

# FLOW WAY COMMUNITY DEVELOPMENT DISTRICT

## Chairman's comments to Big Cypress Basin Board – July 8, 2022 Meeting

Madame Chair and Members of the Big Cypress Basin Board, my name is Zack Stamp, I am the Chair of the Flow Way CDD which encompasses the Esplanade Golf and Country Club development and its approximately 2,000 residents. I appreciate the opportunity to speak with you today on an issue of great concern to our community. Although it is not on your agenda today, the Draft Operation Plan for Emergency Pumps in the city of Bonita Springs has raised a lot of troubling questions. Flow Way CDD is the current owner of the preserves into which, it appears, all the water would be pumped under this plan. As such, we have 4 main concerns that I want to raise today.

- 1) An environmental study needs to be conducted to determine the effects and results of the proposed pumping. The plan currently could be reasonably expected to affect wildlife and habitats. In addition, it could alter the natural water flow and thus affect the status of efforts to achieve success criteria.
- 2) Oversight, who turns the pumps on/off?  
What determinations do they have to make/document in taken these actions?  
What notice must be given—to whom?  
Is there any water that is so “bad” that it cannot be pumped into the preserve?  
How would that be monitored/controlled?
- 3) Clean up and damage. If, doing this pursuant to an emergency permit, is Bonita Springs free from all liability?  
What recourse do the residents of Esplanade have if the preserves or their homes are damaged?  
Who pays for the cleanup and monitoring?
- 4) As we currently understand the emergency plan, it is in violation of existing SFWMD and ACOE permits. Thus, a modification and/or permission must be obtained beyond just an Emergency Permit.

Madam Chair, in conclusion, Much has been made over the wisdom and necessity of involving the stakeholders. It is difficult to imagine a larger stakeholder on the receiving end of the water, with more at stake, than the Flow Way CDD into which and over which this water would initially flow. I may be wrong, and if so, please correct me, but Flow Way has no evidence that we were ever contacted, consulted much less consented to this plan as currently before you or any of its previous versions. The Flow Way CDD and Esplanade Residents that we represent would join with the concerned groups such as Collier County, the Conservancy of SWF, the Audubon Society and others to request that this matter be placed on hold until these questions can be answered and further that a community meeting(s) be held with ALL the residents/stakeholders in the affected area. And, in the spirit of cooperation, I want to offer the services of our legal counsel (who has previously raised our concerns by a letter) and our engineers (who have been in contact with your staff) to you in an effort to clarify/correct these matters.

Members, Thank you for your time and consideration