

## Friends of Hillsborough River, Inc.

September 14, 2015

Ms. Janet Llewellyn  
Policy Administrator, Office of Water Policy  
Florida Department of Environmental Protection  
2600 Blair Stone Rd.  
Tallahassee, Fl. 32399-2400

Re: Morris Bridge Sink Project/Hillsborough County Water Use Permit Application  
Enclosure: (1) Letter from the Florida Department of Environmental Protection to the State's five Water Management Districts regarding guidance on groundwater augmentation of surface waters, March 23, 2012

Dear Ms. Llewellyn,

This letter conveys our request that the Florida Department of Environmental Protection (FDEP) not approve the water use permit application submitted by the Southwest Florida Water Management District (SWFWMD) to withdraw water from Morris Bridge Sink to provide minimum flows for the Lower Hillsborough River. We provide two arguments for our request. The first is that the water requested in this permit application is no longer needed. The second is that water withdrawals associated with this use will cause unacceptable damage to Morris Bridge Sink, wetlands located near the sink, the Hillsborough River ecosystem and the surrounding area.

**Background:** The Friends of Hillsborough River Inc. (FOR) is a party with SWFWMD and the City of Tampa to the Lower Hillsborough River minimum flow rule process. The lower river lies downstream of the City of Tampa's Rowlett Park Dam, flowing ten miles to the mouth of the river in downtown Tampa. The Lower Hillsborough River is a valuable natural resource that is the centerpiece of the urban Tampa community. It is used extensively by the citizens of the city for fishing and recreation and is important to the city's riverside aesthetics and property values. The Lower Hillsborough River certainly needs minimum flows, but not at the expense of significant damage to other natural resources.

The discussion/litigation regarding minimum flows for the Lower Hillsborough River began in 1999. Prior to that there were no minimum flows for the lower river. Increased water supply withdrawals from the river over the years had resulted in lengthy periods (up to 200 to 300 days per year) of zero flow below the Rowlett Park Dam. As a result, the water quality and biological characteristics of the lower river were seriously degraded.

SWFWMD initially proposed a minimum flow rate of 10 cubic feet per second (cfs) for the lower river, but this was clearly inadequate and it did not fare well under scientific peer review. The FOR opposed the proposed 10 cfs minimum flow and an administrative hearing was scheduled. However, a settlement was reached which required that the 10 cfs minimum flow be viewed as an interim target and the minimum flow needs of the lower river be the subject of five years of additional study. That re-evaluation concluded that minimum flow rates of 20 and 24 cfs as freshwater equivalents be established, with the rate of 24 cfs in effect during the months April through June.

These revised minimum flows were adopted in 2007. Since the lower river was not meeting these minimum flows, a recovery strategy was adopted along with the minimum flow rule. The recovery strategy identified the four water sources listed below which could be used to meet the minimum flows. The recovery strategy also contains provisions for the water quantities and priority by which these sources are to be used.

1. Sulphur Springs (water flowing to the river diverted upstream to the base of the dam)
2. Blue Sink
3. Tampa Bypass Canal
4. Morris Bridge Sink

As described below, the FOR believe this recovery strategy is outdated, poses a significant risk for environmental harm, and should be revised to not allow withdrawals from Morris Bridge Sink.

**Evidence for No Need:** Since the recovery strategy was adopted, the diversion facilities at Sulphur Springs have been completed and that source is now being fully utilized for its contribution to minimum flows. Also, since 2008, SWFWMD has been diverting water from the Tampa Bypass Canal to meet minimum flows for the lower river. The City of Tampa will soon assume responsibility for managing those diversions.

Data have shown that recent diversions from Sulphur Springs and the Tampa Bypass Canal are meeting the minimum flow needs of the lower river on many days. Also, it is our understanding that the technically unsupported twenty-five percent loss term that is applied to diversions from the Tampa Bypass Canal will be done away with or replaced, thus making more water available for minimum flows.

With regard to Blue Sink, the SWFWMD issued a water use permit to the City of Tampa for use of that sink for minimum flows, but that project has not yet been constructed. The Morris Bridge Sink facility has not yet been permitted or constructed and there have not been any

extending to the floodplains of the Hillsborough River and Cow House Creek, and in one case, the channel of the Hillsborough River. In addition, there are over sixty acres of isolated wetlands located near Morris Bridge Sink. Like the sink itself, these wetlands lie on protected land and two of them are in near pristine condition. The contour maps provided by the District show even greater drawdowns in the Upper Floridan and surficial aquifers under these isolated wetlands. Given their near pristine condition and the ecological role they play in the Hillsborough River wildlife corridor, we suggest that adverse impacts to these wetlands should be carefully avoided.

We also believe that installing and using the pump and pipeline as described in the permit application from SWFWMD will cause environmental damage during the construction process and restrict the natural movement of water and wildlife due to the presence of the pipeline.

It should also be noted that Morris Bridge Sink was used for emergency potable water supply by Tampa Bay Water in the drought of the year 2000. Although those withdrawal rates were greater than the withdrawal rates requested for the SWFWMD water use permit, impacts to nearby private wells occurred.

**Water Policy Considerations.** We strongly believe that the Lower Hillsborough River needs effective minimum flows and appreciate all the work that has been done to establish the existing minimum flows rates. However, a fundamental concept that should be applied when implementing minimum flows for one water body is to not cause adverse impacts to other natural resources, especially when there are other options available. We do not need to be extending environmental damage by robbing Peter to pay Paul.

Through participation on the Technical Advisory Council to the Hillsborough River Interlocal Planning Board, the FOR obtained a letter that was sent from the FDEP to the State's five Water Managements Districts in March 2012. That letter, which is included as Enclosure 1, stated that "In implementing consumptive use permitting programs, the Department and the Districts shall strive to prevent harm to natural systems without the need for artificial maintenance of natural systems by pumped groundwater augmentation." The letter also states "These same principles should be applied in the development and implementation of recovery and prevention strategies for minimum flows and levels."

Although Morris Bridge Sink has a small area of open surface water, it is a distinct, karst feature that is directly connected to the Upper Floridan aquifer. Clearly, the permit that SWFWMD is requesting is a case of pumping a groundwater source and conveying the water many miles to meet the recovery strategy for a surface water minimum flow.

The need for minimum flows on the Lower Hillsborough River is due to the very high water use rates that are taken from the Hillsborough River and the Tampa Bypass Canal, not only by the

City of Tampa, but also by Tampa Bay Water. During the time that the need for minimum flows on the Lower Hillsborough River has been identified, water withdrawals from the combined canal and river system have increased substantially. Given the progress that has been made in developing new water resources in the region, the FOR believe it is inappropriate to risk environmental impacts to the unique and valuable resources associated with Morris Bridge Sink and the Hillsborough River when it is unnecessary and there are other options available.

In government as elsewhere, matters move slowly but inexorably. If no one reevaluates an issue it keeps moving forward, even if the conditions that originally formed it have gone away. That is what is happening to Morris Bridge Sink. This project was always going to be damaging. Now it is not needed.

**Request:** Please keep Friends of the River informed of the process of your evaluation of the Morris Bridge Sink water use permit evaluation. We are in contact with numerous citizen, neighborhood, and governmental entities who wish to participate in the process. Our contact information is: Richard F. Brown, Ph.D., (813) 918-2374, rbrown18@tampabay.rr.com.

For the Board of Directors, Friends of Hillsborough River, Inc.

  
Richard F. Brown, Ph.D.

cc: Hillsborough River Interlocal Planning Board

- a. Al Higginbotham, Hillsborough County Commission
- b. Lisa Montellone, Tampa City Council
- c. Grant Rimbey, Temple Terrace City Council

Technical Advisory Council, Hillsborough River Interlocal Planning Board

City Of Tampa

City of Temple Terrace

City of Temple Terrace Riverwatch

Environmental Protection Commission, Hillsborough County

Hillsborough County Planning Commission

Southwest Florida Water Management District

Florida Fish and Wildlife Conservation Commission

Hillsborough River Watershed Alliance