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## News Articles

November 16, 2011  
Board Meeting

From: Diane Salz <disalz@yahoo.com>  
Subject: agreement on Silver Springs puts Marion County in charge...  
Date: October 7, 2011 12:17:48 PM EDT  
To: Jack Sullivan <jesull@comcast.net>  
Reply-To: Diane Salz <disalz@yahoo.com>

## Agreement on Silver Springs puts county in charge

By [Bill Thompson](#)

Staff writer

Published: Saturday, October 1, 2011 at 8:03 p.m.

The effort to reduce the rising pollution levels in Silver Springs could become the model for improving the health of freshwater springs statewide.

Recently, Marion County commissioners approved an agreement with state environmental regulators that permits the county to lead the process to determine the ceiling for contaminants at the fabled site.

But while county officials laud the cooperation on Silver Springs, and the emphasis on local control of its fate, some environmental activists believe the agreement will accomplish little to actually reduce the waterway's pollution — which is already three times the limit set by federal and state regulators.

They believe the wrangling between state and federal environmental regulators over the appropriate thresholds for contaminants in Florida's waters will eventually lead to softer regulations on polluters. Under the agreement endorsed by the County Commission on Sept. 20, the county's water resources staff will replace the contractor hired by the Florida Department of Environmental Protection that had coordinated the panel of experts and citizens responsible for developing the plan for Silver Springs.

The organization, called the Silver Springs Basin Working Group, at one point included 211 people, or stakeholders.

They represented various government agencies, including Marion County, as well as environmental groups, businesses and individual citizens interested in the springs.

In June, the Gainesville-based consultants produced an 81-page report outlining the history of the springs and its cultural and economic importance to the community. The report also addressed the causes of the decline in its water quality and some recommendations on how to fix it.

Gail Mowry, the county's clean water engineer, said because of that effort the county will not have to start over under the new arrangement with DEP — which also includes the development of a management plan for the 1,200-square-mile basin surrounding the springs.

"We don't want to lose the momentum of what was done before," Mowry said.

That information, she added, would be coupled with lessons learned from the county's own initiatives, such as the commission's adoption of the Springs Protection Ordinance, stormwater control programs and limits imposed on fertilizer usage.

The director of DEP's Environmental Assessment and Restoration Division, Drew Bartlett, said the agency welcomed the opportunity to test this plan with the county.

DEP, he said, must work with local officials to draft restoration plans when a waterway becomes impaired — as Silver Springs was designated in 2009.

This allows the county staff to simply do what DEP otherwise would, Bartlett said.

The agreement calls for the state to reimburse Marion County for the cost of its staff's involvement in coordinating the new group.

County Commission Chairman Stan McClain said he has confidence in Mowry and the rest of the county's water-management team to handle the process.

"We should have a say, and this puts us in a stronger position," he said.

"There was no discussion (previously) of how it's going to happen and who's going to pay for all that," McClain added, noting the costs of a cleanup effort could quickly mount into millions of dollars.

"I disagree that the federal government should be telling us what we need to do. All of this was a trigger for a significant amount of spending. ... We can only do so much."

Yet the concept of local control is arguable for more than one reason, critics say.

The federal Clean Water Act mandates the standards for pollution levels in the nation's waters. The state has adopted those same federal levels for springs.

Bartlett said the law segregates limits for total maximum daily loads of various pollutants, or TMDLs, which apply to specific waterways, from the nutrient levels like nitrogen and phosphorous that would apply to all waters in the state.

That is the crux of a ongoing legal dispute between Tallahassee and Washington.

But the regulations would be the same for Silver Springs because the primary pollutant in question — nitrogen — would be targeted under both a TMDL ceiling and the numeric criteria.

Recently in Washington, the bickering between Florida's congressional Republicans and the U.S. Environmental Protection Agency over the nitrogen and phosphorous levels was renewed.

On Sept. 21, Republican Sen. Marco Rubio sent the EPA a letter signed by all 19 House Republicans in the state's delegation asking that the agency grant the state's request to be allowed to establish its own nutrient criteria. The signers included Reps. Cliff Stearns of Ocala, Daniel Webster of Orlando and Rich Nugent of Brooksville, all of whom represent Marion County.

The EPA had first wanted Florida and the other states to do so back in 1998.

After 10 years of inaction by the state, a handful of frustrated environmental groups sued the EPA for lack of enforcement. In 2009, the agency reached an agreement with the groups to set the standards for the state. It did so last November.

Lawmakers and other state officials objected, saying the EPA was too heavy-handed in setting the rules and applied a one-size-fits-all approach that discounted the unique characteristics of individual waterways.

They also complained that the EPA had significantly undervalued the cost of complying with its rules, saying that could run into billions of dollars.

The County Commission earlier this year passed a resolution supporting a proposed state law that would prohibit state and local government agencies from implementing the new water quality standards issued by the EPA. The bill overwhelmingly passed the House but was withdrawn from consideration in the Senate.

Florida, however, has subsequently asked to be allowed to work out its own criteria, and the EPA has agreed.

Federal regulators delayed the implementation of its initial rules for inland waters, including springs, until March 2012, and pledged to consider the state's proposed rules.

Critics of the wrangling between the EPA and the state DEP suggest the outcome might be moot whether or not federal regulators like what eventually emerges — since the EPA had simply utilized the DEP's previous work that was set for adoption in 2009 but not formally sanctioned.

Linda Young, executive director of the Clean Water Network of Florida, pointed out that the EPA had already carved out loopholes for the DEP that give polluters plenty of leeway.

For example, the state could approve a variance for the impaired water body, change its designated use, or allow up to 20 years for a polluter to comply with the standards, she said.



Young also criticized the DEP's method of looking at the overall biological health of a waterway — such as its plant, fish and insect life — instead of solely the quality of the water.

Under that criteria, the water quality could have pollution readings above the maximum limits but still not be considered impaired.

"I don't see any hope at this time with what the DEP and the EPA are doing," Young said. "I see no hope of getting anything cleaned up."

"The best hope is at the local level," Young added. "But if the county doesn't want to improve the water quality, then there is nothing that's going to make them."

David Guest, managing attorney with Florida for Earthjustice, maintained that the newly proposed rules "make it extremely easy to find that a waterway is not impaired by nitrogen or phosphorous but extremely difficult to find that it is." Earthjustice is the law firm that sued the EPA on behalf of those environmental groups.

"What DEP is doing is a flanking maneuver to get around the federal standards," said Guest, with rules championed by the biggest polluters in the state.

Guest acknowledged that lakes and rivers might need individual criteria because they vary by width, depth, flow levels and other factors.

Freshwater springs, however, are fed by the same underground source, and so a standardized pollution level could be drawn up for all of them, he maintained.

"A spring has a constant flow because of what's coming out of the vent. The pollution level is always the same," Guest said.

Pete Colverson of Normandeau Associates in Gainesville, who coordinated the Silver Springs working group until lawmakers killed the funding for the program earlier this year, said he could see a "certain logic" in Guest's argument about the pollution in springs.

He also noted that research about Silver and Rainbow springs had shown the effect of growth. Their nitrate levels were significantly higher than those of Juniper Springs in the Ocala National Forest, which demonstrated nitrate levels rivaling those of Silver Springs in the 1930s and '40s.

Still, he did not see the gloom envisioned by others and applauded the county's willingness to take on the process.

"I think the DEP staff is very much concerned with the pollution levels in Silver Springs, and with the TMDI process, there is a lot of public involvement and education," Colverson said.

"I think it's great the county is involved. I think the county is happier with the situation."

Bartlett, the DEP's assessment and restoration director, said the TMDL for Silver Springs should be completed next year.

He pointed out that while the EPA will have to approve the standard, the state already has adopted the same level the EPA uses under the Clean Water Act.

He also defended the DEP's method of looking at the whole picture.

"We check the biology (of the system) and even if it's healthy, we're not facing the costs and remediation where they are not needed," he said. "If everything comes back OK, then we can say let's move on to the next one."

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From: Diane Salz <disalz@yahoo.com>  
Subject: **David Hamilton agreed to leave post by year's end...**  
Date: October 26, 2011 9:42:39 AM EDT  
To: Jack Sullivan <jesull@comcast.net>  
Reply-To: Diane Salz <disalz@yahoo.com>

**BROOKSVILLE** — Facing the possibility of an outright firing, Hernando County Administrator David Hamilton agreed Tuesday to leave his post by the end of the year.

A sharply divided County Commission was discussing whether to change direction on a plan it approved last week to make Susan Goebel the new environmental services director when Commissioner John Druzbeck made a motion to terminate Hamilton, saying he had lost faith in him.

Commissioner Jeff Stabins seconded the motion, saying he could not support Hamilton's continued employment because he did not inspire county staffers.

But commissioners Dave Russell and Wayne Dukes voiced support for Hamilton, saying he has had difficult work to do, downsizing county government by one-third since he arrived from Minnesota 3 1/2 years ago.

Hamilton, 62, told commissioners that there was still important work to be done and urged them to let him help with a smooth transition rather than "launch off a cliff."

"We still have a lot to do in the foreseeable future," he said, listing the completion of the Hernando Beach Channel dredge, moving new people into the county leadership team, creating a comprehensive salary schedule for employees and even preparing the county for the new garbage collection system.

Hamilton compared the parting that was being proposed by the commission to a divorce and said he wanted it to be amicable. He offered to prepare a plan to help move the county through the transition to new leadership by early next year. As the discussion continued and it became obvious that four of the commissioners were split, Stabins asked Chairman Jim Adkins, the swing vote, to speak.

Adkins said he would support Hamilton in his effort to create a transition plan that would have the administrator remain in his position for two more months.

Druzbeck tabled his motion to terminate Hamilton's contract until Nov. 8, when Hamilton will bring forward his transition plan.

Hamilton had been hammered earlier in Tuesday's meeting by comments from the public. Paul Douglas, president of the local NAACP chapter but speaking as an individual, accused Hamilton of destroying public records.

He told the commission he had made a complaint to the State Attorney's Office about Hamilton shredding notes taken when county officials investigated racial complaints at the Wiscon Road utilities office after Hamilton first arrived in 2008. Douglas said the destruction of records was detailed to him in a recent phone conversation with departing environmental services director Joe Stapf.

Hamilton declined to respond to the charges.

Former County Commissioner Rose Rocco, a longtime critic of Hamilton, called him a liar and urged the commission to order him to resign.

Druzbeck accused Hamilton of misleading the board and failing to provide complete information two weeks ago when Hamilton recommended that Goebel move from director of transportation services to director of environmental services with an \$8,000 raise.

The commission didn't know at the time that administrative services director Cheryl Marsden had not been in agreement with the change. Hamilton told commissioners the fact that Marsden had not signed the recommendation was an oversight. Marsden has said that the move was lateral and would not ordinarily come with a pay raise. Goebel also didn't match the requirements for the job, which was recently vacated by Stapf. Hamilton asked Marsden to rewrite the job description. Druzbeck said the latest issue was just one of many and that he had asked Hamilton privately for his resignation on Monday. Hamilton had refused.

Hamilton said Tuesday that after his conversation with Druzbeck, he had gone home Monday, spoken with his wife and settled on the proposal to create a transition plan and leave his job.

Druzbeck said he had concluded that Hamilton was no longer dedicated to Hernando County when he got word late last week that Hamilton had applied to be the county administrator of Sarasota County.

Russell said he had no problem with Hamilton testing the water in Sarasota County.

"There's nothing wrong with that," he said. "That didn't give me pause at all."

When Hamilton was hired, Russell said, the commission gave him "a mighty task." He was charged with downsizing and reorganizing the structure of county government to reduce costs as property tax revenues plummeted.

In doing that, "I don't think there are any toes he didn't step on or any feathers he didn't ruffle," Russell said.

On top of that, unlike previous administrators, he did much of that task without an assistant administrator and with little clerical help.

"Frankly, I think he has been spread too thin," he said.

That may be why some things slipped through the cracks and mistakes were made, Russell said.

Dukes agreed, saying that he understood that cutting costs and downsizing do not make someone popular. He said he believed any dissatisfaction around the government center with Hamilton was "resistance to change."

Hamilton got some support from one regular in the commission audience: former planning commission member Anthony Palmieri.

"I think you've done a damn good job," Palmieri said, though he noted that the work of shrinking government is, by nature, a morale destroyer. "The morale goes down, the union comes in ... we've seen it."

For the person in charge, Palmieri said, "when the job is finished, you are finished. ... But you haven't finished your job. There is still much to do."

Hamilton's annual salary is \$135,000. The severance package in his contract, which runs through March 2013, would award him a lump sum equal to five months of pay.



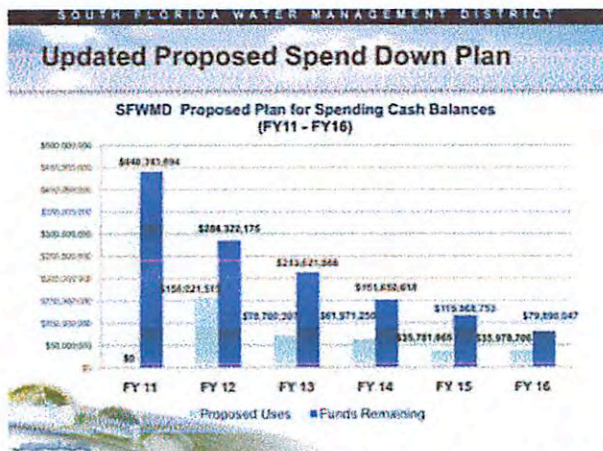
From: Diane Salz <disalz@yahoo.com>  
Subject: WMDs' reserve funds drying up...  
Date: October 6, 2011 11:28:26 AM EDT  
To: Jack Sullivan <jesull@comcast.net>  
Reply-To: Diane Salz <disalz@yahoo.com>

FYI.

----- Forwarded Message -----

From: Diane Salz <disalz@yahoo.com>  
To: Diane Salz <disalz@yahoo.com>  
Sent: Thursday, October 6, 2011 11:27 AM  
Subject: WMDs' reserve funds drying up...

Water management districts' reserve funds drying up, senate panel told  
Bruce Ritchie, 10/05/2011 - 04:12 PM



Powerpoint slide on the South Florida Water Management District's updated proposed spend down plan, presented Wednesday, October 5, 2011 during the Senate Committee on Environmental Preservation and Conservation meeting.

The ranking Democrat on the Senate environmental committee credited water management districts with reducing their "bloated" budgets but raised concerns about the agencies' long-term financial futures.

**Gov. Rick Scott** in August approved more than \$700 million in budget cuts by the state's five water management districts. Those cuts include property tax reductions of \$210 million as required by **SB 2142**, signed into law by Scott in May.

On Wednesday, the **Senate Committee on Environmental Preservation and Conservation** heard presentations from each of the five districts on their 2011-12 budgets, which took effect Oct. 1.

In addition to cutting jobs and eliminating some employee benefits, a **South Florida Water Management District** representative said the agency was spending \$156 million in reserve funds in 2011-12.

The agency is expected to continue spending reserves to help pay for Everglades restoration over the next five years, said **Ernie Barnett**, the district's director of **Everglades Policy Coordination**. The reserve fund balance is expected to decrease from \$440 million to \$80 million by 2016. The district needs to ensure it keeps at least \$60 million to respond to hurricanes and other events, Barnett said.

**Sen. Nan Rich**, D-Weston and ranking Democrat on the committee, asked how spending down the reserves would affect Everglades restoration.

Barnett replied that the district is working with the **Florida Department of Environmental Protection** and the **Governor's Office** on long-term funding but said he can't predict what will happen beyond 2016.

"Unless there is another source of revenue," Barnett said, "we'll certainly have a limited ability to do major capital projects past that point in time."

Rich told senators that the Environmental Preservation and Conservation Committee needs to realize the districts are spending down their reserves.

But **Sen. Charlie Dean**, R-Inverness and committee chairman, responded that the districts had "taken to heart" direction from the Legislature and governor to "retrofit" their operations while maintaining public trust and balancing environmental concerns.

"What the future holds none of us knows," he said.

Rich said after the meeting that the good news was that the district's budgets were "bloated" and could be cut. But she said she is concerned that restoring funding for the districts in the future will be difficult

"I know what the mentality is -- once you cut something and you want to raise it again, it is [called] a 'tax increase,' " she said. "I think some of us up here feel -- Republicans and Democrats alike -- that we may have gone too far with the percentage of [property tax] cuts, and we may need to look at what the future long-term needs are and how to balance that."



From: Diane Salz <disalz@yahoo.com>  
Subject: new SJRWMD ED pledges to insulate staff...  
Date: October 12, 2011 10:54:52 AM EDT  
To: Jack Sullivan <jesull@comcast.net>  
Reply-To: Diane Salz <disalz@yahoo.com>

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## OrlandoSentinel.com

### New water-district director pledges to insulate staff from board pressure

[Kevin Spear](#), Orlando Sentinel  
8:00 PM EDT, October 11, 2011

PALATKA — The newly hired executive director of the St. Johns River Water Management District said Tuesday that, in the wake of recent layoffs and firings, he will attempt to insulate the agency's remaining staff from possible interference by board members.

"The executive director stands between the board and the staff," said Hans G. Tanzler III, 60, a veteran business executive who had been the agency's top lawyer for the past three months, after serving as a district board member since 2008.

The St. Johns water district — responsible for regulating and protecting drinking water, wetlands and waterways across 18 counties, from north of Jacksonville to south of Orlando — was hit this summer by deep, state-ordered budget cuts and the unprecedented elimination of 130 jobs, or 20 percent of its work force.

Playing active or visible roles in those reductions, as well as promoting efforts to make the agency friendlier to developers and utilities, were several board members who also work as professional consultants on projects involving water use or environmental impacts to wetlands and waterways. Several district employees, speaking privately to the Sentinel, said many staffers fear they will be included in future layoffs or firings should they do something perceived within the agency as detrimental to a business's proposed project or as too protective of the environment.

The board members who are professional consultants are Charles Drake and John Miklos of Orlando and Maryam Ghyabi of Ormond Beach. All three said last week they are careful to separate their professional interests from their board work.

"I volunteer my time on the District Board for the betterment of our region's water resources," Ghyabi wrote in an email response to a citizen's complaint about the potential for conflicts of interest. "I have never made decisions as part of the Governing Board that would provide me with any financial or personal gain at all."

Board member Richard Hamann, a law professor in the University of Florida's Center for Governmental Responsibility, said last week he would like to see the district respond in a way that's "ethical and responsible" to the potential for inappropriate pressure being placed on employees. Tanzler said Tuesday that, for now, he will encourage board members to avoid direct contact with rank-and-file staff and to bring information or concerns to him or to a handful of top assistants. "I hope that, to the extent you have comments on the performance of staff, ... you bring them to me," Tanzler told the board shortly after members voted unanimously to appoint him as executive director, a job that pays \$165,000 a year.

Tanzler is the son of a former Jacksonville mayor famous for water skiing on the St. Johns in the late 1970s in a much-publicized display of his confidence in new wastewater plants that cleaned up

a river long plagued by discharges of poorly treated sewage.

Tanzler said after Tuesday's meeting that he would return to the board in coming months with a request to develop guidelines for board members' interaction with staff.

"There likely will be consideration of the board's ethical policy as to what is the appropriate level of communication between staff and board members," Tanzler said. "Until then, they should talk to me — comments, complaints or anything, come to me.

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From: Diane Salz <disalz@yahoo.com>  
Subject: Fw: business groups target federal water regs...  
Date: October 12, 2011 10:23:33 PM EDT  
To: Jack Sullivan <jesull@comcast.net>  
Reply-To: Diane Salz <disalz@yahoo.com>

FYI.

----- Forwarded Message -----

From: Diane Salz <disalz@yahoo.com>  
To: Diane Salz <disalz@yahoo.com>  
Sent: Wednesday, October 12, 2011 10:21 PM  
Subject: business groups target federal water regs...

Business groups target federal regulations designed to protect water quality, children  
Bruce Ritchie, 10/12/2011 - 06:23 PM

Florida business groups on Wednesday announced new opposition efforts on two fronts to oppose federal regulations that they say are hampering job growth.

Among the regulations targeted by the groups are those designed to protect Florida waterways from algae blooms and protect children from lead paint poisoning. Business groups and Republicans in Congress have become increasingly critical in recent months of regulations coming from Obama Administration and the **U.S. Environmental Protection Agency**.

The **National Federation of Independent Business** on Wednesday held a news conference in Tallahassee to highlight work in Florida by its coalition called **Small Businesses for Sensible Regulations**.

"For the first time I'm approaching the point of frustration," said **Don Curtis**, president of **The Forestry Co.** in Perry. "I catch myself wondering, is it just time to hang it up? Is it time to say (to regulators), 'OK guys, you win,' and all those 12 families who depend on us for their livelihood hit the unemployment rolls."

Curtis was the Republican nominee in 2008 for the Florida House of Representatives but lost to **Leonard Bembry** by a 54 to 46 percent margin.

NFIB-Florida executive director **Bill Herrle** said his group's mantra always has been against new regulations. Along with the poor economy, he said, "there is a flood of regulations coming out of Washington -- 4,000 in the past year."

A **Competitive Enterprise Institute** [report](#) cited by NFIB showed that there were 4,225 regulations in the pipeline in 2010. But that is fewer regulations than for two years under the Bush Administration and is close to the average of 4,000 per year for the past decade -- perhaps not the "flood" of new regulations that Herrle stated.

Also Wednesday, industry and utility groups calling themselves the **Florida Water Quality Coalition** said they delivered to President Obama a petition signed by 5,700 voters opposing pollution limits in Florida waterways established in 2010 by EPA.

EPA says the numeric limits on nitrogen and phosphorus are needed to reduce algae blooms and prevent toxic red tide that can hurt Florida tourism and coastal businesses. Utilities, industry groups and agriculture say the limits, which will be imposed beginning in March 2012, are unnecessary and are too expensive.

The **Florida Chamber of Commerce** and **Associated Industries of Florida** issued statements in support of the petition. The chamber said Florida should be allowed to manage its own water quality regulations.



But the **Earthjustice law** firm, which represents the environmental groups that sued EPA to require setting the limits under the federal Clean Water Act, said the chamber "is playing politics with our public health" considering recent fish kills in Southwest Florida possibly from red tide.

At the **Florida Press Center** in Tallahassee, where the NFIB held its news conference, Herrle credited **Gov. Rick Scott** with seeking to eliminate regulations that are burdensome on small businesses.

Asked where he draws the line between the cost of regulations and the health and safety benefits, Herrle responded, "I believe in science. I believe in academic studies. But I also believe in meeting payroll next week, and that's the priority for these (business) guys."

From: Diane Salz <disalz@yahoo.com>  
Subject: **Orlando Sentinel: new SJRWMD ED...**  
Date: October 11, 2011 4:40:15 PM EDT  
To: Jack Sullivan <jesull@comcast.net>  
Reply-To: Diane Salz <disalz@yahoo.com>

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October 11, 2011

Too often the St. Johns River Water Management District has shirked its role as guardian of Central Florida's water supply, permissively handing out permits like candy to applicants such as Niagara Bottling Co., and failing to impose or enforce meaningful conservation measures.

Things could get far worse.

They could if Hans Tanzler, expected to be named the district's new executive director today, acts more like a water boy than water manager when developers and utilities come knocking. Last week, Tanzler said those applicants aren't adversaries but "constituents," sounding eerily like the South Florida Water Management District's new chief, Melissa Meeker. She said her district needs to "strengthen" its "partnership" with those it regulates.

But if Tanzler principally looks to focus on one piece of what Gov. Rick Scott wants the district to do — be a pal to the big applicants who eye the water supply — what happens to the aquifer, the lakes and rivers, the wetlands and the conservation lands the district's supposed to protect?

Things also could get worse if the district's governing board doesn't put an end to rampant suspicions that the board and district staff increasingly will act principally on behalf of utilities and developers with designs on the district's water resources and lands.

Several board members, in fact, have ties to companies that have sought or have assisted others in seeking permits from the district. While those board members have recused themselves when the board votes on permits for their companies, the board has become more active making the district attractive to developers.

How? The district fired several well-regarded senior staffers in charge of reviewing permit applications for utilities and developments that could damage wetlands — staff that some applicants wanted fired. Those followed broader reductions at the district resulting from Gov. Rick Scott and the Legislature cutting the district's property-tax revenues by 25 percent.

There's nothing wrong with Tanzler and the board getting rid of redundant regulations. That would make the district more "customer friendly," as Scott wants, and less likely to face more budget cuts. But before giving applicants all the water they want, letting developments damage wetlands and selling off conservation lands — the district should heed the governor's other directives.

Scott also has called for the restoration of degraded waters and wetlands, and the safeguarding of the water supply. The district mustn't sacrifice those goals in its rush to be more "customer-friendly."

From: disalz@yahoo.com  
Subject: **Fw: Water Districts Face Pressure**  
Date: September 29, 2011 5:08:05 PM EDT  
To: "Jack Sullivan" <jesull@comcast.net>  
Reply-To: disalz@yahoo.com

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FYI.

Sent from my Verizon Wireless BlackBerry

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From: Diane Salz <[disalz@yahoo.com](mailto:disalz@yahoo.com)>  
Date: Thu, 29 Sep 2011 14:07:06 -0700 (PDT)  
To: Diane Salz <[disalz@yahoo.com](mailto:disalz@yahoo.com)>  
ReplyTo: Diane Salz <[disalz@yahoo.com](mailto:disalz@yahoo.com)>  
Subject: Water Districts Face Pressure



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## The Nature of Things

# Water Districts Face Pressure

By [Tom Palmer](#)

THE LEDGER

Published: Wednesday, September 28, 2011 at 11:40 p.m.

Water management districts have been under fire lately.

Gov. Rick Scott has ordered tax cuts and a return to their "core mission," although what "core mission" means exactly hasn't been revealed to the public.

The fact is, if you look at the history of water management in Florida, the mission has changed over the years.

From statehood in 1845 until about 50 years ago, the mission primarily consisted of drainage and flood control.

The miscalculation of the effects of the former usually led to large public outlays on the latter.

The South Florida Water Management District and the Southwest Florida Water Management District were both organized in response to serious flooding that occurred after major hurricanes in urban areas in 1947 and 1960, respectively.

The regional water management districts weren't the only players.

There are some local efforts, such as the Peace Creek Drainage District, which channelized a slough system between Lake Hamilton and the Peace River to expand pasture land and crop land. However, sometime in the 1950s it dawned on a few people that Florida might need some of that water officials were busily draining.

Perhaps it was the fact that Kissengen Spring near Bartow had quit flowing in 1950 as a result of excessive groundwater pumping.



Perhaps it was the expected dramatic increase in population growth after World War II. Anyway, in 1957 the Florida Legislature set up an agency that had authority to issue permits for water withdrawals.

However, it was not until 1975, after the current five water management districts were established, that the permits were actually required.

By then, parts of the aquifer in this part of the state had been drawn down by 50 feet or more and saltwater had contaminated the aquifer in coastal areas, the protection of the Green Swamp as an Area of Critical State Concern had become official state policy, and the folly of turning the Kissimmee River into a drainage ditch was beginning to dawn on even some of the project's supporters.

The impetus was probably helped along by the fact that people noticed that the plentiful rainfall that had occurred in the 1940s and the 1950s was decreasing.

That's significant because the only source of water on the Florida peninsula south of Gainesville is rainfall.

Rainfall seeps into the ground where it replenishes the aquifer and runs off to keep rivers flowing and lakes at the right level.

The acknowledgement that the aquifer had been overexploited in some parts of the state led to the push to develop alternative sources, which ranged from improving conservation measures — Swiftmud adopted permanent water restrictions in 1991 — to figuring out ways to reuse sewer effluent or to tap river flow.

Tapping the rivers has been controversial.

When Swiftmud officials unveiled plans in the early 1990s to allow the Peace River Manasota Water Supply Authority to significantly increase the amount of water it sucked out of the river, it caused unease among environmentalists and representatives of other environmental agencies.

There was a concern the effort could affect wildlife, change the freshwater-saltwater interface that could affect fish populations and just generally set a downward trend for river flow.

In fact, the standards for when the utility could withdraw water have been altered, and there's no reason to think they won't be altered again.

As with many water trends in Florida, what happened in this part of the state gradually spread.

The St. Johns River Water Management District wants to tap the St. Johns River and has been getting pushback from river's defenders downstream in the Jacksonville area.

More recently the controversy has spread to spring-fed rivers in coastal counties north of Tampa, where water managers are apparently turning the minimum flows and levels dictum on its head.

They are arguing the rivers can be tapped because it won't drop their flow significantly and will still allow the rivers to meet the minimum flow set by models.

The minimum flow concept was actually supposed to be a minimum restoration goal, such as what is planned via the Lake Hancock reservoir for the Upper Peace River.

The riverbed in the Upper Peace River is periodically dry for miles because the aquifer has been damaged by past abuses. The reservoir is supposed to release enough water to keep that from happening most of the time.

This all demonstrates the dilemma in which water management district officials find themselves.

They are supposed to be both the guardians of the resource and the facilitators for those trying to figure out how to find enough water to keep the economy going.

Inevitably, this produces conflicts.

It will be illuminating to see how Scott handles that conflict, and what will be included and left out of the water management district's core mission by the time the re-examination is over.

[ Tom Palmer can be reached at [tom.palmer@theledger.com](mailto:tom.palmer@theledger.com) or 863-802-7535. His blog on the environment is at [environment.blogs.theledger.com](http://environment.blogs.theledger.com). ]



# Water wars back on legislative agenda

By [Nathan Crabbe](#)

Staff writer

Published: Wednesday, October 12, 2011 at 1:04 p.m.

The water wars are back, but now Jacksonville is in the crosshairs of lawmakers aiming to protect the groundwater of North Central Florida.

Members of Alachua County's legislative delegation said Wednesday that the region's groundwater levels are declining because of water use in the Jacksonville area. State Rep. Elizabeth Porter, R-Lake City, said the Jacksonville-based utility JEA is contributing to the problem with a new permit allowing millions of gallons of water to be pumped each day to cool equipment.

"Always in the past we've assumed that when someone came to get our water here in the center of the state that it would be South Florida, it would be Tampa, it would be Miami," she said. "Be what we are now finding is that in actuality our water is shifting to the east. It's shifting to Duval County and St. Johns County."

Porter and four other lawmakers representing parts of Alachua County spoke at the University of Florida Community Campus Council's breakfast lecture series. Lawmakers previewed the upcoming legislative session, which they said again would include dealing with a budget shortfall and with other issues such as redistricting and restrictions on Internet cafes.

Porter said she's proposing legislation that would require each of the water management districts to use the same

science in making decisions.

"That way we are all treated on an equal basis, and we cannot come up with numbers that support simply our agenda," she said.

She said the problem is the St. Johns Water Management District, which permits water use in parts of Northeast Florida around Jacksonville, uses different science than the Suwannee River Water Management District, which covers areas to the west. David Flagg, a former member of the Suwannee River district board, suggested to lawmakers that the Suwannee district was using data based on sound science.

"I'm afraid I can't say the same for the St. Johns district," he said. "I may be being overly candid, but when their leadership started agreeing with our data, they lost their executive director. He was pushed out."

State Rep. Leonard Bembry, D-Greenville, said that the draining of groundwater was causing problems — such as White Springs drying up. State Sen. Steve Oelrich, R-Cross Creek, suggested that Jacksonville and other coastal areas move to desalination rather than using groundwater from inland areas.

Oelrich and other lawmakers discussed other issues they're planning to address in the session, including Oelrich's proposal to ban Internet cafes that feature simulated slots games. Rep. Keith Perry, R-Gainesville, said he would continue his focus on prison reform.

Lawmakers said the drawing of new legislative districts and the budget shortfall would be two of the biggest issues of the session. Rep. Chuck Chestnut, D-Gainesville, said the state was going to face more budget cuts unless other revenue sources such as an Internet sales tax are approved.

"It's going to be another tough year," he said.



**From:** Diane Salz <disalz@yahoo.com>  
**Subject:** SJRWMD & SRWMD agree to coordinate water planning...  
**Date:** October 17, 2011 3:08:46 PM EDT  
**To:** Jack Sullivan <jesull@comcast.net>  
**Reply-To:** Diane Salz <disalz@yahoo.com>

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## St. Johns and Suwannee districts agree to coordinate water planning

By [Christopher Curry](#)

Staff writer

Published: Sunday, October 16, 2011 at 6:04 p.m.

In rural North Florida, White Sulfur Springs ran dry long ago.

Levels in the Suwannee River — wide and deep enough to once be dubbed the Saudi Arabia of water — have reached historic lows in some areas.

Environmentalists and officials with the Suwannee River Water Management District say drought and groundwater pumping — including withdrawals within the far more populous St. Johns River Water Management District — have impacted water bodies in the highly agricultural, far less populated Suwannee district.

St. Johns district officials agree that the groundwater area feeding the springs and rivers in the Suwannee district has shrunk over time and that aquifer levels are down, but they say more information is needed to determine the causes and effects of that shift.

Now, the two districts have formalized an agreement to work cooperatively in planning and permitting decisions, to use shared science and processes in setting minimum flows and levels, or mfls, for water bodies and to coordinate efforts on restoring to health those water bodies that do not meet those mfls.

The two water districts and the Department of Environmental Protection signed off on the final version of the agreement in September.

St. Johns Governing Board member Richard Hamann, a law professor at the University of Florida, said the two districts might have their differences of opinion but the agreement shows a commitment to work together.

Environmental groups and, more recently, state lawmakers representing Alachua County say the city of Jacksonville, with its permit to pump about 155 million gallons a day out of the aquifer, is a major culprit in a regional drawdown on groundwater, lake and river levels and spring flows.

Al Canepa, assistant director of the St. Johns district's Department of Water Resources, said he believed there was no single cause.

"We believe it is pumpage," he said. "But Jacksonville is not the only place where water is pumped. There is pumping in South Georgia, and there is pumping in the Suwannee (district)."

The two-page agreement calls for the districts to share data to create a report that quantifies, details and traces the causes of the gradual westward shift of the groundwater area feeding the Suwannee district as well as the reduction in regional groundwater levels. The National Research Council will have input on that report.

The report requires the two districts to work jointly to develop expanded groundwater and surface water flow models that will include large swaths of each district's jurisdiction and, Canepa said, likely 12 to 15 South Georgia counties.

One full-time employee would be dedicated to the implementation of the agreement and split time between the districts' offices, Canepa said.



He said the DEP would serve as a "referee" if disagreements arise between the two districts' staffs. In the future, each district would establish minimum flows and levels — the point from which future withdrawals would cause harm to a water body — using the same scientific process. When a water body in one district fails to meet those levels because of pumping in the other district, there would be cooperative recovery efforts that could include increased conservation and alternative water supply projects.

### **WATER ASSESSMENT**

Several water bodies in the St. Johns district, including lakes in the Keystone Heights area, already fail to meet their adopted mfls.

The Suwannee district has named four basins — the Alapaha River Basin, Upper Suwannee River Region, and Upper and Lower Santa Fe — as water cautionary areas, which means groundwater supplies are not projected to meet future demands.

That water district's 2010 long-term water supply assessment stated regional water pumping had adversely affected groundwater levels in the northeastern district counties of Alachua, Baker, Bradford, Columbia, Gilchrist, Hamilton, Suwannee and Union.

U.S. Geological Survey research quoted in that assessment showed that, for the northeastern area of the district, the groundwater drawdown area has, over 75 years, shrunk by more than 20 percent, or 1,900 square miles.

In the agreement, the St. Johns district agreed that there was a shift over time in the groundwater divide but said more "data and analysis" was needed to determine the cause and impacts.

Canepa said St. Johns officials were not convinced that the shift of the groundwater divide was, in itself, a cause for concern. He said more study would show how significantly the area lost contributed to groundwater recharge.

Some felt existing research already demonstrated the cause.

"For Alachua County, we're very concerned," county Environmental Protection Department Director Chris Bird said. "We think the data shows that groundwater is being pulled toward Jacksonville. We think the data is very compelling."

Still, Bird said the agreement was a good step and demonstrated a willingness to work together.

Annette Long, with the environmental group Save Our Suwannee, said the Suwannee district's data on aquifer levels and the loss of groundwater area to feed rivers and springs already have been presented to St. Johns officials and that permitting decisions have not been affected.

In May, the St. Johns governing board approved Jacksonville's permit to draw 155 million gallons a day over concerns from Suwannee district officials. At the meeting when the permit was granted, Jacksonville officials made a presentation that Suwannee officials later said included inaccurate and misrepresented information.

Long said she believed the current agreement arrives after groundwater pumping already has done irreparable damage to water bodies in both districts.

"Sadly, I believe that it is too little too late," she wrote in an email. "Those who depend on the St. Johns watershed have been running out of water for a while now. There have been numerous plans to find new water resources, but most of the solutions are very costly."

Contact Christopher Curry at 374-5088 or [chris.curry@gvillesun.com](mailto:chris.curry@gvillesun.com).



From: Diane Salz <disalz@yahoo.com>  
Subject: SJRWMD & SRWMD Planning Agreement  
Date: October 20, 2011 9:06:27 PM EDT  
To: Jack Sullivan <jesull@comcast.net>  
Reply-To: Diane Salz <disalz@yahoo.com>



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## Editorial: Getting serious

*Published: Wednesday, October 19, 2011 at 6:01 a.m.*

It is encouraging, although not especially promising, that the Suwannee River and St. Johns Water Management districts have formally agreed to share hydrological data and cooperate on future planning and permitting decisions.

It would have been preferable had the two districts gotten together before the St. Johns governing board granted Jacksonville permission to pump 155 million gallons a day out of the aquifer; a decision that will surely continue the slow draining of Suwannee River region water to the east for years to come.

But it's not as though Suwannee River District officials didn't try to warn the St. Johns District about the negative regional consequences of Jacksonville's profligate water pumping; they did, only to be ignored by their neighboring water managers to the east.

The major failing of Florida's water management districts is not a dearth of cooperation but rather an unwillingness to adequately protect the state's water resources against over-consumption.

And right now, tax reduction, not conservation, appears to be Florida's top water policy priority.

"Florida's rich water resources are under significant stress," warned a 2009 report by the University of Florida's IFAS.

"Withdrawal of fresh water for all uses averaged about 7 billion gallons per day in 2005, and it is estimated that by 2025, water demands will increase to 8.5 billion gallons per day."

Cooperation without results is meaningless. It's time for our water managers to get serious about conservation.

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**From:** Diane Salz <disalz@yahoo.com>  
**Subject:** strategy for water war against JEA...  
**Date:** October 24, 2011 12:12:47 PM EDT  
**To:** Jack Sullivan <jesull@comcast.net>  
**Reply-To:** Diane Salz <disalz@yahoo.com>

## Strategy for water wars is strength in numbers

**Columbia, Hamilton, Suwannee will join forces to fight JEA move to pump 155 million gallons a day from the Floridan Aquifer.**

**By GORDON JACKSON**

Published: Sunday, October 23, 2011 4:01 PM EDT

[gjackson@lakecityreporter.com](mailto:gjackson@lakecityreporter.com)

An environmental group recently questioned if public officials understand how a permit allowing 155 million gallons of water a day to be pumped from the Floridan Aquifer could impact water levels in the region.

Annette Long, president of Save Our Suwannee, said some elected officials are "pretending that there isn't a problem." She said scientists predict crisis low water levels in some areas by 2015 because of groundwater pumping draw downs.

"Do our local officials understand?" she said. "I think they're starting to."

Suwannee County Coordinator Joe Gerrity said there is no doubt elected officials at the county level understand the threat.

"Part of the issue here is we've got lots of springs and they are drying up," he said. "I believe it's a very important issue."

And the concerns aren't just from Suwannee County. The county commissions from Columbia, Hamilton and Suwannee counties will meet soon to discuss the issue.

(A meeting had been scheduled for 6 p.m. Tuesday at a restored train depot in Live Oak, but was canceled Friday out of concerns the venue, which holds 60, wasn't large enough to accommodate all interested parties. A new date will be set soon, say officials.)

Commissioners plan to fight a permit that allows the St. Johns River Water Management District to draw 155 millions from the aquifer for use daily by the Jacksonville Electric Authority. Elected officials believe springs and rivers throughout north central Florida are threatened.

The big challenge is how three smaller, rural counties can take on a water district that includes nine counties, part of nine other counties, and encompasses Jacksonville, a metropolitan area with more than one million people.

"It's almost a David and Goliath thing, and we're David," Gerrity said. "When you're talking about 155 million of anything, that's a lot."

Columbia County Manager Dale Williams said the three governments will likely discuss possible legal action to challenge the St. Johns River Water Management District.

"You can't let size and geography scare you, even if it's a David and Goliath situation," he said. "Bad decisions are always worth reviewing."

Danny Johnson, Hamilton County coordinator, believes his county's historically low water table is a direct result of the draw down. The Hamilton County Commission recently passed a resolution opposing removal of water from the aquifer for use in Jacksonville.



Johnson believes the combined influence of three counties could generate enough support to overturn the permit.

"I would say we are very alarmed about this," he said. "Our rivers and streams are the mainstream of our tourism. It's very important. Studies show our low water table is directly connected to the draw down."

Johnson said the Jacksonville Electric Authority could use desalinated water from the Atlantic Ocean to cool equipment instead of endangering water levels in the region.

Long said the science showing the harm to local waterways is "irrefutable."

"It's so horrible, people don't want to believe it," she said.

Long said dozens of lakes are now dry because so much water has been drawn from the aquifer.

"There is nothing anyone in our district can do," Long said. "It's going to be really hard to grow without water."

From: Diane Salz <disalz@yahoo.com>  
Subject: **Fw: SWFWMD to shed up to 150 employees...**  
Date: October 26, 2011 9:58:06 AM EDT  
To: Jack Sullivan <jesull@comcast.net>  
Reply-To: Diane Salz <disalz@yahoo.com>

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----- Forwarded Message -----

From: Diane Salz <disalz@yahoo.com>  
To: Diane Salz <disalz@yahoo.com>  
Sent: Wednesday, October 26, 2011 9:57 AM  
Subject: SWFWMD to shed up to 150 employees...

The state agency that oversees water supplies in the 16 counties around Tampa Bay will shed 130 to 150 of its 768 employees by early next year, its board decided Tuesday.

Employees of the Southwest Florida Water Management District will be offered a voluntary separation plan that will be available for 45 days. If that doesn't work, then involuntary layoffs will follow in January or February, officials at the agency commonly known as Swiftmud announced.

The reason for the cutback: This spring, Gov. Rick Scott and the Legislature slashed how much Swiftmud could collect in taxes. As a result, the Brooksville-based agency has already cut its budget to 44 percent of what it was last year, but still faces a potential \$30 million budget shortfall by 2013, agency officials say.

That means choosing between cutting environmental programs or cutting staff, according to newly hired Swiftmud executive director Blake Guillory. He chose to cut staff.

"The more quickly we can get right-sized for our budget and workload, the faster we can move forward, secure in our jobs, to meet the water resource challenges of this district," Guillory, an engineer with no previous experience running a government agency, said in a news release.

Guillory presented his plan for restructuring the agency to its governing board Tuesday, and the board approved it. The plan is expected to save Swiftmud more than \$15 million per year.

Swiftmud is supposed to meet the water needs of current and future water users while protecting and preserving the water resources in an area that covers about 10,000 square miles of west-central Florida. It's one of the state's five water management districts — all of which have been undergoing major upheavals since Scott took office this year.

In August, after ordering cuts that totaled about \$700 million from all five districts, Scott said he wanted the agencies to slash their budgets further. Scott ordered cuts at Swiftmud totaling \$4.2 million more. He cut \$2.4 million from Swiftmud's reserve fund and took the rest out of salaries.

The governor said then that those additional cuts "are just the first steps in ensuring that Florida's precious water resources are protected and managed in the most fiscally responsible way possible."

"It's a dark day for Florida's water resources," Audubon of Florida's Charles Lee said then.

The remaking of Swiftmud really took off with the arrival of Guillory, who started the first week of October. He immediately sent two of his deputy executive directors and the agency's longtime attorney packing, and then demoted a third deputy director.

Guillory himself has taken a pay cut. He was making \$175,000 a year at the engineering firm Brown & Caldwell, but Scott has told all five water management districts he wants their executive directors' salaries capped at \$165,000.