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**January 16, 2013
Board Meeting**

**Room 166
Lecanto Government Building
Lecanto, Florida**

2012 in review: Well permit draws deep concerns

By Mike Wright

Tuesday, January 1, 2013 at 12:00 am (Updated: January 1, 12:02 am)

CRYSTAL RIVER — It wasn't the old lumber yard at 142 N.E. 11th St. that has residents and officials concerned, it's what someone plans to do with the water underneath.

A decision by the Southwest Florida Water Management District to issue a well permit for a company that will sell water to an Ocala bottling plant brought anger and disbelief to the community.

Officials and residents were in disbelief upon learning that, while the permit allows 28 million gallons of water to be pumped a year, it didn't require a meter so there is no way to monitor the actual withdrawal amounts.

Water district officials said they had no choice but to issue the permit, which cost \$50. City officials said they didn't learn of the permit until after the period to appeal had expired.

City Manager Andy Houston said he didn't know at the time that his office could be alerted anytime someone requests a water-use permit from the water district.

"Had we been on that register previously, we could have voiced our concerns," Houston said. "We're on that list now."

Heatherwood Investments LLC of Crystal River and Mistletoe LLC of Ocala requested the permit. They intend to transport water from the site to Consolidated Water Group LLC in Ocala.

So far, other than a test well, nothing has occurred on the property.

Jackie Gorman, director of planning and development, said the company must submit a site plan that includes restroom facilities, landscaping, well location, expected daily truck traffic amounts and future uses for the property.

She said the owners must bring the old lumber yard site up to current code. Any variance of the code will require council approval.

"Our land development code is one size fits all and sometimes it doesn't fit," Gorman said. "If we are in disagreement, we go to the council with it. I don't foresee that happening."

Gorman said she hopes the company's trucks will access 11th Street off Citrus Avenue rather than drive through the neighborhood. She also said the company hasn't given her a timeline for when it wants to start pumping water.

"They submitted their original conceptual site plan a month ago," Gorman said. "They have not given me any sense of urgency on this."

Contact Chronicle reporter Mike Wright at 352-563-3228 or mwright@chronicleonline.com.

Diane Salz <salz.govconsultant@gmail.com>

Fwd: The Water Beneath our Feet

January 2, 2013 10:10 AM

----- Forwarded message -----

From: **Diane Salz** <salz.govconsultant@gmail.com>

Date: Wed, Jan 2, 2013 at 10:09 AM

Subject: The Water Beneath our Feet

To: Diane Salz <salz.govconsultant@gmail.com>

The water beneath our feet

What we don't know about the Floridan Aquifer could hurt us

Published: Wednesday, January 2, 2013 at 1:00 a.m.

Last Modified: Friday, December 28, 2012 at 5:33 p.m.

For Mayor Helen B. Miller of the North Florida hamlet of White Springs, the state's water problems hit home more than two decades ago when White Sulphur Springs dried up -- completely. It was a stunning natural phenomenon, considering that White Sulphur Springs used to spew out of the banks of the Suwannee River.

"Hydrologists and other experts tell us excessive consumptive water withdrawals and compromised recharge zones are the cause," Miller wrote in a recent letter to water advocates. "However, our situation is not unique."

Indeed it is not. Floridians who watch the environment have long been aware of declining spring flows and other signs of the drying of Florida. Even along the fabled Suwannee, White Springs is not alone in seeing its local spring disappear and quit flowing. It is a distressing sign of the reality of 21st-century Florida.

As Florida spring expert Jim Peterson famously noted, our springs are merely windows into the aquifer.

Resource under siege

Simply, Florida's vast underground aquifer is under siege as a result of overpumping, nutrient pollution, saltwater intrusion and other negative impacts brought about by our state's massive

growth and needs.

Although the topic of water has been much discussed in recent years, what we don't know about the true condition of our aquifers may be more important than what we do know.

That's why Miller and representatives of 28 other North Florida counties and 70 cities and towns are asking the Florida Legislature to mandate a more comprehensive mining of the data regarding Florida's aquifers.

A resolution adopted by the Northwest Florida League of Cities and the Suwannee River League of Cities implores the Legislature to fund "an unbiased scientific study of the Floridan Aquifer due to its critical implications to statewide water supply."

In other words, what we don't know about the water under our feet -- the water that provides life support for nearly all Floridians -- may be more than enough to hurt us.

Amass and analyze data

The proposed Floridan Aquifer System Sustainability Act of 2013 would direct the state's Department of Environmental Protection and its five water management districts to amass and analyze existing and new data necessary to protect the aquifer against overpumping and pollution.

Lawmakers should do exactly that.

"Springs from central Georgia to southern Florida are experiencing reduced or intermittent flows. And, wells throughout the state are drying up every day," Mayor Miller wrote. "piecemeal approach cannot restore sustainability to the Floridan Aquifer System or provide for future growth. A system-wide approach is needed."

It's true. What we don't know about the water beneath our feet could hurt us.

With Silver Springs now a focal point in Florida's ongoing conversation about water, and some observers suggesting that part of the problem with its dramatically reduced flow might be a "reconfiguration" of the aquifer itself -- rather than overpumping -- it gives even more credence to the call by the North Florida consortium to try to determine what, exactly, is happening beneath our feet with our primary source of drinking water.

This editorial originally appeared in the Ocala Star-Banner, a fellow member of the Halifax Media Group.

Diane Salz <disalz@yahoo.com>

Fwd: SETTING THE RECORD STRAIGHT -- ENVIRONMENTAL PROTECTION

December 28, 2012 5:33 PM

Sent from my iPad

Begin forwarded message:

From: Florida Department of Environmental Protection <FloridaDEP@public.govdelivery.com>
Date: December 28, 2012 5:01:34 PM EST
To: disalz@yahoo.com
Subject: SETTING THE RECORD STRAIGHT -- ENVIRONMENTAL PROTECTION
Reply-To: Florida Department of Environmental Protection <FloridaDEP@public.govdelivery.com>



FOR IMMEDIATE RELEASE: Dec. 28, 2012

SETTING THE RECORD STRAIGHT -- ENVIRONMENTAL PROTECTION

Setting the Record Straight on the Gainesville Sun Editorial: Purge at DEP

The editorial omits critical factors:

- The Department has directed \$11.5 million to springs protection alone.
- The Department's numeric nutrient criteria – designed to clean Florida's waters – has been approved by the U.S. EPA and an Administrative Law Judge.
- Statewide to date, the Department has adopted 13 waterbody restoration roadmaps to reduce nitrogen and phosphorus, about half of which were adopted in the past 24 months.

CLAIM: Headline characterizes recent staffing reduction as a "purge."

SETTING THE RECORD STRAIGHT: The Florida Department of Environmental Protection has 3,024 full-time employees, plus another 830 part-time employees,

statewide who are dedicated to enforcing federal and state rules, studying the environment and seeking to leave Florida better tomorrow than it is today. Recent reductions amount to 1.5 percent of the workforce. To characterize this percentage of employees as a purge is factually inaccurate and omits significant improvements made by the Department.

CLAIM: "And in a master stroke, the department has laid off 58 veteran employees who were apparently too serious about doing their jobs." . . . and "purged the DEP of its most senior and experienced regulators."

SETTING THE RECORD STRAIGHT: The Department's recent reorganizations were conducted after months-long assessments of procedures and processes as well as staffing and workload levels. The process has included thoughtful assessments to implement measures that increase the effectiveness of reaching the Department's core mission of protecting environmental and human health. No programs or core functions have been eliminated and the Department's level of service will not be compromised.

By reorganizing districts and divisions, leadership eliminated levels of bureaucracy that improve communication, created a stronger employee to supervisor ratio and combined or elevated similar functions to become more efficient and consistent.

The Department has directed \$11.5 million to restoration, outreach, monitoring and research of springs – **doubling the amount of money spent from the three previous fiscal years** and identifying projects to take action.

CLAIM: "...protection of Florida's much abused water resources has become a joke. Scott has... fought off federal water quality regulations..."

SETTING THE RECORD STRAIGHT: Florida submitted its rules directly to the U.S. Environmental Protection Agency, which reviewed and ultimately approved the entirety of the state's numeric nutrient criteria prepared by Department scientists. These rules provide a reasonable and predictable implementation strategy and for the first time provide numeric criteria to cover all lakes, rivers, streams, and now 72 percent of our estuaries. Over the last three years, the Department has developed a better understanding of nutrient impacts to our waterbodies, leading to the establishment of numeric nutrient criteria that will increase protection of Florida's waters.

The notion that Florida is acting in defiance of federal agencies is a direct contradiction of the fact that proposed rules were upheld by both a state Administrative Law Judge and the EPA. This endorsement by the EPA proves that Florida is capable of implementing statewide rules that equal or exceed the protection

afforded by current federal rules.

<http://content.govdelivery.com/bulletins/gd/FLDEP-644eac>



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Editorial: Purge at DEP

Published: Friday, December 28, 2012 at 6:01 a.m.

Now it's the Department of Environmental Posturing.

The management ethic at DEP under the leadership of former shipyard executive Herschel Vinyard is a triumph of message over substance: If you keep saying that you are protecting the environment, you don't actually have to do it.

Thus, Herschel has surrounded himself with a cadre of executives who formerly made a living helping industries avoid DEP regulations.

And in a master stroke, the department has laid off 58 veteran employees who were apparently too serious about doing their jobs.

The layoffs, DEP press secretary Patrick Gillespie told the Tampa Bay Times, presumably without blushing, were not political, but rather to ensure that "staffing levels are reflected by workloads and supporting the mission of protecting the environment."

Rubbish.

Under Gov. Rick Scott, environmental regulation and the protection of Florida's much abused water resources has become a joke. Scott has gutted growth management laws, fought off federal water quality regulations, stripped the water management districts of funding and, now, purged the DEP of its most senior and experienced regulators.

"They want to essentially turn the agency over to the regulated industries," Jerry Phillips, former DEP attorney, told the Times.

Mission accomplished.

The Department of Environmental Posturing is functioning precisely as Scott intends, and it will continue to do so until Floridians begin to elect politicians who are stewards of the environment, not stooges for industry and developers.

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Diane Salz <salz.govconsultant@gmail.com>
SJRWMD Springs Protection Initiative
December 28, 2012 9:46 AM

District unveils Springs Protection Initiative

PALATKA, Fla., Dec. 13, 2012 -- St. Johns River Water Management District staff on Dec. 11 unveiled a new Springs Protection Initiative that combines regulatory programs, science and projects to bring about long-term springs protection. The plan was presented during the fourth and last in a series of monthly Governing Board discussions about the District's commitment to springs protection.

The District has been working with other agencies for many years on projects and initiatives to increase knowledge and understanding about the region's springs, while also working to protect springs systems.

The District's new Springs Protection Initiative brings together the following key components in a focused effort to achieve springs protection:

- District regulatory programs, specifically consumptive use permitting, environmental resource permitting and minimum flows and levels
- Science that builds on past work, seeking to develop the most cost-effective actions to reduce nitrate loading to the springs, and addressing other factors contributing to growth of algae in the springs
- Projects to reduce nitrate loading to springs, developed based on the outcome of new scientific work being completed

"Sound science is foundational to finding the most cost-effective solutions for springs protection," said Hal Wilkening, director of the District's Division of Water Resources. "The District is ready to take our science and join with the state and local governments, as well as many other non-governmental groups to achieve our shared goal of springs protection."

The District's Springs Protection Initiative will include enhanced coordination and participation of many entities, including the District, Department of Environmental Protection, Department of Agriculture and Consumer Services, Fish and Wildlife Conservation Commission, National Resources Conservation Service (U.S. Department of Agriculture), Marion County, city of Ocala, and the Southwest Florida Water Management District.

Key facts brought forth by District staff in discussions about the Springs Protection Initiative, and specifically related to Silver Springs in Marion County, include:

- Spring flow is closely tied to rainfall.
- Water quality has degraded in recent years.
- Submerged aquatic vegetation may be slowing the water flow in the Silver River.
- Significant reductions in nitrate loading will be needed to restore healthy springs.
- Significant reductions in loading will be costly; thus careful scientific work is needed to develop the most cost-effective solutions.
- Other factors may be contributing to growth in attached algae.
- A minimum flows and levels (MFLs) prevention strategy should be implemented to ensure water use is consistent with springs protection.
- Cooperative efforts and cost-sharing will be necessary for project implementation.

Diane Salz <salz.govconsultant@gmail.com>

Fwd: DEP Lay-offs...

December 27, 2012 10:11 AM

Sent from my iPhone

Begin forwarded message:

From: Diane Salz <salz.govconsultant@gmail.com>

Date: December 27, 2012, 10:03:31 AM EST

To: Diane Salz <salz.govconsultant@gmail.com>

Subject: DEP Lay-offs...

Florida environmental agency lays off longtime employees and hires from regulated industries

By [Craig Pittman](#), Times Staff Writer

Published Monday, December 24, 2012

In 2003, when a leaky gypsum stack at an abandoned phosphate plant threatened to kill a vast cross section of Tampa Bay's marine life, Charles Kovach came up with a solution that saved the bay.

But this month, 17 years after he was hired by the state Department of Environmental Protection, Kovach was one of 58 DEP employees laid off by the agency. Kovach believes those layoffs were designed to loosen regulation of polluting industries.

"I've seen the way politics has influenced that agency in the past, but never like this," Kovach said. "It's not about compliance (with the rules). It's about making things *look* like they're compliant."

On top of the layoffs is the fact that DEP Secretary Herschel Vinyard has installed a number of new people in the agency's upper ranks whose prior experience was working as engineers or consultants for companies the DEP regulates.

The DEP's deputy secretary in charge of regulatory programs previously spent a decade as an engineer who specialized in getting clients their environmental permits. Another engineer who worked for developers heads up the division of water resources. A lawyer who helped power plants get their permits is now in charge of air pollution permitting. An engineering company lobbyist became a deputy director overseeing water and sewer facilities.

And the DEP's chief operating officer is a former chemical company and real estate executive from Brandon. He's not an employee, though. He's a consultant who's being paid \$83 an hour — more than Vinyard makes on a per-hour basis — to advise Vinyard and his staff on ways to save money.

The DEP "was never great," said Mark Bardolph, a 27-year DEP veteran — and onetime whistle-blower — who was laid off from the Tallahassee office. "But now it's all a political farce."

DEP press secretary Patrick Gillespie defended the agency's staffing under Vinyard.

"The department strives to employ the most qualified staff members and seeks a diverse group of individuals to lead and support our mission of protecting the environment," Gillespie said in an e-mail. The layoffs weren't aimed at politicizing the agency or placating industry, Gillespie said. Instead, he said, the DEP was ensuring that "staffing levels are reflected by workloads and supporting the mission of protecting the environment."

The agency's leaders "have spent months assessing staff and structures to identify inefficiencies and improvements and how to more effectively carry out our duties," he said.

As for Brandon-based consultant Randall F. "Randy" Greene, Gillespie said he was hired because he "has a background in financial consulting and transactions and specializes in strategic and financial planning for companies and their officers."

However, Gillespie could provide no contracts or other paperwork documenting what Greene does or when and why he was hired. Gillespie said he only works part-time but a state website lists Greene as a full-time employee. Greene could not be reached for comment, but his LinkedIn entry says he has served as the DEP's chief operating officer since September 2011.

The hiring of people from the private sector to run the agency's most important divisions has been going on since Vinyard, a shipyard executive, was appointed to the office in January 2011 by Gov. Rick Scott. According to former employees, the hiring and layoffs reflect the Scott administration's pro-business attitudes.

"It's a hatred of regulation in general and in particular environmental regulations," Bardolph said. "It's profit that counts."

Kovach, Bardolph and the other employees who were laid off learned their fate in November, but were kept on the payroll until this month to give them time to find new employment. One was notified via e-mail while on active duty with the Coast Guard, according to the advocacy

group Public Employees for Environmental Responsibility.

"The majority of positions they were eliminating are compliance and enforcement positions," said PEER's Jerry Phillips, a former DEP attorney. "They want to essentially turn the agency over to the regulated industries."

Gillespie called Phillips' allegations "baseless" and said, "Rather than allow for environmental harm to occur and fine an entity after the fact, the department has put more effort into outreach and education in order to keep businesses and other permit holders in compliance."

Both Kovach and Bardolph said the layoffs appeared to target more experienced employees, regardless of their past achievements or the importance of their jobs.

"They got rid of everyone with any history and knowledge," Kovach said. The people who remain, he predicted, will be so cowed they "won't be able to speak their minds."

Kovach was not known to be shy about speaking up. Nine years ago, when the bankrupt Piney Point phosphate plant began leaking and threatened to spill millions of gallons of waste into the bay, it was his proposal that saved the day: load it onto barges that sprayed it across a 20,000-square-mile area in the Gulf of Mexico.

When his bosses told him he was being laid off, Kovach said, "they said, 'Don't you think it's about time you look for a new career?' " When he asked what they meant, "they suggested academia."

Bardolph had run into trouble for speaking out before. As a state dairy inspector, he filed a complaint in 1999 alleging the DEP had failed to protect the aquifer from animal waste. As a result, he was transferred to a section that had nothing to do with permitting. Instead, he worked with people whose wells had been contaminated to help them find a new source of water. He was assisting a dozen or so when the ax fell, he said, and he was escorted out of the office with his belongings in a box.

The people deciding who was laid off "looked at an organizational chart, but they didn't even know what people did," Bardolph said. "My boss was just outraged that they got rid of me."

Then, Bardolph said, they got rid of his boss, too.

Times researcher Caryn Baird contributed to this report. Craig Pittman can be reached at craig@tampabay.com.

South Florida Sun-Sentinel.com

Protect Florida's rivers and springs

December 27, 2012

For decades, environmental protection was a bipartisan priority in Florida.

The state's first major program to protect environmentally sensitive land from development, Preservation 2000, was launched in 1990 by then-Gov. Bob Martinez, a Republican. The program's successor, Florida Forever, began under Republican Gov. Jeb Bush. Leaders from both parties were proud to call themselves environmentalists.

But in recent years, conservation — once a conservative principle — has become a dirty word in Tallahassee.

Today's Republicans have dismantled limits on development and deprived Florida Forever and other environmental initiatives of meaningful funding, all in the name of spurring economic growth.

Their efforts couldn't be more misguided, or ill-timed.

Florida's natural treasures — especially its rivers and springs — are among its most valuable economic assets. They are critical sources of drinking water, lifelines for fish and wildlife, and magnets for tourists who drive the state's economy.

Many of Florida's world famous springs are dying due to excessive groundwater pumping and pollution. Once crystal clear, many are now fouled by algae blooms and hydrilla weeds.

In a recent series of stories, the Orlando Sentinel reported that many of the state's rivers also are in failing health. A year-long study of 22 rivers found almost half in decline. The culprits include pollution from fertilizers, street runoff and septic tanks; and swelling demand for water from cities, along with agriculture and other industries.

Despite such dire reports on the condition of Florida waterways, there's been no sign of urgency in the state capital. Last month a federal judge had to order state and federal environmental agencies to implement water pollution limits that have been on the table since 1998. A movement is growing among citizens to force lawmakers to restore the funding they've cut from Florida Forever.

Lawmakers also have slashed budgets for the state's regional water management agencies. They can't even settle on a way to reduce septic tank pollution.

Time is running short for a revival of the environmental spirit that used to motivate leaders in both parties.

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That spirit could be channeled into practical action: restoring funding for land preservation, especially near waterways; adopting and enforcing sensible and effective water pollution controls, including on septic tanks; reinstating reasonable controls on development; and long-term monitoring the health of rivers and springs.

If lawmakers worry about the cost of acting now, they should be losing sleep over the future price of inaction. Environmental reclamation isn't cheap. Efforts on just two rivers, the St. Johns and the Kissimmee, have cost taxpayers \$2.5 billion so far.

Lawmakers also should be concerned about their legacies. They risk being remembered by future generations as the leaders who did nothing to stop Florida's springs and rivers from dying.

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Published on *Florida Voices* (<http://www.floridavoices.com>)

[Home](#) > Losing 'Protection' in Environmental Agency



Losing 'Protection' in Environmental Agency

Thu, 2012-12-27 19:30 — Paula Dockery

Some of the state's strongest protectors of our natural resources were recently expelled from the Florida Department of Environmental Protection (DEP). Fifty-eight of the most knowledgeable and long-serving employees were let go in order to fulfill the governor's promise/threat of less regulation.

While I believe that the executive branch of government has the responsibility of managing state agencies, it's vital that within their discretion lies the moral imperative to abide by the mission of the department and the laws that govern them.

While administrations come and go, longtime department employees possess the commitment, institutional knowledge and continuity to adhere to that mission. They also should be free to perform their duties without fear of political reprisals and without overt political favoritism.

When political novice Rick Scott became Florida's governor, he appointed Herschel Vinyard, a shipyard executive, to be secretary of the Department of Environmental Protection. Many of us who have been involved with environmental and water resource issues were very concerned about what message that sent and worried about the possible lack of commitment to protection.

Trying to keep an open mind and respect the governor's right to name his secretaries, I reluctantly voted to confirm Mr. Vinyard after meeting with him and asking numerous questions about his philosophy and intentions. Once confirmed, he validated my fears through his actions relating to water management districts, funding and selling state-owned lands.

Stories leaked out about water management district employees being purged because they were perceived to be too tough on politically influential developers and engineers. Then came the story of a Department of Environmental Protection employee let go for doing what the law required, despite higher-ups wanting her to turn her head on a questionable permitting issue.

Now a major cleaning out of veteran employees puts the state's environment in further and potentially irreversible peril. Poor planning decisions lead to long-term and costly damage.

This has come about on top of the dissolution -- during the governor's first year in office -- of the Department of Community Affairs and the demise of Florida's Growth Management laws that protected our resources while limiting costly sprawl.

Florida, more than most states, relies on its natural beauty to keep our economy humming. While 18 million residents populate our state, more than 80 million visitors a year flock to our beaches, rivers, lakes and parks, keeping tourism as a cog in our economic engine. Additionally, ecotourism filled the void when visitors couldn't afford the more costly tourist venues, keeping many Floridians employed.

Florida's economy depends heavily on its environment, which brings tourists and new residents here and provides the quality of life that businesses indicate is a leading factor in their relocation decisions. According to Tim Center, executive director of Sustainable Florida, "we look forward to policies and practices that serve the long-term needs of Florida that will continue to attract millions of visitors, millions of dollars in investments and help businesses and residents prosper."

It is sheer folly to think that protecting the environment is somehow responsible for killing jobs or hurting business when, in fact, it does the opposite.

Eric Eikenberg, CEO of the Everglades Foundation, believes the restoration of the Everglades is a key driver of Florida's economic future. He stated, "Nearly one in three Floridians depend on the Everglades ecosystem for their drinking water. Without that supply of water, Florida's economic growth will be jeopardized."

After decades of good environmental stewardship under governors of both parties -- Graham, Chiles, Martinez, Bush, Crist -- many of our successes are being dismantled in a mere two years.

A plea to the governor and the Department of Environmental Protection secretary: Please put the "protection" back in the Department of Environmental Protection.

This can be achieved by taking the following steps:

- Rehire and keep the most knowledgeable and experienced employees who have dedicated their professional lives to the protection of Florida's natural resources.
- Reverse shortsighted decisions and impulsive actions that will have long-term and costly consequences.
- Resist the urge to expedite developments of the politically connected at the expense of Floridians' quality of life.
- Adequately fund water resource development to ensure a safe and plentiful water supply and avoid a return to the water wars of the past.
- Restore polluted water bodies and prevent further water quality degradation; it is much more costly to clean up a polluted water body than to keep it clean and healthy.

Paula Dockery was term-limited as a Republican state senator from Lakeland after 16 years in the Florida Legislature. She can be reached at pdockery@floridavoices.com [1].

Editorial: On the surface

Published: Thursday, December 27, 2012 at 6:01 a.m.

On the surface, our two regional local water management districts appear to be showing commendable initiative in studying ways to recharge our depleted aquifer.

Among the ideas being floated by the Suwannee and St. Johns districts' North Florida Aquifer Replenishment Initiative: Pump treated wastewater back into the aquifer, or divert flood waters and surface waters from the Suwannee, St. Johns and other water bodies into deep water wells ... and then back into the aquifer.

But the problem with such big engineering solutions is that they ignore the root cause of what is plaguing our aquifer: Over-consumption. And neither district has even begun to scratch the surface when it comes to instituting a serious water conservation ethic for North Florida.

And once the districts figure out how to artificially put water back into the aquifer — however cost effective or efficient such techniques may ultimately prove to be — there will be even less incentive for our water managers to actually manage our underground water resources.

So we agree with Annette Long, of the Save Our Suwannee conservation group, who told The Sun, "What our water managers should do before they spend one more dime on recharge is to mandate water conservation year-round, whether it is raining or not, to conserve what we do have in the aquifer.

"We should treat our aquifer like a bank account," she continued. "Don't take out more than we put into it. That conservation should include not just cities and homes but also industry and agriculture."

On the surface looking for big engineering solutions to falling aquifer levels is a costly and unneeded diversion to Florida's real water problem: We're using too much of it.

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From: Lou Kavouras <Lou.Kavouras@swfwmd.state.fl.us>
Date: December 21, 2012, 4:06:12 PM EST
Cc: Debby Weeks <Debby.Weeks@swfwmd.state.fl.us>, "Cara S. Martin" <Cara.Martin@swfwmd.state.fl.us>
Subject: Notice of Proposed Rule

NOTICE OF PROPOSED RULE: The Southwest Florida Water Management District is proposing to amend the following rule: 40D-8.624, F.A.C.

The purpose of this rulemaking is to amend Rule 40D-8.624 F.A.C., to delete the previously adopted guidance levels, and add new guidance and minimum levels for Lakes Bonable, Tiger, and Little Bonable in Marion County.

The Notice of Proposed Rulemaking appeared in the Florida Administrative Register, Vol. 38, No. 94, on December 19, 2012. A copy of the proposed rule can be viewed on the District's website at <http://www.swfwmd.state.fl.us/rules/proposed/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to provide comments on this rulemaking is asked to contact SWFWMD Human Resources Director, (352) 796-7211, ext. 4702; 1-800-423-1476 (FL only), ext. 4702; or ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES AND TO OBTAIN A COPY IS: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813) 985-7481 (4660), e-mail: sonya.white@swfwmd.state.fl.us.

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Cabinet revives limited land-conservation program

By Aaron Deslatte, Tallahassee Bureau Chief

8:40 PM EST, December 11, 2012

TALLAHASSEE — It isn't exactly a roaring recovery. But Florida's once-heralded land conservation program is creeping back from the dead.

Gov. Rick Scott and the Florida Cabinet signed off on a list of 21 conservation projects Tuesday that the state Department of Environmental Protection will attempt to buy with \$8.4 million that lawmakers tucked in the budget this year.

That's chump change compared to the \$300 million once spent annually to preserve endangered species' habitat, lands and waters — 2.5 million acres over the last two decades. But then the collapse of the housing bubble wiped out documentary-stamp tax collections on real estate transactions that had powered the program.

Thanks to the recession, and a Legislature and governor more fixated on kick-starting construction than blocking development on threatened green spaces and waters, the Florida Forever program has been shuttered for the last two years.

But with the economy starting to recover and a grassroots campaign aiming to ask voters to re-constitute the program, policymakers are giving conservation land-buying another look.

"Everybody is going to start coming back now thinking this is their time," said Chief Financial Officer Jeff Atwater. "I think it's a reasonable expectation."

For now, the state is focusing exclusively on lower-cost projects that protect water quality, provide buffers to military bases, or are already substantially complete.

So the new-look program will try to buy a conservation easement on the 10,340-acre Adams Ranch in southern Osceola County, preserve land around the state's "first magnitude" springs, and protect portions of 25,488 acres around the Wekiva-Ocala Greenway in Lake County.

This summer, the state is set to pay off bonds issued through Florida Forever's predecessor program, Preservation 2000, launched by then-Gov. Bob Graham. Environmental groups argue that this frees up \$250 million in money going to retire that debt that could now be put back into conservation.

Groups such as the Nature Conservancy and Audubon of Florida plan to push for at least \$100 million for Florida Forever in the 2013 legislative session that starts in March.

"We think that anything less than \$100 million means they are not serious about the program," said Audubon of Florida director Eric Draper. "We're not trying to be greedy, but we are trying to kick-start the program."

DEP has proposed putting \$50 million into the program next year, raised from the sale of existing lands considered less valuable for conservation. Scott vetoed a similar idea in 2011, and conservation groups generally don't like the idea, either.

"The priorities for me are to make sure we have enough money for education, but we want to protect our environment," Scott told reporters.

Environmental groups and Graham also are pushing the Florida Water and Land Legacy Campaign, a 2014 constitutional amendment to dedicate a portion of doc stamp taxes to water and land conservation.

An organizer said Tuesday the group was close to collecting enough signatures to trigger review of the amendment by the Florida Supreme Court.

adeslatte@tribune.com or [850-222-5564](tel:850-222-5564)

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Drive to keep Kings Bay from being smothered by toxic algae treats symptom, not cause

By [Craig Pittman](#), Times Staff Writer Published Sunday, December 16, 2012

Last month, Florida's top environmental regulator took a boat tour of a Citrus County spring, joined by the chairman of the state Senate's Environmental Preservation and Conservation Committee.

Sen. Charlie Dean and Department of Environmental Protection Secretary Herschel Vinyard rode around Kings Bay and praised a project called "One Rake at a Time" that has so far removed an estimated 400 tons of toxic algae blooms from the spring-fed bay.

Afterward, Vinyard told the *Citrus County Chronicle* that he was delighted with the project: "I think the time for studies are over. We want to focus on helping with projects which hopefully can get the bay back to what it used to be."

There's only one problem, said Michael Lusk, manager of the Chassahowitzka National Wildlife Refuge, which includes Kings Bay: "It's a classic case of treating the symptoms and not the cause."

The man who everyone says has done the most to get the goopy algae out of Kings Bay, retired financial planner Art Jones, agrees with Lusk. Jones, who launched the "One Rake at a Time" project last year through his local Rotary Club, says he has talked the club into trying a new statewide program he called "One Gallon at a Time."

"We're going to ask people to stop irrigating their lawns," he said. "We should let them be green when Mother Nature decides to water them, and let them be golden when she doesn't."

In Crystal River, the health of Kings Bay is tied to the future of the town. Ever since Crystal River was featured in a 1972 Jacques Cousteau television special called *Forgotten Mermaids*, tourists have flocked from around the world to see and to swim with the manatees in its gin-clear springs.

But in recent years the water has turned dark, tainted by pollution. "You can barely see half the time," complained Doug Stamm, author of *The Springs of Florida*.

Some local residents have blamed the manatees for polluting the water.

"I am certainly not an expert on manatee poop," Lusk said, but pointed to other causes that are causing similar problems at springs throughout the state: excess fertilizer, leaky sewer and septic tanks, and domestic animal waste. The nitrates from those sources are fueling a runaway bloom of a type of alga known as *Lyngbya* that has become a human health problem at a number of springs.

Twelve years ago, a study of Kings Bay by the Southwest Florida Water Management District — commonly known as Swiftmud — noted that toxic *Lyngbya* had already spread to the point that it "dominated areas of Kings Bay causing habitat destruction, navigation and recreational use impairment and odor problems."

That 2000 study found that the nitrate pollution fueling the blooms originated "within 5 to 10 miles from the Crystal River/Kings Bay system, traveling through the groundwater system and entering Kings Bay through the springs system."

Of all the 135 named springs in the 16-county area that Swiftmud oversees, the 30 springs in Kings Bay have suffered the most from algae, Swiftmud officials say. But the DEP is not scheduled to set maximum limits on the pollution flowing into the bay until next year. During his visit, Vinyard also announced a \$1.1 million reclaimed water project designed to trim local groundwater pumping and reduce the amount of treated sewage filtering into the aquifer by 16 percent.

Swiftmud has spent more than \$2.5 million studying Kings Bay and teaching the public about cutting fertilizer use. So far there has been no decrease in either the pollution or the *Lyngbya*.

Local and state government agencies formed a "Kings Bay Working Group" to look for solutions, said Crystal River City Manager Andy Houston, with little success.

"It's been frustrating," Houston said. "They have met and they have studied and they have reviewed and hypothesized, but I don't think anybody has a clear answer on how to stop it."

In the mid 1990s, longtime dive shop operator Sam Lyons spearheaded a push to dredge the gunk from parts of Kings Bay.

"It cleaned up real well," he said. "But it just didn't stay that way."

Two years later the gunk was as bad as ever, he said, and the cost of dredging the system out on a regular basis proved too steep for the county and Swiftmud to continue it.

In 2009, Jones tried using volunteers with rakes to collect *Lyngbya*. That first cleanup barely made a dent. Last year Jones recruited Rotary volunteers to start a regular harvest.

"The idea was to get in there with rakes and kayaks and start cleaning it up," he said. "The sand bottom is still there under the algae."

The "One Rake" program has proved extremely popular. More than 300 people have participated, Jones said, including a couple who donated a diver vacuum. Dean tried to get the state to put \$100,000 into expanding the program, only to see Taxwatch label it as a "turkey."

"They can go to hell!" Dean said of Taxwatch. "So I got vetoed, and I got very upset about it." He promised to try again in the 2013 legislative session.

But Dean — who led this year also led the charge to repeal a law requiring inspection and cleanup of leaky septic tanks, a law that was supposed to help clean up springs pollution — said he had no specific springs-protection legislation to pass.

That's the problem Lusk sees. The algae-raking is popular because it shows instant results — but "until we deal with the fact that less freshwater is coming out of the spring and the water that's coming out has nitrates in it, we won't fix the problem," he said.

Jones says Lusk is right. He's sure once people know the woe they're causing, they will want to fix it. That's why he thinks his ambitious new program targeting lawn-watering will work eventually.

But until it takes off, he said, he's got to keep raking.

"It's incremental," he said, "but at least we're doing something."

Times researcher Caryn Baird contributed to this report.



News, meetings and notices

St. Johns River Water Management District **Water News**

December 14, 2012

Update on Adena Springs Ranch permit application

The St. Johns River Water Management District on Dec. 14 received a response from Adena Springs Ranch with additional information as part of the ranch's consumptive use permit (CUP) application.

The response included a reduction in the ranch's water allocation request from 13.267 million gallons a day (mgd) to 5.3 mgd.

District staff have until Jan. 13, 2013, to determine whether the application is complete and can be subsequently considered by the District's Governing Board, or whether additional information is needed from the applicant.

If the staff determine that the application is complete, the District's Governing Board will have to make a decision on the application no later than the Board's March 12, 2013, public meeting. If the application is deemed incomplete, District staff will request additional information from the applicant by Jan. 13, 2013.

Additional information about the permit application is available on the District's [Adena Springs CUP application web page](#). The response that the District received Dec. 14 is available in the "RAIs" section on the [permit application web page](#).

December 13, 2012

District unveils Springs Protection Initiative

St. Johns River Water Management District staff on Dec. 11 unveiled a new Springs Protection Initiative that combines regulatory programs, science and projects to bring about long-term springs

protection. The plan was presented during the fourth and last in a series of monthly Governing Board discussions about the District's commitment to springs protection.

The District has been working with other agencies for many years on projects and initiatives to increase knowledge and understanding about the region's springs, while also working to protect springs systems.

The District's new Springs Protection Initiative brings together the following key components in a focused effort to achieve springs protection:

- District regulatory programs, specifically consumptive use permitting, environmental resource permitting and minimum flows and levels
- Science that builds on past work, seeking to develop the most cost-effective actions to reduce nitrate loading to the springs, and addressing other factors contributing to growth of algae in the springs
- Projects to reduce nitrate loading to springs, developed based on the outcome of new scientific work being completed

"Sound science is foundational to finding the most cost-effective solutions for springs protection," said Hal Wilkening, director of the District's Division of Water Resources. "The District is ready to take our science and join with the state and local governments, as well as many other non-governmental groups to achieve our shared goal of springs protection."

The District's Springs Protection Initiative will include enhanced coordination and participation of many entities, including the District, Department of Environmental Protection, Department of Agriculture and Consumer Services, Fish and Wildlife Conservation Commission, National Resources Conservation Service (U.S. Department of Agriculture), Marion County, city of Ocala, and the Southwest Florida Water Management District.

Key facts brought forth by District staff in discussions about the Springs Protection Initiative, and specifically related to Silver Springs in Marion County, include:

- Spring flow is closely tied to rainfall.
- Water quality has degraded in recent years.
- Submerged aquatic vegetation may be slowing the water flow in the Silver River.
- Significant reductions in nitrate loading will be needed to restore healthy springs.
- Significant reductions in loading will be costly; thus careful scientific work is needed to develop the most cost-effective solutions.
- Other factors may be contributing to growth in attached algae.
- A minimum flows and levels (MFLs) prevention strategy should be implemented to ensure water use is consistent with springs protection.
- Cooperative efforts and cost-sharing will be necessary for project implementation.

December 11, 2012

Board votes to retain most District lands

Following a [yearlong evaluation](#) of its 600,000 acres of public lands, the St. Johns River Water Management District's Governing Board voted on Dec. 11, 2012, to retain and continue to protect nearly all of those lands. The Lands Assessment Implementation Plan calls for:

- Retaining 569,779 acres, which represent 92 percent of District-owned lands.
- Donating 25,091 acres to local governments and retaining conservation easements on those lands.
- Selling 6,574 acres and retaining easements to protect the lands' conservation values.
- Surplus to sell or exchange 3,591 acres of land (less than 1 percent) that have lower conservation value, have land management issues, or are no longer needed for the original purpose of the acquisition.
- Converting 13,388 acres to alternative uses, such as leases allowing for forestry activities or peat removal.

The Board's action does not sell any land. Rather, land identified as surplus and offered for sale or exchange must subsequently be approved by the Governing Board in future public meetings.

District and CCUA to investigate harvesting water to benefit the aquifer and Keystone lakes

Also on Dec. 11, 2012, the District's Governing Board approved co-funding an [analysis of water that could be harvested](#) and used to replenish the Floridan aquifer and lakes in the Keystone Heights area. The analysis is one of several cooperative initiatives under way to enhance regional water supplies by capturing water to recharge the aquifer system.

Upcoming meeting

The Clay-Putnam Minimum Flows and Levels Prevention/Recovery Strategy Development [Implementation Work Group](#) will meet at 9 a.m. on Jan. 4, 2013. The meeting will be held at [District headquarters](#), Governing Board room, 4049 Reid St., Palatka, FL 32177.

December 5, 2012

Public input being sought on Lake Apopka North Shore Land Management Plan

St. Johns River Water Management District staff have completed a draft plan that addresses management of Lake Apopka's north shore area over the next 10 years.

Public input is being sought on the draft plan through Dec. 20, 2012. Input can be submitted by emailing JoAnna Emanuel at jemanuel@sjrwmd.com.

The [Lake Apopka North Shore Land Management Plan](#) is designed to provide a road map for the District and its partners as they proceed with restoration of the 20,000 acres of the north shore area. The plan focuses on land management activities and is not part of the lake restoration plan.

The plan addresses:

- Water resource protection
- Restoration activities
- Partnerships in ecotourism and recreation
- Land uses

The District Governing Board will consider the plan at its Jan. 8, 2013, meeting in Palatka.

Make most of opportunity with delegates

By The Staff

Friday, December 7, 2012 at 1:56 am

THE ISSUE: Legislative Delegation meeting.

OUR OPINION: Articulate concerns, desires.

At 2 p.m. Wednesday, Dec. 12, the Citrus County Legislative Delegation will convene for the express purpose of hearing from local officials, organizations and individuals about the needs and desires of the community.

This annual session is not a time for people to come before the county's state senators and representative with loose concepts offered off the top of the head. It's an opportunity for those with firm needs, ideas and issues that warrant consideration among elected leaders in the state legislature.

Weighty concerns ranging from funding for the developmentally disabled to water-quality projects to stabilizing rent increases for those living in mobile home parks already have been voiced to lawmakers and should be again.

While it is Citrus residents, businesspeople and officials who will attend the meeting, the issues need not be limited to the county's borders. There are a multitude of regional and statewide matters of local concern. Should there be a distracted-driving bill to clamp down on those who text while behind the wheel? Should the water management districts be more frugal when it comes to issuing water-withdrawal permits? Is it time for lawmakers to be earnest in addressing ethics reform?

Other issues that could be brought up include stable funding for education, the extension of the Suncoast Parkway and hospital privatization. And there are a lot more possibilities than those.

Don't simply show up at the commission chamber in the Citrus County Courthouse on Wednesday expecting to be heard. Call or email Judy Wells in Sen. Charlie Dean's office at 352-860-5175 or wells.judy@flsenate.com and be placed on the agenda.

This is the time to be heard by state lawmakers. Be concise in articulating your thoughts and speak your mind. You can't really complain after the fact if you don't participate in the democratic process.

<http://www.sunshinestatenews.com/story/state-adds-protection-florida-waters>

State Adds to the Protection of Florida Waters

Nutrient pollution, the excess nitrogen and phosphorus that causes algal blooms and fish kills, is a major source of water quality impairment across the state of Florida.

Nutrient pollution threatens human health and the environment, hurts businesses and costs jobs, reduces property values, diminishes recreational opportunities and impacts your quality of life.

EPA has long held that limits are necessary to protect Florida's waters from nutrient pollution. The Clean Water Act (CWA) designates primary responsibility for protecting water quality with states, and the Florida Department of Environmental Protection (FDEP) has worked for years to collect data on the condition of statewide waters and adopt its own numeric nutrient standards.

Recently, EPA approved FDEP's revised rules to reduce nutrient pollution in Florida's treasured waters.

Around the State

After careful review, EPA determined FDEP's rules and supporting documentation meet CWA requirements and applicable federal regulations for the water bodies they cover. EPA commends the FDEP for taking this significant step toward protecting and restoring the quality of Florida's waters.

FDEP's rules use scientifically sound approaches to protect the many uses of Florida's waters — from fishing and swimming to drinking. Because Florida and EPA worked together to develop the science, the numeric limits for nitrogen and phosphorus in springs, lakes and streams (outside South Florida) are virtually identical to those in EPA's 2010 rule developed to protect these same waters.

DEP also has adopted additional biological and chemical indicators that are used to identify and prevent nutrient pollution in streams and protect sensitive downstream waters. These tools were used by FDEP in the Santa Fe River to determine that it was impaired and needed restoration. Using numeric limits has also helped protect estuaries in Tampa Bay, Sarasota Bay, Charlotte Harbor, and South Florida marine waters.

We are pleased that FDEP has also recently adopted numeric limits for nutrient pollution in additional Panhandle estuaries, and we look forward to receiving these for review under the CWA. However, in accordance with a 2009 consent decree with the Florida Wildlife Federation, EPA is also proposing two federal nutrient rules for only those waters not already protected by Florida's new standards.

The first rule proposes numeric limits on the amount of nutrient pollution allowed in Florida's estuaries and coastal waters, as well as in flowing waters in South Florida. The other serves to clarify some provisions in EPA's 2010 rule and proposes numeric limits on the amount of nutrient pollution for those inland waters not addressed in the FDEP's current rules.

These common sense measures will help protect the water that communities across Florida use for drinking, swimming, and fishing. EPA welcomes public comment on its proposals and will host a public information session and web-based public hearings to gather input.

While EPA is prepared to finalize these rules next year under its consent decree obligations, it is also prepared not to move forward and instead defer to Florida's rules for any Florida waters that become protected under state law in accordance with CWA requirements.

Clean water is vital for Florida, and the state is now on a path to establishing and implementing its own nutrient pollution rules that will allow everyone to enjoy cleaner water. *Gwen Keyes Fleming is southeast regional administrator for the Environmental Protection Agency.*

EPA adopts water pollution rules for Florida

The Associated Press

Published: Saturday, December 1, 2012 at 9:10 p.m.

TALLAHASSEE — The U.S. Environmental Protection Agency will adopt a combination of state and federal water pollution rules for Florida after a lengthy court fight with environmental groups that favored the federal version, agency officials said late Friday.

EPA Administrator Lisa Jackson initially filed a brief notice in federal court in Tallahassee saying she had taken all actions required by a consent decree that the agency had entered with the environmental groups. They had accused the agency of failing to follow its own regulations by not requiring Florida to adopt more stringent standards for such nutrients as nitrogen and phosphorus.

But on Friday evening, the agency issued a news release saying it had also approved the state rules for some waterways. Earthjustice lawyer David Guest, who represents the environmental groups, said he was pleased because the federal rule will apply to about 82,000 of 100,000 miles of waterways and the state rule will cover the remaining 18,000. EPA regional water protection director Jim Giattina said the area covered by the federal rule might be smaller.

"We're approving Florida's rules and we're proposing numbers that will fill the gap that may exist in Florida's rules," Giattina said. He said further changes may be made after additional discussions with the state.

The environmental groups opposed the state's approach as being too weak to stop pollution that's being blamed for algae blooms, which are clogging Florida waterways. But Guest said he's still happy with the outcome.

"This is the reddest letter day of them all," Guest said.

Opponents argued the federal rules would be too expensive to implement and favored the state's approach.

"Our diverse coalition of agriculture, employers, local government, utilities and others supports clean water and believes Florida knows what's best for Florida," spokesman Ryan Banfill wrote in an email. "That's why the coalition has always supported Florida-specific standards developed by Florida scientists and proposed by the state DEP as a more cost effective way to promote water quality in our state."

Both proposals set numerical limits on nutrients that come from such sources as fertilizer, animal waste and, sewage effluent, which feed the toxic, slimy algae blooms. They can kill fish and make people sick.

EPA officials said they have determined that the state's new method of setting those limits in lakes, springs, streams and estuaries is technically and scientifically sound and more effective than the Florida's existing method.

Florida, like most states, currently has only vague standards. Putting numerical limits on how much pollution is allowed is expected to strengthen enforcement.



The numerical limits in the state's rules, except for South Florida, are virtually identical to the federal proposal, EPA officials said.

The agency plans to seek public comment on the state rules and has scheduled a public information session for Jan. 17-18 in Tampa and web-based public hearings for Jan. 22-24.

U.S. District Judge Robert Hinkle had pushed back the deadline for action several times since the consent decree was signed three years ago, but when he ordered a six-month extension in June, he said it would be the last delay.

The June order reset the deadline for Friday. EPA last week asked for another delay of 120 days to continue talks with state officials on their alternative proposal, but Jackson filed her notice after Hinkle took no action on the latest request for more time.

The groups that sued the EPA included Florida Wildlife Federation, the Conservancy of Southwest Florida, the Environmental Confederation of Southwest Florida, St. Johns Riverkeeper and the Sierra Club.

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EPA Targets Florida Water Pollution, Court Battle With Environmental Groups Could End

The federal agency will oversee 85 percent of waterways; the rest fall under less-stringent state regulations.

By CRAIG PITTMAN

Tampa Bay Times

Published: Saturday, December 1, 2012 at 11:51 p.m.

Fourteen years after the federal government acknowledged that Florida had a serious water pollution problem, the U.S. Environmental Protection Agency has agreed to impose new pollution rules to clean up the state's algae-choked waterways — but it may have created a new mess.

The Sierra Club, Florida Wildlife Federation and other environmental groups had sued the EPA four years ago over the most persistent water pollution problem in Florida — one that the federal agency had first told the state to do something about in 1998.

When the EPA settled the suit, it agreed to impose tough new pollution rules, prompting a political backlash from Gov. Rick Scott, big business, agricultural interests, paper mills and utilities, among other interests.

Environmental groups had pushed for the EPA to stick to its guns. Meanwhile, state Department of Environmental Protection officials negotiated with the EPA to instead adopt the rules that those industries had agreed to follow.

Late Friday, the EPA said in a news release that it had approved the state rules for part of the state's waterways, but would still impose the federal rules for the rest. According to David Guest of Earthjustice, that means the state rules cover only 15 percent, while the new federal rules cover 85 percent — about 100,000 miles of waterways.


State DEP officials said they were disappointed the EPA would impose federal rules on any part of the state and vowed to "work with them to craft solutions" to put the state in charge of all pollution rules.

The move signals the end of a lengthy court and political battle over the new pollution standards, and the environmental activists involved hailed the decision.


"We fought every polluting industry in Florida for four years to get to this result," said Guest, who represented environmental groups in pursuing a lawsuit based on a 1998 EPA finding.

The EPA decision, which sets a nationwide precedent, also marks a first step toward changing many aspects of current Florida life, including how suburban lawns are fertilized and the way stormwater runoff and sewage are treated by local governments.



The next step will be for EPA officials to draw up guidelines for Florida's counties and cities on how they should implement the new rules, said Frank Jackalone of the




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Sierra Club, one of the plaintiffs in the suit. One example he cited that counties and cities may choose to follow: Pinellas County's ban on the sale of fertilizer during the rainy summer season.

The EPA's decision concerns trying to control what has become, over the past three decades, the most common water pollution problem in the state: nitrate or nutrient pollution.

Every rainfall washes nutrients such as phosphorous and nitrogen into Florida's springs, lakes, rivers and estuaries from over-fertilized lawns and golf courses, leaking septic tanks, malfunctioning sewer plants, dairy farms and cattle ranches.

The pollution has fed the increase in toxic algae blooms that sometimes kill thousands of fish and cause rashes and respiratory problems among swimmers, boaters and beachgoers.

As the Tampa Bay Times explained in an investigative report last Sunday that was also published in The Ledger, pollution-fueled algae blooms now choke many of the state's most popular springs.

Yet Florida's long-standing rules on controlling nutrient pollution were vaguely worded guidelines and not the numeric criteria needed to strictly limit it, Earthjustice said in its 2008 lawsuit.

The EPA had told Florida and all the other states in 1998 to set numeric nutrient standards, but when they failed to comply the federal agency failed to follow up, Earthjustice noted in the suit.

The EPA settled in 2009 and a year later unveiled 168 pages of region-specific pollution standards, saying they could cost Florida residents an extra 11 to 20 cents a day per household.

Opponents charged it would be more expensive than that. Scott, along with U.S. representatives and senators and state legislators, contended that the pollution limits would ruin the state's economy. One business leader asked, "How clean does our water have to be?"

EPA officials responded by repeatedly delaying when those standards would take effect.

U.S. District Judge Robert Hinkle told them this summer that they must act by a Friday deadline, prompting the EPA to file the notice that it would seek no further delays.

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Diane Salz <disalz@yahoo.com>

Fwd: STATEMENT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION REGARDING EPA'S
DECISION ON STATE'S NUMERIC NUTRIENT CRITERIA

December 1, 2012 8:28 AM

Sent from my iPhone

Begin forwarded message:

From: Florida Department of Environmental Protection <FloridaDEP@public.govdelivery.com>

Date: November 30, 2012, 10:56:16 PM EST

To: disalz@yahoo.com

Subject: STATEMENT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION REGARDING EPA'S
DECISION ON STATE'S NUMERIC NUTRIENT CRITERIA

Reply-To: Florida Department of Environmental Protection <FloridaDEP@public.govdelivery.com>



FOR IMMEDIATE RELEASE: Nov. 30, 2012

CONTACT: DEP Press Office, 850.245.2112, DEPNews@dep.state.fl.us

STATEMENT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION REGARDING EPA'S DECISION ON STATE'S NUMERIC NUTRIENT CRITERIA

The Florida Department of Environmental Protection is pleased with today's decision by the U.S. Environmental Protection Agency approving the State's numeric nutrient criteria. The result will be cleaner water.

EPA's decision confirms the efforts of hard working scientists at DEP. EPA's decision is also supported by Judge Cantor who, after fully reviewing the science and criteria, upheld DEP's rules entirely.

DEP and EPA are working diligently to complete the job statewide, returning the focus to restoration rather than litigation.

While EPA has approved the State's criteria, we are disappointed about EPA's

decision to issue new proposed federal rules. We will work with them to craft solutions that will allow the State to assume all nutrient criteria rulemaking in Florida.

Florida knows its waters best and we remain committed on the path to a state-lead solution, which is the best answer for Florida.

About the Florida Department of Environmental Protection

The Florida Department of Environmental Protection is the state's principal environmental agency, created to protect, conserve and manage Florida's environment and natural resources. DEP enforces federal and state environmental laws, protects Florida's air and water quality, cleans up pollution, regulates solid waste management, promotes pollution prevention and acquires environmentally-sensitive lands for preservation. The agency also maintains a statewide system of parks, trails and aquatic preserves. To view DEP's Web site log on to www.dep.state.fl.us.

<http://content.govdelivery.com/bulletins/gd/FLDEP-5fb47a>



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Diane Salz <disalz@yahoo.com>
Fwd: St. Johns River Water Management District Water News
November 30, 2012 3:25 PM

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From: Water News <waternews@sjrwmd.com>
Date: November 30, 2012, 2:58:24 PM EST
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Subject: St. Johns River Water Management District Water News

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St. Johns River Water Management District Water News

News, meetings
and notices

November 30, 2012

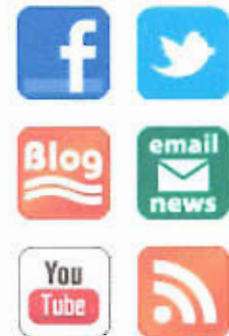
Recommendations completed for District conservation lands

St. Johns River Water Management District staff on Nov. 30, 2012, finalized a **recommendation** to retain almost all of the agency's approximately 600,000 acres of public lands.

Staff recommend retaining 92 percent of the agency's existing conservation lands. Of the remaining 8 percent, staff recommend that 7 percent be placed under conservation easements or remain in District ownership as an alternative use. Less than 1 percent is recommended as surplus for future sale or exchange.

The recommendation, which the District's Governing Board will consider at 10:30 a.m. at its Dec. 11 public meeting, follows a **year-long evaluation** of District-owned lands to determine whether the agency's water resource protection

Connect with us



Upcoming meetings

For a listing of upcoming meeting dates, times and locations, visit our [meetings calendar page](#).

Contacts

District staff contacts for:

- [Local governments](#)

goals continue to be achieved. The recommendation takes into consideration comments received through a series of public meetings during the summer and fall, comments submitted online, and discussions between District staff and local governments.

North Florida Regional Water Supply Partnership stakeholder committee to meet Dec. 12

The stakeholder advisory committee of the **North Florida Regional Water Supply Partnership** will meet at 1 p.m. on Dec. 12 at Florida Gateway College, 149 S.E. College Place, Lake City. The **meeting** will be held in the Wilson S. Rivers Library and Media Center, Building 200, Room 102.

• Public and media

[How to contact your local government](#)

About us

The St. Johns River Water Management District is a regional agency of the state of Florida whose mission is to protect and ensure the sustainable use of water resources. The District is responsible for managing groundwater and surface water resources in all or part of 18 counties in northeast and east-central Florida.


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St. Johns River Water Management District
P.O. Box 1429 • Palatka, FL 32178-1429

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Diane Salz <disalz@yahoo.com> 

Fwd: Notice of Proposed Rule & New Issue of WaterMatters Magazine

November 29, 2012 4:17 PM

Sent from my iPhone

Begin forwarded message:

From: Lou Kavouras <Lou.Kavouras@swfwmd.state.fl.us>

Date: November 29, 2012, 4:00:48 PM EST

Subject: Notice of Proposed Rule & New Issue of WaterMatters Magazine

NOTICE OF PROPOSED RULE: The Southwest Florida Water Management District is proposing to repeal the following rule: 40D-2.322, F.A.C. The purpose of this rulemaking is to repeal Rule 40D-2.322, F.A.C., to be consistent with Section 373.236, F.S., and other water management districts rules. The effect is to reduce the regulatory burden on a permittee when its reporting period demands are less than the projected demands when its permit application was issued. The Notice of Proposed Rulemaking appeared in the Florida Administrative Register, Vol. 38, No. 76, on November 21, 2012. A copy of the proposed rule can be viewed on the District's website at <http://www.swfwmd.state.fl.us/rules/proposed/>. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to provide comments on this rulemaking is asked to contact SWFWMD Human Resources Bureau Chief, (352) 796-7211, ext. 4702; 1-800-423-1476 (FL only), ext. 4702; or ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES AND TO OBTAIN A COPY IS: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813) 985-7481 (Ext. 4660), e-mail: sonya.white@swfwmd.state.fl.us.

Diane Salz <salz.govconsultant@gmail.com>

FL's rivers getting sicker...

December 17, 2012 9:45 AM

----- Forwarded message -----

From: **Diane Salz** <salz.govconsultant@gmail.com>

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Subject: FL's rivers getting sicker...

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Florida rivers getting sicker, Sentinel investigation finds

By [Kevin Spear](#), Orlando Sentinel

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Florida's rivers are in trouble.

That's what the Orlando Sentinel found after a yearlong evaluation of some of the state's biggest and smallest, most urban and remote, cleanest and dirtiest, protected and abused rivers.

Of the 22 rivers studied, from Miami to Pensacola, nearly half are in decline because of pollution from lawns, street runoff, wastewater and agriculture, and because of shrinking flows caused by drought and rising demand for water by cities and industries.

Other rivers in the group, while either stable or improving, are profoundly impaired.

Taking care of rivers is difficult and expensive in a state of nearly 20 million residents and in an era of shrinking government budgets and assaults on environmental regulations. Fixing just two rivers, the Kissimmee and St. Johns, which both originate in Central Florida, has cost \$2.5 billion so far. Floridians shell out an additional \$1 billion a year to various river-related state agencies.

But the state has a compelling reason to protect its rivers: If Florida's rivers are not healthy, then neither is its water.

The Hillsborough, Peace, St. Johns and Kissimmee rivers, for example, deliver drinking water to the state's biggest metropolitan areas. The Apalachicola nurtures a bay famed for its oysters. The state's giant springs, sources of rivers such as the Silver and the Wekiva, are an unmatched collection of natural treasures. And wilderness areas tied to rivers, such as the Suwannee's and Fisheating Creek's, are awesome, humbling places.

Rivers come from and flow to and through wetlands and lakes. Rivers born at springs join rivers created by wetlands, which then nourish the food webs of coastal estuaries. Rivers are the veins of the state's water-driven environment.

"Once a river or spring touches you and you recognize it as a living, vibrant system, it becomes a part of your life," said Pat Harden, a founder of the Friends of the Wekiva River.

Ups and downs

Florida Department of Environmental Protection Secretary Herschel Vinyard often says, "I want to get the water right." It's a difficult goal.

Florida is struggling with water pollution and water shortages even as state government has been making unprecedented cuts in the size and strength of its environmental-protection agencies.

Protecting rivers is controversial. Last month, most notably, an impatient federal judge ordered Florida and the U.S. Environmental Protection Agency to finally implement pollution regulations that have been on the books for nearly 15 years. Many state lawmakers and industries have fought the regulations as overly burdensome.

Amid that rules uproar and throughout 2012, the Sentinel asked various state officials whether Florida has been gaining or losing ground in efforts to protect the systems that link and define most of its environment: its rivers.

Nearly all have answered with a variation of: "I don't know."

Of the 22 rivers studied by the Sentinel, many showed clear trends, and it wasn't difficult to determine whether they are getting healthier or sicker.

The \$1 billion repair of the Kissimmee, one of the four found to be in some degree of recovery, involves filling in the enormous canal built by the Army Corps of Engineers in the 1960s and restoring the river's natural, sinuous channel as it flows from Osceola County to Lake Okeechobee. Project scientist Lawrence Glenn said the work is restarting the "liquid heart" of what was once "a mini-Amazon."

Meanwhile, Orlando's Wekiva has gotten sicker. The Indian River — the riverlike lagoon along Florida's east coast — has been rocked by persistent and destructive algae blooms. The Wakulla near Tallahassee is plagued with dark, tannic water. Health authorities warn nearly every year that algae blooms in the Caloosahatchee in South Florida are toxic.

"We have a definite trend toward degrading water," said Rae Ann Wessel, a defender of the

Caloosahatchee and member of the Sanibel-Captiva Conservation Foundation.

Among the more difficult rivers to judge were the Apalachicola and Choctawhatchee. Both Panhandle rivers were found to be getting worse by the Sentinel, though Florida DEP officials say their water-quality data show no decline in either river's health.

In most respects, those rivers do have clean water, said Joe Hand, who retired recently after 35 years as a top DEP water-quality analyst. The Sentinel sought his assistance to study each of the 22 rivers.

What's not well-reflected in the water-quality data, however, is the core plight of the Apalachicola: It doesn't have enough water, both because of drought and because of withdrawals in Georgia and Alabama. Its wetlands are wasting away; as a result, Apalachicola Bay, according to recent warnings by alarmed state officials, is getting too salty and is now on the verge of biological collapse.

The Choctawhatchee is choking on sand and silt from agriculture, timber cutting and unpaved roads in Alabama, according to a leading defender of the river and to one of the river's residents, H.T. Brown, whose family members have lived and worked on the Choctawhatchee for four generations.

"The river north of Highway 20 used to have a rock bottom, and now it's filled with sand and mud," Brown said.

According to Hand's analysis, the Choctawhatchee suffers from the state's worst case of "turbidity," a haziness in the water caused by muddy runoff.

Eight of the 22 rivers aren't changing significantly in either direction, according to a consensus of experts consulted by the Sentinel and to Hand's data trends. Among these "stable" rivers, however, is the Fenholloway, in Florida's Big Bend region, which has been repulsive since the 1950s because of paper-mill pollution. The pollution's intensity has lessened in recent years, but the river remains an aquatic zombie.

Forgotten gems

Florida's rivers were once its main transportation network, carrying people and commerce by boat from places such as Jacksonville to Sanford on the St. Johns and from Fort Myers to Kissimmee on the Caloosahatchee and Kissimmee rivers. But now they are so removed from daily life that many Floridians would struggle just to name the river closest to their home.

In a state crisscrossed by both waterways and highways, rivers are experienced most often through the window of a moving car. The Loxahatchee is barely noticeable beneath Interstate 95 in Palm Beach County, the Miami's drawbridges simply annoy baseball fans going to Marlins games, and the St. Johns is a curious blip for Orlandoans headed to the beach.

But from a kayak, the Loxahatchee is a cathedral, with a floor of amber water, walls of cypress trees and a ceiling of green canopy, while the Miami might not be much of a natural river but is

one of the most energizing, entertaining and intensely visual outdoors locations in Florida. The St. Johns is probably the most ecologically complex river in the state, coming to life in a semitropical climate near Vero Beach before flowing north for 310 miles to a more temperate climate, where it spills into the Atlantic Ocean near Jacksonville.

The variety hardly stops there. The Wekiva thrives with so many turtles — one of the state's biggest populations — that seemingly every low log is bumpy with shells. In South Florida, Fisheating Creek curls about as a tea-colored ribbon between gnarled, gnomic cypress trees that seem about to growl.

Each of those rivers — and most other rivers in the state — experienced epic insults in past decades, typically from sewage plants and power shovels.

Dredges clawed the Apalachicola without mercy, crippling its sloughs, or creeks, while the Loxahatchee's forest was poisoned by seawater that invaded after repeated dredgings to make Jupiter Inlet's access to the Atlantic Ocean deeper and wider.

In the Orlando area, sections of Shingle Creek and the Little Wekiva and Little Econlockhatchee rivers were turned into giant culverts to carry away subdivisions' rainfall. A growing metro area also filled those rivers with poorly treated sewage — common practice at the time.

Jim Hulbert, a state biologist who for decades worked on ways to assess rivers' health, documented how repulsive they had become by the late 1960s.

Suds generated by sewage in the Little Econ drifted like snow flurries across State Road 50. The water in Shingle Creek and the Little Wekiva thickened with bacteria that looked like toilet paper. River ecologies were taken over by rat-tailed maggots and sludge worms that bore headfirst into the mud, their tails exposed like threads of shag carpet.

"You wouldn't have gone canoeing," Hulbert said. The rivers were that unappealing.

Even the mighty St. Johns was feared. Environmental activist Linda Young remembers an uncle who took her family sightseeing along the river docks in Jacksonville.

"He would say, 'If you kids don't behave, I'm going to throw you into there, and you'll die of a hundred different diseases,' " Stewart recalled. "We'd be standing on those docks, and I'd be thinking, 'Oh, my God, you'll die just from falling in?' "

'Golden years'

Fortunately for Florida's rivers, the environmental horrors of the 1960s were followed by an awakening across the U.S. in the 1970s and '80s, said Jim Stevenson, a retired chief naturalist for the state.

"Those were golden years for environmental protection," Stevenson said.

Florida was prodded by regulations and grants that flowed from the momentous Clean Water

Act, a federal law that recently had its 40th anniversary. For example, Orlando built its advanced Iron Bridge Water Reclamation Facility in the early 1980s, and the Little Econ is dramatically better off today as a result.

The state launched its Save Our Rivers program, which would be used to acquire 1.7 million acres of open space to protect river basins. Restorations of the Kissimmee and St. Johns, ongoing for decades, are among the most ambitious in the world.

The hazards faced by rivers today, while less obvious, Stevenson said, are more potent, even as the state has dramatically scaled back its environmental-lands purchases and the strength of its water-management agencies.

One of the less-obvious enemies now is nutrient pollution, which spills off lawns as dissolved fertilizer; seeps into the aquifer from septic tanks; and bleeds into wetlands from cattle ranches, citrus groves and farms. Nutrient pollution can overwhelm a river's ecology, as in the case of the Silver River near Ocala, by triggering invasions of weeds and algae.

The other enemies: climate change and drought, exacerbated by all the water taken each day from the state's aquifers and rivers by utilities and agricultural operations in Florida and Georgia.

The Wekiva River, one of two U.S. Wild and Scenic rivers in Florida, is nevertheless polluted by nutrients, and in recent years its water flow has shriveled to the minimum its ecology can tolerate, according to state officials.

Defenders of the state's other Wild and Scenic River, the Loxahatchee, are begging for a small but guaranteed supply of fresh water from nearby canals in South Florida. The water is needed during the dry season to keep at bay the seawater that otherwise kills the Loxahatchee's wetlands.

Peace River in Polk County temporarily dies of thirst every dry season, nutrient pollution in the Kissimmee is killing Lake Okeechobee, and the North Florida springs that feed the magnificent Suwannee are in decline.

Ed Lowe, top scientist at the St. Johns River Water Management District, warns that increasing use of fertilizer, plus population growth and climate change, are making river protection so daunting that simply preventing further decline could be a victory.

Case in point: The St. Johns is no longer in a death dive thanks to a colossal restoration, yet it remains seriously ill.

"Big stretches of the river are stable," Lowe said. "I take that as a measure of success."

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