

## The Importance of Minimum Flows and Levels

Thanks to what we have learned from the new north to south water transfer plans, the Minimum Flows and Levels (MFL's) set for the Suwannee Basin have taken on a whole new meaning. Now we know It is possible for a water utility company from another part of the State to come to the Suwannee River Water Management District and request a water use permit for surface water. They could even request to take river or lake water right down to the MFL set for that water body. It may sound implausible, but this is what is planned for several waterways in the St. Johns and Southwest Florida Water Management Districts.

Many years ago, when it became evident that growth in South Florida was creating public health and environmental havoc, the big cities started looking to their rural neighbors for water so the growth could continue. When the rural areas began to have problems—sinkholes, salt water intrusion and dried up lakes, springs, swamps and rivers—the legislature acted and created Florida Statute 373.042(2) Minimum Flows and Levels. This rule mandates that natural waterways be protected from “significant harm” caused by permitted water withdrawals.

Save Our Suwannee has been participating in the MFL rule-making process at the Suwannee River Water Management District (SRWMD). We knew from the start that this process was critical for natural habitat protection as well as for the preservation of adequate water for the future of our region. Our hope was that the same over-permitting mistakes that were made in South and Central Florida would not be made in the Suwannee Basin.

Sadly, we don't live in a perfect world. During the rule making process, we found that we did not always agree with the criteria, standards and useable data that the SRWMD chose. The big sticking point was “significant harm.” Save Our Suwannee's definition of harm is not the same as the Suwannee River Water Management District's interpretation. In many cases, a seemingly arbitrary reduction in flow was chosen—15%. This 15% reduction was chosen for the Lower Suwannee MFL, the Wacassassa MFL and for both Upper Santa Fe MFL's. You might ask, “Fifteen percent doesn't sound like much, what's the problem?” The trouble is that the figure doesn't seem to be based on science. Amazingly, after collecting and analyzing all of the science available, the District's experts came out to a nice clean 15% reduction for all three waterways. When asked to defend this figure by their peer review experts, the consultant who produced the technical documents defended the seemingly arbitrary 15% reduction by stating that other water management districts used this criteria and it had been successfully defended legally.

As we in Save Our Suwannee learned more about how the MFL's will actually work, we were surprised to find that the MFL Rule has nothing to do with *actual* flow conditions or the *current health* of the river. The MFL is just a giant computer model. If the model says that the new permit will not hurt the river—compared with historical flows—then it is issued. If we have drought conditions and the river is significantly lower than the minimum flows, the District will continue to issue permits.

It was explained that to diminish the effect of an unplanned drought, the SRWMD will issue a Water Shortage Advisory. It can either be voluntary or mandatory. These advisories come in four phases, the first being voluntary and the latter mandatory. It is important to note that the St. Johns and Southwest Florida water management districts are planning to transfer water from north to south but are only in a modified Phase 2 Water Shortage Plan. If these water use advisories really work, then why is Central Florida prospecting for more water?

In the past, we have stood behind the shield of “Local Sources First” and expected the MFL Rules to protect the health of our rivers, springs and lakes. It appears as though pressure from an ever-growing population in south and central Florida have pushed the powers that be into manipulating these rules to put off the inevitable. The current transfer plan is only a stopgap. The “new” water supply will only support Central Florida until 2025. At that time, they will either have to put a halt to growth or desalinate sea water to supply the burgeoning urban landscape. We need to make sure they don't look to the Suwannee next.

The proposed MFL schedule for the Suwannee River Water Management District can be found at <http://mysuwanneeriver.com/features/cooperative+programs/minimum+flows+and+levels/default.htm> Click on MFL Priority List. We must all be vigilant and make sure the Governing Board understands that we want healthy waterways for our future.