of Environmental Protection

Jeb Bush
Governor

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Colleen M. Castille
Secretary

May 10, 2006

The Honorable Jay Arend
City of Bonita Springs
9101 Bonita Beach Rd.
Bonita Springs, FL 34135

Dear Mayor Arend:

Governor Bush appreciated the opportunity to meet with you in March regarding freshwater releases from Lake Okeechobee and the health of the Caloosahatchee estuary. The Governor asked that the Department of Environmental Protection (DEP) and South Florida Water Management District (SFWMD) follow up on some of the items you mentioned, including model ordinances for fertilizer application, expediting the implementation of best management practices, cattail eradication and sediment dredging in Lake Okeechobee.

As the State continues implementing its Lake Okeechobee Estuary and Recovery plan, local governments can also play an important role in the recovery of the lake and the estuaries by adopting actions that will reduce nutrients entering the system. One way to accomplish this is through the use of low phosphorus or no-phosphorus fertilizers, the practice of which can be expedited by adopting local ordinances. We are enclosing examples of local ordinance language, which is also available at <http://www.dep.state.fl.us/water/nonpoint/pubs.htm#Model%20Ordinances>. The Department stands ready to assist in developing site specific language.

As you are aware, the Florida Department of Agriculture and Consumer Services (FDACS) is leading the effort to implement best management practices on agricultural lands. FDACS has an aggressive schedule to implement best management practices on all agricultural lands throughout the Lake Okeechobee watershed, including the Istokpoga and the Kissimmee Upper Chain of Lakes Basins, by 2015.

Additionally, FDACS is in the final phase of adopting a rule regarding implementation of the best management rule in the Lake Okeechobee watershed. This rule should be final June 15, 2006. Other FDACS efforts include the development of a row crop best management practices manual. Once adopted, all areas of the state mentioned in the manual and rule will be eligible for cost-share to implement the best management practices, including the Caloosahatchee watershed. For more information, please contact Rich Budell at budellr@doacs.state.fl.us.

"More Protection, Less Process"

Printed on recycled paper.

The Honorable Jay Arend

May 10, 2006

Page Two

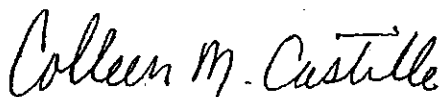
The Florida Fish and Wildlife Conservation Commission (FFWCC) and the SFWMD have been involved with cattail spraying in defined and limited areas of Lake Okeechobee to allow for navigation access. The goal is to open up pathways through the littoral zone and nearshore areas to allow fish migration as a part of their reproductive cycle and to encourage more desirable vegetation to re-establish. The amount of cattail spraying is small compared to the area of the marsh and water quality impacts are expected to be minimal. Of the approximately 2,200 acres of cattails on Lake Okeechobee, 480 acres have been treated in the areas north along the shore of Fisheating Bay, beginning one mile behind a dense cattail wall to the toe of the levee. This effort should be completed in May.

After the cattail and torpedograss treatments are completed, the SFWMD will burn the Northwest marsh to help transport nutrients out of the marsh and open the area to wading birds and fish when the marsh refloods. The SFWMD will likely burn the marsh in June or July.

Finally, the SFWMD and DEP are currently evaluating the feasibility of dredging sediments in Lake Okeechobee. We will be conducting a pilot project in the Eagle Bay area to help improve wildlife habitat. Along with the pilot dredging project, the SFWMD is developing a series of potential projects to examine dredging in the open water areas of the lake, new technologies and the potential of chemicals or other processes to stabilize lake sediments. It is important to note that if a full scale dredging project is under taken it will be many years before water quality improvements are seen in the lake.

Again, thank you for your concern on these important issues. We look forward to working with you on the restoration and recovery of Lake Okeechobee and the Caloosahatchee Estuary.

Sincerely,



Colleen M. Castille
Secretary

Sincerely,



Carol Ann Wehle
Executive Director
South Florida Water Management District

Enclosures

cc: Chuck Aller, FDACS
Ken Haddad, FFWCC



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June 9, 2006

*City of
Bonita Springs*

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BONITA SPRINGS, FL 34135
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Jay Arend
Mayor

Richard Ferreira
Councilman
District One

Alex Grantt
Councilman
District Two

Patrick McCourt
Councilman
District Three

John Joyce
Councilman
District Four

Martha Simons
Councilwoman
District Five

Ben L. Nelson, Jr.
Councilman
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City Clerk/Treasurer
Tel: (239) 949-6250

Public Works
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Code Enforcement
Tel: (239) 949-6257

Parks & Recreation
Tel: (239) 992-2556

Commissioner Tammy Hall, Chairwoman
Lee County Board of County Commissioners
Post Office Box 398
Fort Myers, Florida 33902-0398

RE: Slow Release and Low Phosphorous Fertilizer Requirements

Dear Chairwoman Hall:

At the June 7, 2006 City Council meeting, City Council requested unanimously for me to send you this letter requesting the Lee County Board of County Commissioners to take the lead in protecting our rivers, lakes and estuaries by adopting an ordinance in unincorporated Lee County that relates to fertilizer management, in particular, by adopting a mandatory slow release fertilizer and low phosphorous fertilizer sale limitation requirement in Lee County. The City of Bonita Springs believes that if Lee County takes the lead in the unincorporated area, each of the cities in the county would also adopt similar ordinances. Eventually, the entire county, and hopefully the entire Southwest Florida Region, would have less fertilizer runoff into our lakes and rivers, and ultimately, our bays and the Gulf of Mexico.

Enclosed is the May 10, 2006 letter written jointly by the Florida Department of Environmental Protection Secretary Colleen M. Castille and South Florida Water Management District Executive Director Carol Ann Wehle. By taking a preventative and progressive act, the local governments can mitigate problems with TMDL's, NPDES, and other environmental regulations.

We look forward to the Lee County Board of County Commissioners taking the lead.

Sincerely,

Mayor Jay Arend
City of Bonita Springs

Lee County Commissioner Tammy Hall
June 9, 2006
Page 2

RE: Slow Release and Low Phosphorous Fertilizer Requirements

Enclosure

cc: Lee County Commissioner Robert Janes, District #1
Lee County Commissioner Douglas R. St. Cerny, District #2
Lee County Commissioner Ray Judah, District #3
Lee County Commissioner John E. Albion, District #5
Bonita Springs City Council
Collier County Commissioner Donna Fiala, District #1
Collier County Commissioner Frank Halas, District #2
Collier County Commissioner Tom Henning, District #3
Collier County Commissioner Fred W. Coyle, District #4
Collier County Commissioner Jim Coletta, District #5
Mayor Bill Barnett, City of Naples
Mayor Sammy Hamilton, Jr., Everglades City
Mayor Eric Felchthaler, City of Cape Coral
Mayor Carla Brooks Johnston, City of Sanibel
Mayor Jim Humphrey, City of Fort Myers
Mayor Dennis Boback, Town of Fort Myers Beach
City Manager, A. William Moss, Marco Island
David Y. Burr, Executive Director, SWRPC
Gary A. Price, City Manager
Audrey E. Vance, City Attorney
Don Stilwell, Lee County Administration
Roland Ottolini, P.E., Director, Natural Resources
David M. Owen, Lee County Attorney
(Above with enclosure)