

# As final choice nears, plan to ensure Central Florida water still sparking disagreement

By Steve Patterson

*The Florida Times Union* | [jacksonville.com](http://jacksonville.com)

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Days before votes that could ensure water supplies for growing Central Florida areas, a St. Johns River Water Management District board member warns that water-use estimates essential to planning that seem “dramatically overstated.”

Estimates that are overinflated could cost Floridians up to \$2.8 billion too much for the Central Florida Water Initiative, argued George Robbins, former president of a Jacksonville fragrance company, SCM Glidco Organics, that is now known as Renessenz.

“Using the current forecast would deceive those involved and cause taxpayers to pay for activities not needed,” Robbins told a panel overseeing the initiative in an email last week. “You have a moral, ethical, and fiduciary responsibility to provide the most accurate information you have.”

The projections have been challenged before from outside government, but having the argument come from a district board member complicates the case for the initiative, which the water management board is slated to vote on Tuesday.

“District staff is aware of Mr. Robbins’ concerns and is prepared to address his concerns during the discussion of this item,” district spokeswoman Teresa Monson said by email Wednesday.

The Central Florida initiative was drafted after years of work between three water management districts — St. Johns, South Florida and Southwest Florida — that each control part of the area the initiative involves.

It’s designed to make sure water is available for communities around Orlando to continue to grow over the next 20 years.

The plan covers areas in Orange, Osceola, Polk, Seminole and southern Lake counties.

All three water districts are scheduled to vote this month on the initiative.

Their decision could be important to the St. Johns.

A supply plan drafted last year for the initiative said “it is expected” some water to meet projected needs would come from rivers or lakes.

A revised plan lists potential projects that could take water up to 160 million gallons per day from the St. Johns in Orange and Seminole counties, although water might also come from other sources instead. St. Johns advocates have argued that taking water from it could harm the river’s health.

Building projects in the supply plan could cost billions, but firm numbers are nearly unknown because there’s no agreement on which, if any, of a string of efforts would actually be pursued.

## **FORCASTING DEMAND**

The Central Florida plan forecasts people's demand for water there could increase from about 850 million gallons per day this year to nearly 1.1 billion gallons per day in 2035.

But Robbins said the actual water use last year was less than 700 million gallons daily, only a few hundred thousand gallons different from 2013 — and that per-person water use is falling.

The gap between last year's level and the forecast for 2015 "is inexplicable," he told members of a steering committee for the water initiative.

"Compounding that mistake for 20 years produces the grossly inaccurate 2035 number," Robbins argued.

Just resetting the beginning number and assuming the same growth rate could eliminate most of the need for "alternative sources," the all-purpose label that can include pumping water from rivers instead of the Floridan aquifer, the state's first choice for water now.

Water managers heard Robbins, and they'll update the plan's numbers soon, said Drew Bartlett, deputy secretary of Florida's Department of Environmental Protection.

Just the same, he said, what's at stake is still mostly theoretical.

"It's a planning exercise. What it [the supply plan] does not do is impose requirements," said Bartlett, part of the steering committee Robbins wrote to.

Bartlett said the supply plan was written to identify places that communities might tap for water if they had to. It doesn't order utilities to build dams or dig reservoirs, or tell communities to write checks for waterworks that won't have customers.

The steering committee talked after Robbins' email was sent, Bartlett said, and agreed to update supply projections within two years, as well as a computer model used to track impacts of groundwater withdrawals on wetlands and lakes.

## **PLAN CHANGES URGED**

Critics of the supply plan are trying to rally opponents, saying the plan sets a direction utilities follow, and makes the projects it lists easier to permit. The St. Johns Riverkeeper organization and Audubon Florida asked their backers online to email the St. Johns district's board members and urge them to change the plan.

Riverkeeper Lisa Rinaman argues state leaders are focused on guaranteeing water for Central Florida to ensure growth of businesses in that area but aren't considering how those guarantees might impact other parts of the state.

Indeed, keeping water at hand has sometimes been discussed as a starting point for the region's future.

"You can't expect world-class attractions in Orlando to put billions of dollars into their parks if they don't know whether they're going to get an allocation for their newest water-based features," Agriculture Commissioner Adam Putnam said during a Florida Chamber of Commerce forum in September. "You can't expect to bring in a Boeing, a Mercedes, whatever shiny economic-development prize that we want, if there is some question about whether the most fundamental element in economic development will be available to them."

Robbins said all management districts' first responsibility is making sure there's enough water available, but it's important to recognize how much conservation is curbing public demand.

Water that's not used because people waste less can balance a lot of population growth, and Robbins pointed to estimates that per-person water demand in Central Florida had dropped nearly 40 percent over the past 20 years.

"That's a great thing," Robbins said.

To be sure, not everyone has been ready to accept forecasts of less individual use.

In August, the city manager for Minneola in Lake County wrote to the South Florida district that numbers in the supply plan "drastically understate the growth in population and water demand" his community will face over the next 20 years.

New development will have different characteristics than the town has been used to, City Manager Mark Johnson wrote, and "typically includes in-ground automatic irrigation systems and requirements for upkeep of lawns and landscaping, which results in higher water demand."

He also said the population would likely grow faster than the plan forecasts.

Johnson argued his town, which used a little less than 1.5 million gallons daily in 2010, would need about 12.7 million by 2035, not the 2.5 million the supply plan predicted.

The management district's executive director, Ann Shortelle, urged board members to approve the supply plan, writing in a briefing after the steering committee's last meeting that the board agreed long ago that a final plan should be approved after a public comment period that ended in August.

After years of preparation, her brief told the board, it's time to get the plan signed.

*This report contains material from the News Service of Florida.  
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# SJRWMD WATER NEWS

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## SJRWMD Approves the CFWI Regional Water Supply Plan

BY FLORIDA WATER DAILY · NOVEMBER 11, 2015

From the SJRWMD Press Release:

The St. Johns River Water Management District's Governing Board today approved the amended Regional Water Supply Plan (RWSP) and the draft 2035 Water Resources Protection and Water Supply Strategies Plan (Solutions Plan) for five counties in central Florida.

The RWSP charts a long-term course for water supply in the Central Florida Water Initiative (CFWI) region, which includes Orange, Osceola, Polk, Seminole and south Lake counties through 2035.

The plans call for more aggressive water conservation programs, expanded and more efficient water reuse projects, and a comprehensive menu of alternative water-supply project options to ensure adequate water supplies for the region through 2035.

Water supply plans identify future water supply needs for a 20-year planning horizon, and programs and projects needed to ensure sustainable supplies. However, the plans do not require that specific projects be implemented. Decisions to choose project options are made at the local level by water supply utilities.

"The board's vote to approve the CFWI plans allows us to move to the next steps in the important work of water supply planning in central Florida," said Governing Board Chairman John Miklos. "By working collaboratively, the region will be able to meet future demands through appropriate management of water resources, increased conservation and reclaimed water use, and alternative water supply projects."

The plans will be considered by partnering water management districts' governing boards over the next two weeks — the South Florida Water Management District on Nov. 12 and the Southwest Florida Water Management District on Nov. 17.

The CFWI is a collaborative effort that engages three water management districts, Florida Department of Environmental Protection, Department of Agriculture and Consumer Services, central Florida utilities and stakeholders representing agricultural interests, the business community, local governments, and the environmental community.

The CFWI process led to the creation of a regional groundwater model, which found that the potential water-supply needs of 2035 could exceed the sustainable limits of the Floridan aquifer by as much as 250 million gallons a day. The plans identify more project options than are needed to meet the region's water supply needs.

The plans represent more than five years of a coordinated effort led by the CFWI involving many experts in the fields of water supply and water management. More than 6,000 stakeholders participated in the process by attending public meetings and providing comments that helped shape the plans.

From the Florida Times Union:

- The St. Johns River Water Management District's governing board approved a water supply plan for Central Florida on Tuesday that critics argued could needlessly drain water from the St. Johns.
- The supply plan for the Central Florida Water Initiative by itself doesn't commit any community to much of anything.
- But it lists three potential projects that might take up to 160 million gallons per day from the river for use around the Orlando suburbs, if they're ever built.

SJRWMD News Release

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## **District Governing Board elects officers**

PALATKA, Fla., Nov. 10, 2015 -- The St. Johns River Water Management District's Governing Board on Nov. 10 unanimously re-elected John A. Miklos of Orlando to serve as board chairman for a third year.

Miklos is president and senior project manager of Bio-Tech Consulting (BTC) Inc., an Orlando-based environmental consulting firm. He has a bachelor's degree in limnology from the University of Central Florida and many years of experience in environmental permitting, mitigation, wetland delineation, listed species evaluations, wildlife surveys and water quality studies. He is a member of the Florida Association of Environmental Professionals, the Florida Lake Management Society and the Society of Wetland Scientists. Miklos has been on the board since March 2010.

The board also re-elected Fred N. Roberts Jr. of Ocala to serve as vice chairman, Carla Yetter of Fernandina Beach as treasurer, and Charles "Chuck" Drake of Orlando as secretary.

The other board members are Douglas C. Bournique of Vero Beach, Douglas Burnett of St. Augustine, Maryam H. Ghyabi of Ormond Beach, Ron Howse of Cocoa and George W. Robbins of Jacksonville.

Board members, who meet monthly, are responsible for setting the policies for the district's operation. They are appointed by the governor to four-year terms and serve without pay.

Board member profiles and photos are available on the district governing board's Web page.

***The Gainesville Sun***

## **Second environmental group sues state over Amendment 1**

By Christopher Curry

Staff writer

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Local environmental group Florida Defenders of the Environment has sued the state for misusing hundreds of millions of dollars that last November's Amendment 1 referendum set aside for the state's conservation land acquisition trust fund.

In the case, filed Monday in circuit court in Leon County, the environmental group accuses state officials of violating the water and land conservation constitutional amendment, and therefore the state Constitution, by using some \$237 million of the \$740 million set aside by the voter-approved referendum on salaries and benefits, best management practices for agricultural businesses, capital projects, vehicles, insurance and other items unrelated to conserving land and water resources or increasing public access to them.

"The legislature may not make appropriations from a fund that has a specifically designated use prescribed in other portions of the statutes or constitution for purposes that do not serve that designated use," Florida Defenders of the Environment board member Joe Little, a University of Florida law professor emeritus who wrote the complaint, said in a press release.

Florida Defenders' argument is that Amendment 1 places funds in the Land Acquisition Trust Fund for explicit uses — buying and restoring conservation lands — and that the legislature can't spend that money for other things.

The lawsuit is the latest development in the ongoing dispute environmental and conservation groups have with how the Legislature is spending money from the 2014 referendum, which voters approved with 75 percent support.

Only \$15.1 million went to Florida Forever, the conservation land-purchasing program that the groups that pushed to get Amendment 1 on the ballot sought to restore to its pre-recession spending levels.

Upset by that, the Florida Wildlife Federation, St. Johns Riverkeeper, the Florida Sierra Club and other environmental groups have an active lawsuit against the Legislature and Chief Financial Officer Jeff Atwater saying the state "wrongfully diverted at least \$237 million in those funds to pay for general state expenses not allowable under the amendment."

That lawsuit asks the court to order the state to transfer state general fund money to the land acquisition trust fund to "repay" it.

Court records show that in the Legislature's motion to dismiss, their attorneys say the court has no legal authority to redistribute public funds because that would mean the judiciary is performing the legislative function of controlling public funds.

The Florida Defenders of the Environment lawsuit has the same goal but takes a different approach, said executive director Thomas Hawkins, a former Gainesville city commissioner.

Instead of the Legislature, the heads of the Florida Department of Environmental Protection, Department of State, Department of Agriculture and Consumer Services and Florida Fish and Wildlife Conservation Commission are the named defendants.

Instead of asking the court to order state officials to re-appropriate the funds, Florida Defenders of the Environment wants an injunction to block the state agency heads from spending the money as approved in this year's budget.

Hawkins said the group believes state officials improperly used an appropriations bill to change policy and law.

When lawmakers were approving the budget over the summer, a prominent Florida House leader responded to some of the criticism that has since become a focal point of both lawsuits.

"Government programs cannot function without the people and resources necessary to implement them," House Agriculture & Natural Resources Subcommittee Chair Ben Albritton, R-Bartow, said in June. "We cannot manage our conservation lands without well-equipped land managers or improve water quality in our lakes and rivers without scientists and technicians who work in the field with the resources to get the job done. That's one reason Land Acquisition Trust Fund dollars are used to pay the salaries and other expenses necessary to implement environmental programs authorized by the amendment."

The late Marjorie Harris Carr formed Florida Defenders of the Environment in 1969. The group won a successful battle against the Cross Florida Barge Canal, which became the Marjorie Harris Carr Cross Florida Greenway, and also focuses on protecting and restoring the Ocklawaha River.

"We're not the biggest organization in the state," Hawkins said. "We don't have the broadest reach."

But he said the current and former UF faculty members on the organization's board gives Florida Defenders of the Environment a "level of expertise" other groups may not have.

## House follows Senate's lead on changes to water bill

By Bruce Ritchie  
8:01 p.m. | Nov. 18, 2015

TALLAHASSEE — After expressing reluctance last month about making changes in a comprehensive water bill, state Rep. Matt Caldwell on Wednesday proposed amendments he said were suggested by the Senate.

Earlier this year, the state House of Representatives passed a water bill and the Senate voted to make changes. But the bill died when the chamber adjourned early and went home.

Now, HB 7005 represents an agreement between House and Senate leaders on bill language. Caldwell, a Republican from North Fort Myers, said last month he'd be reluctant to make changes that might put the deal at risk. But on Wednesday, he said amendments approved by the House Agriculture and Natural Resources Appropriations Subcommittee had been suggested by senators.

"We're following their lead," Caldwell said. "I don't want to make changes unless the Senate is good to go with it."

The bill has support from industry groups and some environmental groups, but other environmental groups are raising concerns.

The Senate bill, SB 552, would establish timetables for actions by the state to protect springs, revise permitting for Lake Okeechobee non-point source pollution and establish regulatory certainty for water use permitting and planning in Central Florida.

Supporters include the Florida Farm Bureau Federation, Associated Industries of Florida, the Florida Chamber of Commerce, the Department of Agriculture and Consumer Services and The Nature Conservancy. A Sierra Club Florida representative said the bill still needs work.

Among the amendments approved Wednesday is one that allows a recovery strategy to be set expeditiously after groundwater pumping limits are established, Caldwell said. The bill had required the recovery strategy to be set concurrently, which the Sierra Club had argued could delay or prevent setting pumping limits.

Sierra Club lobbyist David Cullen suggested numerous changes in bill language, including several dealing with springs protection.

He said the group would like language inserted requiring water conservation and a deadline for initiation of cleanup plans for springs and other waterways. And he called for strengthening the list of prohibited activities in springs protection areas.

Cullen said the Sierra Club wants a good water bill to pass this legislative session. "As far as I'm concerned it's worth the work it takes to get there," he said.

The bill passed, 11-1, with Rep. Jose Javier Rodriguez, a Democrat from Miami, voting against. He said he shared the Sierra Club's concerns.

After the meeting, Caldwell said the House is "willing to talk about anything and everything" but remains respectful of the need to have an agreement with the Senate on any changes.

The House will now head to the full chamber. The Senate version is on Thursday's agenda for the Senate Committee on Appropriations, which is its last committee stop.



## Florida signs off on St. Johns River withdrawals

Published on: Nov 18 2015 10:31:17 PM EST

TALLAHASSEE, Fla. -

A state commission has issued a final order rejecting a legal challenge dealing with water withdrawals from the St. Johns and Ocklawaha rivers.

The Putnam County Environmental Council argued in the long-running dispute that a St. Johns River Water Management District water-supply plan improperly designated withdrawals from the rivers as "alternative water supplies." But the Florida Land and Water Adjudicatory Commission, which is made up of Gov. Rick Scott and Cabinet members, issued a final order Tuesday siding with the water-management district.

The commission, which has the authority to review actions of water-management districts, took up the issue during a Sept. 29 meeting. "Petitioner's argument that the challenged water supply development projects do not qualify as 'alternative water supplies' is without merit," the order said. In a document filed in 2012, the Putnam County group pointed to potentially broad ramifications from the case.

"The precedential impact of St. Johns' (the water-management district's) designation of these surface water withdrawals as 'alternative water supplies' is statewide," the document said. "Other water management districts have designated or will designate river withdrawals as 'alternative water supplies' if St. Johns' designations are upheld."

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## **Finding answers to meet water demands in south Lake**

*Livi Stanford livi.stanford@dailycommercial.com | Posted Nov. 29, 2015*

For the first time in history, the St. Johns River Water Management District, the South Florida Water Management District and the Southwest Florida Water Management District all have approved a regional water supply plan for Central Florida to ensure adequate water supply for the region through 2035.

The plan includes a combination of alternative water supply project options, expanded and efficient water reuse projects, and aggressive water conservation measures for cities and counties in the region, including south Lake.

Water experts have cautioned that south Lake has a little under five years to find an alternative water supply before withdrawals from the aquifer could begin impacting lakes, wetlands and springs.

In south Lake it is projected by 2035, there will be a need for an additional 12 to 15 million gallons per day.

Within the regional water supply plan are several projects in south Lake, which call for using the lower Floridan aquifer as a viable alternative water source.

Members of the South Lake Regional Water Initiative (SLRWI) -- a coalition that includes the cities of Clermont, Groveland, Minneola, Mascotte, Montverde, the South Lake Chamber of Commerce, private utility companies and the county -- have been working in conjunction with the Central Florida Water Initiative (CFWI) for the past five years to find an alternative water supply.

Local water experts and officials say several south Lake water initiatives, included in what is known as the CFWI water supply plan, are solidifying how south Lake will meet its growing demand for water in the future

“The approval of the CFWI gives legitimacy to the concept of our project,” said Alan Oyler, a consultant to the SLRWI. “We are going to continue to pursue it. What that means for us, is once we go through the permitting process, we will probably become eligible for state funding.”

Groveland Mayor Tim Loucks, who co-founded the SLRWI with Commissioner Sean Parks, said the plan is a “milestone initiative.”

“We have never had such a comprehensive direction to go in,” he said. “We are given a multitude of options to make sure we do have adequate water.”

But those same experts say there are still many hurdles to overcome in determining how much the withdrawals will impact the lakes, the lower aquifer’s sustainability, and the need to pass unified landscaping codes in all south Lake cities and the county, requiring Florida Friendly landscaping and limiting irrigation for landscapes.

“We have not done a model that shows our projected withdrawals from where our projected locations are,” Oyler said. “We know the additional withdraw from the Lower Floridan will likely have an impact on the springs. It does not have as much of an impact on lakes. That does not mean that lakes are not detrimentally impacted.”

Most of the water consumed by Floridians is drawn from the upper Floridan aquifer, a meandering reservoir that sits just below the surface of the earth.

Water experts say the upper aquifer cannot supply a growing state, including Central Florida, much longer, so many counties -- Orange, Marion, Polk and Lake among them -- are beginning to explore the lower aquifer deeper beneath the ground.

SLRWI officials have been looking for answers deeper underground in the largely untapped lower aquifer. With funding from the state, SLRWI officials conducted a study, which showed the lower aquifer is a viable water source in the future.

The lower aquifer is seen by many communities in Florida as the best hope for a cost-effective solution to the state's approaching water shortage.

The CFWI report states the south Lake county wellfield project has the potential to supply 12.7 million gallons per day of water to the south region.

"Although the model does show impacts, producing water from the (lower aquifer) should reduce the potential for impacts when compared to using traditional (upper aquifer) sources," the report stated.

Parks said adopting unified water conservation codes are critical to addressing water supply needs.

"We can't keep developing the way we have been doing it in the past," he said. "If we require new development to utilize non-potable sources for irrigation and conservation measures..., we will ensure there is enough affordable water for our residents and businesses without hurting our lakes and wetlands."

Loucks said the biggest issue with the lower aquifer is whether it will be sustainable. If not, water could get more costly.

"The lower Floridan is the most economical for us to utilize right now," he said. "Should it not be able to carry us through the 20-year projection, we have other sources to rely on."

Those other sources include taking water from Yankee Lake and St. Johns River. But those options are more costly, Loucks said.

## **Florida House: Use conservation money on Everglades**

By Gary Fineout, The Associated Press  
Dec. 1, 2015; 6:28 p.m.

TALLAHASSEE, Fla. (AP) - Amid criticism and even lawsuits over Florida's conservation efforts, the Republican-controlled state House on Tuesday announced an ambitious plan to pay for projects to help restore the state's Everglades.

The House proposal, called the "Legacy Florida" initiative, would mandate that the state set aside at least \$200 million a year for Everglades restoration projects.

The list of projects would include those designed to lessen the level of discharges from Lake Okeechobee into nearby estuaries. In recent years, federal authorities have been criticized for discharging polluted water from the lake into Indian River Lagoon and the Caloosahatchee River.

"The Everglades is at the heart of our natural resources, and I believe consistent funding will help preserve and protect this national treasure," House Speaker Steve Crisafulli said in a statement.

Several environmental groups said that they were supportive, especially since the proposed legislation sponsored by Rep. Gayle Harrell would require that a minimum of \$100 million be spent for the next decade for a list of comprehensive projects approved as part of a massive multi-billion dollar restoration plan.

"It's an important moment to have dedicated revenue so we can get these projects finished to ultimately protect the water supply for a third of the population," said Eric Eikenberg, chief executive officer of The Everglades Foundation.

Gov. Rick Scott, in a statement, signaled he was supportive.

The move by the House comes amid an ongoing tug-of-war over conservation money.

Voters in 2014 approved Amendment 1. It earmarks 33 percent - or about \$18 billion to \$20 billion over the next 20 years - from a real estate stamp tax to help the state purchase lands for conservation and water quality. It was the largest such measure ever approved in U.S. history.

Legislators in June passed a budget that used more than \$750 million from real estate taxes on a wide array of programs including beach restoration and projects aimed at helping the state's beleaguered freshwater springs. But they also used the money to pay for salaries at several state agencies that oversee environmental programs and oversee existing state-owned lands and forests. They included only \$17.4 million for Florida Forever, the state's main land conservation program.

That move by lawmakers triggered a lawsuit from environmental groups that contended legislators were defying voters.

The House proposal to dedicate at least \$200 million on Everglades restoration would meet Amendment 1 requirements.

## 'Legacy Florida' Bill Would Establish Dedicated Funding for the Everglades

By Nancy Smith

December 1, 2015 - 1:30pm

A week after Gov. Rick Scott unveiled a 2016 budget that many claim severely shortchanges Florida Everglades restoration by limiting land acquisition, the Florida House of Representatives announced the creation of the "Legacy Florida" bill.

The bill, sponsored by Rep. Gayle Harrell, R-Stuart, establishes a dedicated funding source to restore the Florida Everglades.

If it passes, "Legacy Florida" will direct funds from the Land Acquisition Trust Fund (LATF) to fund Everglades projects that implement the Comprehensive Everglades Restoration Plan, the long-term plan, the final Lake Okeechobee Basin Management Action Plan adopted by the Department of Environmental Protection in December 2014, and the Northern Everglades and Estuaries Protection Program.

"As a seventh generation Floridian, I have made the care of our natural resources a legislative priority. I want to ensure that future generations can enjoy the beauty of well-managed land and water," said Florida House Speaker Steve Crisafulli, R-Merritt Island, in a statement issued by the House speaker's office. "The Everglades is at the heart of our natural resources, and I believe consistent funding will help preserve and protect this national treasure."

Said Harrell, "Cleaning up the St. Lucie River, Lake Okeechobee, the Caloosahatchee River, the Indian River Lagoon and the Everglades has been a priority for me since I was first elected to the Florida House of Representatives. The future of our way of life is linked directly to the health of our rivers ... 'Legacy Florida' will provide the resources to make it possible for our children and grandchildren to enjoy these natural treasures."

Agriculture Commissioner Adam Putnam has thrown his weight behind the bill, issuing this statement: "The Everglades is a nationally recognized, environmental treasure that is a source of pride for Floridians, provides a home to many unique species of wildlife and supplies water to more than 8 million people in Florida.

"We have the vision and science-based strategies to restore this precious ecosystem, but only with adequate funding can we achieve our goals," said Putnam. "The leadership of the Florida House of Representatives, led by Speaker Steve Crisafulli, has demonstrated a strong commitment to Florida's natural resources with the 'Legacy Florida' proposal ..."

As part of Scott's proposed \$79.3 billion budget introduced last week, Scott is asking for \$62.8 million for the land-acquisition program Florida Forever, \$188 million for work to improve the Everglades and Lake Okeechobee and another \$50 million to help maintain the state's natural springs.

Though the governor calls it a "historic investment" in the environment, environmentalists contend that land purchases are required now for Everglades restoration. Overall funding should be higher in light of the constitutional amendment approved by voters in 2014 and controversial spending decisions made by the Legislature this year, they say. Those decisions, which included using money to cover agency operations, are the focus of two lawsuits.

Harrell sought and received the support of major Florida stakeholders in preparing to introduce "Legacy Florida." Here is what some of them had to say in the speaker's press statement:

**Eric Eikenberg, CEO, The Everglades Foundation**

"The Everglades Foundation appreciates the Speaker's support of legislation that will dedicate funding to Everglades restoration, and especially the Comprehensive Everglades Restoration Plan, to help move projects to completion. The Everglades is an economic engine for this state and a sound investment. Restoration projects create jobs and protect the water supply for one in three Floridians. We look forward to working with the Florida Legislature and the Governor's Office to ensure a dedicated revenue source for a restored Everglades becomes a reality."

**Eric Draper, Executive Director, Audubon Florida**

"Dedicated funding will ensure steady progress on the projects needed to provide clean water to the Everglades and estuaries. We applaud this legislation and its commitment of state funds to ecosystem restoration. Floridians should welcome this as a major step forward toward implementing plans to meet water quality goals and deliver freshwater flows."

**Robert Thomas, Chairman, Florida Land Council**

"The Florida Land Council applauds the establishment of a dedicated funding source for Everglades restoration. Long term funding for the implementation of the Everglades water quality plan, the Comprehensive Everglades Restoration Plan, and the Northern Everglades and Estuaries Protection Program is needed to ensure that there is ample clean water available for a healthy ecosystem while meeting the other water related needs of the region."

**Temperince Morgan, Executive Director, The Nature Conservancy**

"The Nature Conservancy applauds the Legislature for creating a steady and predictable funding stream for projects that will improve water quality and quantity for the Everglades and the Caloosahatchee and St. Lucie Estuaries. We believe this significant commitment of Amendment 1 funds assures completion of projects that help to restore essential habitats for Florida's imperiled species."

**Tom Feeney, President and CEO, Associated Industries of Florida**

"Associated Industries of Florida and the Florida H2O Coalition applaud Speaker Steve Crisafulli for supporting dedicated funding for the Everglades, which will help tackle Florida's major water problems in a comprehensive way. By supporting legislation, which would appropriate a portion of Amendment 1 funds annually for Everglades projects, we will be able to see positive impacts through the Comprehensive Everglades Restoration Plan, Lake Okeechobee Basin Management Action Plan, and the Northern Everglades and Estuaries Protection Program. We look forward to working with Florida lawmakers and the Governor to see this funding plan come to fruition during the 2016 Legislative Session."

Harrell will file the bill in the coming weeks. Here is a summary of the draft legislation:

- From funds distributed into the Land Acquisition Trust Fund (LATF) pursuant to s. 201.15, F.S., (Amendment 1 33% funds), after paying required debt service, a minimum of the lesser of 25 percent or \$200 million must be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, the Long-Term Plan as defined in s. 373.4592(2), F.S., the final Lake Okeechobee Basin Management Action Plan adopted by the Department of Environmental Protection in December 2014, and the Northern Everglades and Estuaries Protection Program as set forth in s. 373.4595, F.S.

- From these dedicated Everglades funds, \$32 million must be distributed each fiscal year through the 2023-2024 fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2), F.S.
- From the dedicated Everglades funds remaining after deducting the \$32 million, a minimum of the lesser of 76.5 percent or \$100 million must be appropriated for 10 years (through 2025-26) for the planning, design, engineering and construction of the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, F.S.
- The legislation requires the Department of Environmental Protection and the South Florida Water Management district to give preference to those Everglades restoration projects that reduce discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner.

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## **Judge declines to toss suit over Amendment 1 spending**

By Bruce Ritchie 7:21 p.m. | Dec. 3, 2015

TALLAHASSEE — A state circuit court judge on Thursday refused to throw out a lawsuit filed by environmental groups charging that the Legislature misappropriated \$237 million provided for conservation spending under a 2014 ballot initiative.

Seventy-five percent of Florida voters in 2014 approved Amendment 1, which designated that a portion of revenue from an excise tax on transactions be transferred to the state Land Acquisition Trust Fund.

The 2015-16 state budget provided \$742 million under Amendment 1. In June, environmental groups asked the court to declare the spending of \$237 million for "general state expenses" to be in violation of the constitution.

On Thursday, Circuit Judge George S. Reynolds III rejected a request by the Legislature to dismiss the case because the environmental groups could not show they were directly affected. But Reynolds granted a request by Chief Financial Officer Jeff Atwater to be dismissed from the case.

David Guest of the Earthjustice law firm said the groups had "crossed the first hurdle" by keeping their case from being thrown out.

"This is a turning point," Guest said after the court hearing. "Now we have a clear shot at the Legislature. They tried to take us out — it didn't work. They lost and we won."

Andy Bardos, a lawyer representing the Legislature, said only that his clients were pleased the court dismissed the chief financial officer from the case.

Amendment 1 faced no organized opposition in advance of the 2014 general election. But voter approval touched off debate between industry and environmental groups over whether pollution cleanup and water supply projects should receive funding under the initiative.

Legislative leaders also said many existing programs within state agencies, such as state parks management, also complied with the amendment.

The \$78.4 billion budget signed by Gov. Rick Scott in June included \$55 million for land acquisition. That compares to the \$300 million per year or more provided for the Florida Forever land acquisition program from 1990 to 2008.

Later in June the Florida Wildlife Federation and its president, Manley Fuller, the St. Johns Riverkeeper, the Environmental Confederation of Southwest Florida and the Sierra Club filed the lawsuit in Circuit Court in Tallahassee. An amended complaint was filed in September.

Those groups argued that the \$237 million in spending that violated Amendment 1 included \$174 million for salaries and overhead, nearly \$21.7 million for agricultural best management practices (of which \$5 million was vetoed by Scott), \$5 million for nutrient reduction and water retention projects on private lands and \$1.2 million for risk management insurance.

The groups asked the court to require Atwater to transfer \$237 million from surplus general revenue to the Land Acquisition Trust Fund.



Andy Bardos, a lawyer representing the Legislature, told Reynolds that the environmental groups could not show their members were directly affected by the Legislature's spending decisions on more than 80 contested line items.

But Reynolds repeatedly asked Bardos to provide an example of who would have standing to sue, but the lawyer said he couldn't provide one offhand.

"You can't give me an example of any plaintiff who might, which means nobody could ever challenge," Reynolds said.

Richard T. Donelan Jr., chief counsel in the Department of Financial Services, said the judge couldn't direct the chief financial officer to transfer the money from general revenue to the Land Acquisition Trust Fund because there was no authority in state law for the CFO to do that.

Reynolds agreed and dismissed the CFO. In response after the hearing, Guest said the court could require the Legislature to make the transfer.

Reynolds also dismissed a portion of the environmental groups lawsuit asking for a declaration as to what uses are permissible under Amendment 1.

And the judge raised his own questions about what spending constitutes is proper under Amendment 1, suggesting that a football field in the middle of a cow pasture could be an allowed recreational land purchase.

Guest acknowledged after the hearing that determining what spending should be allowed will be a challenge in the case.

"We think the intent of the voters was unmistakably clear," Guest said. "When you apply that intent to any rational standard you will find an order that says the constitution is violated."

He also said he hoped the case would influence the Legislature as it works on a 2016-17 state budget but he had no indication that has happened yet.

**Miami Herald**

## **Judge rejects attempts by Legislature to dismiss lawsuit against them over Amendment 1**

A Tallahassee judge on Thursday rejected attempts by the Florida Legislature to dismiss a lawsuit accusing lawmakers of violating the constitution by misspending \$237 million in money in Amendment 1 funds intended for water and land conservation.

Leon County Circuit Court Judge George Reynolds ruled from the bench that the lawsuit filed by the the Florida Wildlife Federation, the St. Johns Riverkeeper, the Environmental Confederation of Southwest Florida and the Sierra Club could continue.

But he dismissed a second prong of their complaint which attempted to have the court compel Chief Financial Officer Jeff Atwater to shift funds from the general revenue fund into the Land Acquisition Trust Fund to replace the errant spending.

Florida voters approved Amendment 1 in November 2014, setting aside 33 percent of the proceeds from the real estate documentary stamp tax go into the Land Acquisition Trust Fund to protect fragile wetlands, springs and other environmentally sensitive areas.

But challengers say that legislators stripped \$237 million of those funds to pay for other projects not intended by voters and they want the court to call them on it now to prevent repeating the mistake in the next budget year. The funds from documentary stamps on land transactions are expected to reach \$740 million next year.

Reynolds said the case could proceed but agreed with Atwater's attorney that only the Legislature has the power to decide how to spend state funds and the request violated the separation of powers doctrine.

"If the CFO has the independent authority to take money from one trust and put it into another, that would be a sea change in the way the Florida executive branch is operating," said Richard Donelan, Jr. chief counsel for Atwater.

Reynolds agreed and told the plaintiffs to amend their complaint to choose a different remedy.

David Guest, attorney for the environmental law firm Earthjustice, who represents the challengers in the case, said he would likely ask the court to direct the legislature to restore the money instead.

"This is nothing more than if a trustee misappropriates money, the court says put it back," Guest said. "I think we got the wrong people to put it back. We'll see."

The ruling was a "turning point," Guest said, because it the Legislature "tried to take us out and lost."

But Reynolds left open the possibility that the challengers will have additional hurdles ahead in trying to justify how the legislature's spending did not meet the voters' intent.

The complaint alleges at least 80 different allocations in the 2015-16 budget they believe violated the intent of the constitution. Among them:

- \* \$1.2 million for risk management insurance for the Department of Environmental Protection, the Department of Agriculture and Consumer Services, the Department of State and the Florida Fish and Wildlife Conservation Commission, covering liability for, among other things, damage awards for Civil Rights Act violations
- \* \$623,043 to pay for executive leadership and administrative services to wildlife programs in the Florida Fish and Wildlife Conservation Commission;
- \* \$21.6 million to the Department of Agriculture to pay for implementation of agricultural best management practices on non-conservation, privately owned lands;
- \* \$174 million for salaries and overhead for personnel within the Florida Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, and the Department of State;
- \* \$838,570 for wildfire suppression vehicles for the Department of Agriculture;
- \* \$5 million to the Department of Agriculture to pay private agricultural operations to keep their pollution on their own lands;
- \* \$38,575,538 to the Department of Environmental Protection that can be used to build sewage treatment plants and stormwater treatment systems.

Reynolds said that it was not clear what standard should be used to decide whether one expenditure is appropriate to fund with Amendment 1 proceeds, and what is not.

“Whatever that standard is, that is going to be very important,” he said.

Guest said they would work on developing that as the case progresses.

“The voters intent was clear,” he said. “What the Legislature did just simply cannot be matched with what the voters intended.”

A second lawsuit was filed last month by Gainesville-based Florida Defenders of the Environment which is taking a different approach by asking the court to block four state agencies from spending the money intended for land and water preservation – DEP, the Department of State, DACS and FWC in the current fiscal year.

The proponents of Amendment 1 had proposed last session that the Legislature allocate \$60 million of the documentary stamp proceeds to restore natural springs and \$155 million go to the Florida Forever program. But lawmakers set aside only \$38.5 million for springs and \$15 million for Florida Forever.

Posted by Mary Ellen Klas on Thursday, Dec. 3, 2015 at 6:39 PM

## Orlando Sentinel

# New bottler shouldn't get OK to tap aquifer

Lauren Ritchie - Contact Reporter

### COMMENTARY

Water experts say only 50 million gallons a day are left

You can't water your lawn when you want, but a new water-bottling operation is asking to pump millions of gallons for profit and probably will get an OK to do it.

The request is for more water than the controversial Niagara Bottling plant pumped when it first opened in Groveland. Are you surprised? You shouldn't be.

Florida's water-management districts can't say no to anyone. Despite a sloppy application, chances are high that Spring Water Resources of Ocala — doesn't the clever name sound like it's a group doing good? — will be getting permission to pump 181 million gallons a year.

The company's plan is to withdraw water from 10 acres just south of County Road 470 and east of U.S. Highway 301 in Sumter County. Some 144 tanker trucks a day would take the raw water to the Azure Bottling plant in Leesburg, owned by a Fruitland Park couple.

There, plans call for bottling the water and selling it to five retailers, including Niagara Bottling and Nestlé Water, according to a business plan filed with the Southwest Florida Water Management District.

The proposal is to drill a 10-inch well near Fern Spring, but don't worry — the application swears that tests show the pumping won't hurt the spring at all. Never mind that engineers at the water district have never even heard of the process the water company's consultant used to determine the spring is safe.

In a Nov. 24 letter to Spring Water Resources manager Darryl C. Lanker, a senior district engineer asked the consultant to explain her methods and to disclose precisely how many feet the proposed well would be from the spring. Seems that she left that little tidbit out of the application.

The engineer also noted that the well was pinpointed in two different places on maps, that it is proposed for a flood plain without a plan to keep floodwaters from contaminating the well and that it appeared only one flow test was done — three years ago. The engineer pointed out that the applicant hadn't suggested any way to mitigate the withdrawal from what's known as the upper aquifer, where all the sweet water is buried, and he questioned the conclusion that two springs on the property would be unharmed.

Longtime environmentalist and Lake County Water Authority Chairwoman Peggy Cox snorted aloud at the very notion that a 10-inch well near a spring wouldn't reduce spring flow before giving her personal opinion: "Good luck with that. The spring will probably not exist much longer."

Niagara, Cox said, also started with upper-aquifer withdrawals and got permission in 2014 to double the amount it pumps to roughly 365 million gallons a year by agreeing to pump from more than 1,000 feet deep, where water must be treated before drinking it.

So, is this new request just a way for Niagara to avoid having to deal with the water in the deeper aquifer? Perhaps.

But the problem is bigger. It's this: We like bottled water. People have gotten used to drinking it, and habit is a power motivator.

Bottled water is for drinking by humans, and that's the very "best and highest use" of sweet aquifer water, according to the experts at the districts who issue the permits. The fact that Niagara water sells for \$4 to \$5 a case and a typical utility charges only \$2 to \$5 for 1,000 gallons doesn't bother them in the least.

We also like to water our lawns, but the water districts aren't shy about trying to change that particular bad habit by imposing restrictions and making water more expensive. Too bad they don't have the courage to take on water bottlers, too.

Not many years from now, water experts at the districts will have to decide whether residents or for-profit companies rank higher when it comes to handing out the last of the cheap, easily accessible water in the upper aquifer.

The region has been consuming 800 million gallons a day from the aquifer, and hydrologists say pumping 850 million gallons is the point at which springs and wetlands will begin to degrade. Technically, utilities and other big users already have permits to pump the remaining 50 million, but they don't need it right now and aren't withdrawing it.

The trustees of the water districts must realize that the people paying their salaries have a valid point when they say the water should be theirs. The board of the Southwest district has an opportunity to forge a new path by turning down this request.

*Lritchie@tribune.com. Lauren invites you to send her a friend request on Facebook at [www.facebook.com/laurenonlake](http://www.facebook.com/laurenonlake).*

# Florida Springs Council Asks EPA to Review Silver Springs BMAP

BY FLORIDA WATER DAILY · DECEMBER 9, 2015

From the Florida Springs Council Press Release:

In a letter to the Region IV Administrator of the U.S. Environmental Protection Agency (EPA), the Florida Springs Council has asked the EPA to review the Basin Management Action Plan recently adopted by the Florida Department of Environmental Protection (FDEP) for Silver Springs and the Upper Silver River.

The Florida Springs Council—an alliance of 34 private and public organizations that represent more than 100,000 people—is concerned that the Basin Management Action Plan, or BMAP, does not meet requirements set forth in two sections of the federal Clean Water Act. The Council's letter requests that the EPA "...exercise your full authority to require the State of Florida to follow the letter of the law with regards to this BMAP." According to federal law, if a state is found in violation of the Clean Water Act, the EPA has the authority to withhold CWA grant funding or other federal assistance until the deficiencies are corrected.

The Council's concerns about the Basin Management Action Plan include:

- FDEP failed to achieve the 79 percent nitrate reduction requirement established by that agency in 2012 in the Total Maximum Daily Load (TMDL) allowed for Silver Springs.
  - Based on FDEP's calculations, there will be no more than a 6 percent reduction of the existing nitrogen load polluting Silver Springs and the Silver River with the BMAP.
  - FDEP failed to uphold a basic principle of TMDL implementation by emphasizing reliance on public utilities, instead of reliance on all polluters, to reduce nitrate pollution.
  - FDEP failed to hold agriculture and on-site treatment and disposal systems (such as septic tanks) accountable for their shares of nitrate pollution to the Silver Springs Basin.
- FDEP failed to conduct a federally required anti-degradation review of non-point sources of pollution to the Silver Springs Basin.
- FDEP failed to include annual milestones for implementation of voluntary agricultural Best Management Practices, or BMPs.
- FDEP failed to identify feasible funding sources to implement its recommended pollution reduction strategies.

*More details about each of these complaints are given in the attached copy [shown below – not provided] of the Council's letter to the EPA.*

The Florida Springs Council has concluded that the final Silver Springs BMAP fails to achieve springs restoration, fails to meet federal statutory requirements, and fails to result in any significant reduction in nitrogen loadings in the Silver Springs Basin during the next five years.

The State of Florida's failure to enforce federal and state water quality standards over the past 40 years has resulted in an environmental tragedy for Silver Springs, the largest and most revered spring system in the United States—a spring system that also holds an important place in the global history of science as the birthplace of systems ecology.

Motivated by the continuing failures by the State of Florida and its Department of Environmental Protection, the Florida Springs Council has asked the U.S. Environmental Protection Agency to take whatever steps are available to force FDEP to take action to ensure that targeted water quality standards for Silver Springs and the Upper Silver River will be achieved in a timely fashion.

## Ocala Star Banner

# Editorial: Big springs challenge

Published: Sunday, December 13, 2015 at 6:30 a.m.; last modified: Friday, December 11, 2015 at 4:55 p.m.

From the outset it was clear that cleaning up Silver Springs was going to be a monumental task. Those who drafted the Silver Springs Basin Management Plan, or BMAP, said to make the springs healthy again would require reducing the nitrate load by 79 percent from current levels.

It was an admittedly ambitious plan, and the final BMAP approved in October by the Florida Department of Environmental Protection came under immediate fire for not going far enough, fast enough. In fact, members of the Silver Springs Alliance, the springs' most vocal and active advocacy group, argued that the existing plan would only reduce nitrate levels by 6 percent in the first five years, a charge the DEP did not dispute.

So the DEP has responded, not by going on the defensive, but by coming to Ocala/Marion County and trying to enlist support for what it acknowledges is a longshot — that is, achieving the 79 percent reduction. It's a longshot because it will require widespread support and cooperation from government, business, agriculture and thousands of homeowners. Oh, and there will be significant expense involved, and figuring out how to minimize the individual impact of that will be a key component to success.

The two biggest contributors to the nitrate pollution of the springs are agriculture and septic tanks. Agriculture — fertilizer and manure — is responsible for 38 percent of the nitrates, while septic tanks within the springs protection zone account for another 38 percent. Both of these are unregulated by the state.

The Silver Springs BMAP, however, gives the DEP new authority to regulate agriculture operations within the springs zone. It empowers the agency to provide each agriculture operation — and there are hundreds — with a set of “best practices” with which to reduce its nitrate load. Under the regulatory power of the BMAP, DEP can sanction, with court action and fines, if necessary, those ag operations that fail to meet the standards. Of course, DEP will have to hold the farmers' feet to the fire for it to work. And it will take time.

The second big contributor, septic tanks, is a bigger problem to fix than agriculture because there are 24,000 septic tanks located in the primary spring zone and more than 8,400 in the two-year capture zone. According to Drew Bartlett, DEP's assistant secretary for ecosystem restoration who oversaw the writing of the Silver Springs BMAP, if those septic tanks are not either taken out of use or replaced with nitrate-removing septic systems, the chance of cleaning up the springs is unlikely.

Here's the problem. Removing septic tanks and hooking those households up to public water and sewer systems will cost thousands of dollars per household. There will be citizen resistance and that will likely lead to political resistance. It will be up to DEP, the governor (whoever that is), the Legislature and our local elected officials to figure ways to make it financially affordable for all concerned. Because as long as faulty septic systems, and even functioning ones, are seeping into the aquifer, not only will our springs remain tainted, but so will our groundwater, yes, our drinking water.

We are at the beginning of the springs restoration process and conversation. Bartlett says completing the clean-up, if all goes according to plan, will take 20 years. It must be done. As Bartlett put it to us, “We're going to have to look each other in the eye and say, ‘How are we going to do this?’” He's right.

Now, DEP has to lead the way with funding and results.

## **Ocala company wants to pump 500,000 gallons of drinking water per day out of Sumter County**

December 12, 2015 By Marv Balousek

An Ocala company is seeking a 20-year state permit to pump about 500,000 gallons of drinking water per day from two springs along County Road 470 near Sumterville.

Spring Water Resources of Ocala filed a permit application last month with the state Water Use Permit Bureau.

The water would be sold to Azure Water of Leesburg, whose clients include Consolidated Water Group, Publix, Niagara Bottling Co., DS Water and Nestle Water. Azure Water estimates its sales volume by 2025 will be 190 million gallons per year.

“Overall, this is a very good site for a spring water withdrawal project, utilizing a well, drilled to public supply standards, that is constructed near a flowing spring with excellent water quality, high spring flow rate, and definite hydrogeologic connection between the spring and well,” project consultant Vivian Bielski of Andreyev Engineering of Hudson stated in one of the application documents.

The well would pump water from Fern Spring and an unnamed spring east of CR 470 and north of U.S. 301 in Sumter County. A pumping station, loading driveway and office building would be built on the 10.5-acre property, which is owned by Spring Water Resources.

On an average day, the well operation would operate 13.3 hours, filling 80 trucks with 6,200 gallons each. But during peak months, the well would operate 24 hours a day, pumping 892,000 gallons a day and filling 144 trucks, according to permit application documents.

A hydrogeologic analysis estimates the well will lower the surficial aquifer by 0.4 feet and would lower the Florida aquifer by 0.25 feet. Estimated flow rates of the two springs are 11.8 million gallons a day.

Inactive quarries north, east and southeast of the project site are not classified as wetlands by the Florida Department of Environmental Protection, according to the permit application. But they are designated as wetlands on a national inventory map.

Ralph Kerr, a senior professional geologist with the Water Use Permit Bureau in Tampa, said the application will undergo scrutiny.

“The permit application will be thoroughly reviewed to determine whether it meets the district’s conditions for issuance,” he said. “This means that the applicant must demonstrate a need for the water and also demonstrate that the proposed withdrawal will not cause harm to water resources or any existing legal user.”

Last year, the state granted a permit to Niagara Bottling Co. to nearly double its daily water pumping to 910,000 gallons per day from a well near Groveland.

Some Lake County residents said it was unfair to allow the increase when they faced lawn-watering restrictions. They also opposed the increase because the company is located in California.

Niagara officials said they pump less water than the amount used by juice and soft drink companies.



**Special to the Star-Banner**

## **Drew Bartlett: It's time to restore Silver and Rainbow springs**

By Drew Bartlett

Published: Sunday, December 13, 2015 at 6:30 a.m.

The Florida Department of Environmental Protection's springs restoration efforts have been a recent topic of interest, and admittedly some skepticism.

There is no question that Silver and Rainbow springs are contaminated with nutrient pollution from fertilizers and human and animal waste. There is also no question that this must be addressed — the sooner, the better.

That is why the DEP sent Mary Paulic, Rick Hicks, Terry Hansen and other longtime DEP scientists to Marion and Levy counties to craft collaborative restoration plans. The Silver Springs plan was recently adopted into an enforceable department order, and Secretary Steverson signed the Rainbow Springs order last week.

Every department action has critics, but what is critical is that the department takes action.

The Silver Springs Basin Management Plan requires more than 140 projects and management strategies to address nutrient pollution. The Rainbow Springs Basin Management Plan requires 97, fewer due to the more rural nature of the area.

Among other things, the Rainbow and Silver springs plans eliminate six older wastewater treatment facilities and many minor facilities that contribute high levels of nutrients, set stringent pollution reduction standards requiring upgrades for the remaining wastewater treatment facilities, mandate the elimination of more than 1,300 septic systems in Marion and Levy counties and also require agricultural operations to change their practices to reduce nutrient pollution.

We acknowledge that there is no perfect plan or instant fix, but these are significant strides in the right direction.

I have dedicated my career to environmental restoration, first at the U.S. Environmental Protection Agency and now at DEP. I tell all those who contribute to the restoration process that we will always face criticism until the water bodies are actually restored. I also tell them not to take it personally and to remain focused on moving the ball forward to restore the environment. Focusing on projects and progress is how we will achieve restoration.

Silver and Rainbow springs will get cleaner because of the efforts of the DEP, the St. Johns River Water Management District, the Southwest Florida Water Management District, Marion County, Levy County, the cities of Ocala, Bronson, Dunnellon, among others, and many committed local business owners and citizens. It will also improve because all stakeholders continue to demand more.

These plans include monitoring to inform our progress in reaching our restoration goals. The plans will be modified to add projects and activities as needed until restoration is achieved. We will continue to rely on stakeholder input and collaboration throughout this process.

Gov. Scott and the Florida Legislature are funding springs restoration at unprecedented levels, going from no funding four years ago to \$80 million over the last three years to fund projects that will reduce 3 million pounds of nutrient pollution from our environment. The governor has requested another \$50 million not just next year, but for the next 18 years, to ensure this focus continues.

Now is not the time to get discouraged. It's time to continue to take action to improve our springs.

— *Drew Bartlett is deputy secretary for ecosystem restoration for the Florida Department of Environmental Regulation in Tallahassee.*

# SJRWMD WATER NEWS

Dec. 18, 2015

## *Message from the Executive Director:* **Celebrating the Silver Springs Forest purchase; upcoming holidays**



District Governing Board Vice Chairman Fred Roberts Jr. speaks at Wednesday's Silver Springs Forest event as Executive Director Ann Shortelle looks on.

I am excited to share with you that the St. Johns River Water Management District has officially acquired the Silver Springs Forest property into public ownership. I had the opportunity to celebrate this milestone earlier this week with many of the partners who made this venture a reality. What a great day it was visiting the property and celebrating with representatives of our Governing Board, the Florida Department of Environmental Protection, the Conservation Trust for Florida, Rayonier, elected officials and others.

This 4,900-acre public property will be a great asset in helping to protect Florida's springs, especially the Silver Springs group, and providing recreational opportunities. It protects the headwaters of Half Mile Creek and an unnamed tributary that flow into the Silver and Ocklawaha rivers and provides a link with other state and federal lands. I appreciate the long hours many of our district staff and our partners put into making this a memorable event. You are leaving a great legacy for future generations, and I encourage everyone to visit this natural beauty. The District will begin hydrologic restoration, along with other activities of priority, in 2016.

I know many of you are preparing to take some well deserved time off to enjoy the holidays with family and friends. I continue to be impressed with the dedication of the District's staff to management and protection of Florida's water resources and the many good things you

are doing outside of work as well. From mentoring students in local schools to volunteering in your churches and soup kitchens many of you are involved in numerous charities. While your acts of kindness may be as simple as driving an elderly neighbor to the grocery store or mowing the lawn for a sick friend, you do it with compassion and because you are dedicated to helping to others.

I want to thank each of you for the exceptional work you do year-round to protect Florida's water and for the work you do outside the office to make our communities better places. Enjoy your holidays! Together we will accomplish much in 2016!

## Partners celebrate public ownership of 4,900-acre Silver Springs Forest

PALATKA, Fla., Dec. 16, 2015 -- Dozens of people from state and local government, the forestry industry and the environmental community today celebrated the purchase of Silver Springs Forest, which places the 4,900-acre tract north of Silver Springs into public ownership and will protect Silver Springs and the Silver and Ocklawaha rivers.

"Today's celebration gave us a glimpse of the exciting restoration and enhancement opportunities to come," said St. Johns River Water Management District Executive Director Ann Shortelle. "Thanks to the creative partnership and vision of many people, public ownership of Silver Springs Forest creates excellent potential for water storage projects, as well as allowing for restoration that will improve water quality in waters flowing to one of Florida's most iconic spring systems."

The district, the Florida Department of Environmental Protection (DEP) and the Conservation Trust for Florida (CTF) partnered on the \$11.5 million purchase from Rayonier, Inc.

On Dec. 10, the district took ownership of the property, which was purchased with \$2 million in funding from DEP and \$488,000 from CTF.

"This 4,900-acre acquisition is one of many projects made possible due to the record funding for springs restoration provided by Governor Scott and the Florida Legislature this year, is a clear demonstration of the state's ongoing commitment to protecting our important water resources," said DEP Secretary Jon Steverson.

"Springs are among the state's highest environmental priorities, and Silver Springs is one of Florida's most precious natural resources," said Sen. Charlie Dean. "Purchasing the forestland just north of the spring will protect Outstanding Florida Waters that flow into the Silver and Ocklawaha rivers and provide significant opportunities for aquifer recharge. I am proud to have been part of this event to commemorate this very successful public-private partnership."

"We are proud to partner with the district, the state, U.S. Forest Legacy, and CTF to preserve this important piece of forest," said David L. Nunes, president and CEO of Rayonier. "Large, contiguous forested landscapes, such as this one, filter rainwater, remove pollutants, and protect fish and wildlife habitat. This innovative public-private

partnership will assure that these public benefits are provided in perpetuity thanks to the hard work by all the stakeholders involved."

"I'd like to thank Dr. Ann Shortelle, the district's executive director, for her commitment to the Silver Springs Forest project and the district's Governing Board for unanimously approving to purchase and manage the property," said Susan Carr, CTF president. "We are thrilled to report that CTF helped affect this acquisition by negotiating the purchase contract and raising needed funding. We could not have done it without substantial donations from the Felburn Foundation, the Rick and Nancy Moskovitz Foundation, Matt and Ellen Dube in memory of Bill and Bonnie Huntley, Dr. Robert Norman and others."

"As both a district Governing Board member and a resident of Marion County, the purchase of Silver Springs Forest is a very special opportunity," said district Board Vice Chairman Fred Roberts of Ocala. "Through this acquisition, we are able to conserve and expand the natural, cultural and recreational resources of Marion County. Linking these thousands of acres of public lands creates a 20-mile ecological greenway that will increase public recreational opportunities and enhance the area's wildlife habitat."

Benefits of the acquisition include:

- Protecting the headwaters of Halfmile Creek and an unnamed tributary that flow into the Silver and Ocklawaha rivers, which are designated as Outstanding Florida Waters.
- Contributing to an eight-mile buffer zone where forests "capture" rainwater to recharge the aquifer and augment the springs' flow.
- Linking Indian Lake State Forest, Silver Springs State Park, the Cross Florida Greenway and district-managed lands to the Ocala National Forest.
- Creating a 20-mile ecological greenway that will enhance wildlife habitat.
- Increasing public opportunities for outdoor recreation.

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## Districts ready to fund \$4 million in water conservation projects

PALATKA, Fla., Dec. 18, 2015 -- A total of \$4 million in state funding is available for water conservation projects in the Central Florida Water Initiative region and the North Florida Regional Water Supply Partnership region.

The St. Johns River Water Management District -- in partnership with the Suwannee River Water Management District (SRWMD), Southwest Florida Water Management District (SWFWMD), South Florida Water Management District (SFWMD) and Florida Department of Environmental Protection (FDEP) -- is soliciting for water conservation projects from public entities that help create sustainable water resources, enhance conservation efforts and improve efficiency of use.

The St. Johns District is accepting applications through Jan. 29, 2016, for water conservation projects that will protect or enhance springs in central and north Florida. Although the St. Johns District is administering the contractual portion of the program, applicants outside the jurisdiction of the St. Johns District will be given equal consideration.

Water conservation projects that result in measurable water savings affecting priority springs, such as those in the Lower Santa Fe, Ichetucknee and Wekiva River systems, are among the program's highest priorities.

"These cost-share dollars will provide financial support for effective water conservation in critical areas of the state and will result in measurable resource protection," said St. Johns District Executive Director Ann Shortelle. "Cost-share projects like this are one of the best ways to stretch our dollars to ensure tax payers are getting the best return on their investment."

"Leveraging resources across districts is a cost-effective means to address regional water supply issues," said Noah Valenstein, Suwannee district executive director. "Water conservation is both an essential and attainable goal critical to protecting current our natural resources."

Two workshops will be held to share information about the program:

- Jan. 6 at 10 a.m. at the district's Maitland Service Center, 601 South Lake Destiny Road, Suite 200, Maitland
- Jan. 7 at 10 a.m. at the Gateway College Lake City, Wilson S. Rivers Library and Media Center, Building 200, Room 102, 149 S.E. College Place, Lake City

Projects are generally eligible for a maximum cost-share of 50 percent of the implementation costs for selected water conservation projects and a maximum of \$1 million for a single project. Rural Economic Development Initiative (REDI) communities are encouraged to apply for funding. Full funding is available for these economically disadvantaged communities.

More information is available online at [floridaswater.com/funding/FY2015-2016/springs.html](http://floridaswater.com/funding/FY2015-2016/springs.html) or by contacting Deirdre Irwin at 386-546-8437 or [dirwin@sjrwmd.com](mailto:dirwin@sjrwmd.com) or Abby Johnson at the Suwannee district at 386-362-1001.

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## Orlando Sentinel: Legislature's Water Plan . . .

Florida wouldn't be Florida without clean, plentiful water. Our state's environment, economy — especially tourism — and quality of life depend on it.

Yet in recent years, legislators have repeatedly failed to agree on a comprehensive plan to update and strengthen water protections — even with many of Florida's precious springs and other waterways in decline, and groundwater supplies at risk. A state assessment in 2010 found that 80 percent of streams and rivers, 90 percent of lakes and 97 percent of bays and estuaries weren't meeting minimum water-quality standards for safe public use.

Now state Senate and House leaders have teed up a water plan for approval soon after the Legislature reconvenes next month for its 2016 session. While there are some positive elements in the plan, overall it's far too weak. Legislators shouldn't pass it before making it much stronger.

Last week House Speaker Steve Crisafulli, a Merritt Island Republican, issued a statement touting the water plan — known as House Bill 7005 in his chamber. He insisted it would "improve the quality and supply of water in our state." But as more than 100 leaders from environmental organizations, civic groups and businesses pointed out in a letter to the speaker and other legislators, the plan is riddled with flaws. Fortunately, the flaws can be fixed, if lawmakers are truly serious about protecting Florida's most critical natural resource.

The flaws in the legislation spotlighted by the leaders include:

- Failing to make water conservation a priority, even though it is cheaper than having to tap new water sources.
- Inhibiting regional water management districts from fulfilling their missions as stewards of water protection by subjecting them to costly state reviews if they deny water-use permits.
- Restricting local governments in regulating the use of fertilizer, a major contributor to runoff that taints waterways.
- Leaving out deadlines for setting limits in impaired waterways on so-called total maximum daily loads of nitrogen and phosphorous. These nutrients are degrading springs and other waterways throughout Florida by feeding harmful algae growth.
- Omitting deadlines for action plans to protect and restore impaired waterways other than springs.
- Delaying targets from 20 to 32 years for achieving minimum flows and nutrient limits in many waterways.

Any requirements without deadlines, or with targets after mid-century, can't be taken seriously. Nor can instructions for agricultural users to follow best management practices without any enforcement mechanism. These and other flaws show legislators yielded to pressure from lobbyists for agriculture and other big water users.

At the same time, there are key elements in the plan worth maintaining, including:

- A requirement for legislative researchers to issue an annual report on the state's progress in reaching its water restoration goals. A regular accounting should help keep this environmental imperative on legislators' agenda and help Floridians judge their representatives' effectiveness.
- A parallel reporting requirement on the money needed to meet restoration goals. Legislators will be more easily exposed for shortchanging water protection if their investment falls short of the mark.

As the plan's critics point out in their letter, "Ensuring a clean [water] supply costs money; doing the job incorrectly costs more." In other words, protecting waterways is cheaper than restoring them. Floridians need look no further for confirmation than the ongoing multibillion-dollar state and federal effort to restore the Everglades. Closer to home, the effort to restore Lake Apopka has cost hundreds of millions of tax dollars.

Legislators need to pass a plan that will pick up, not slow down, the pace for restoring impaired waterways, while it protects and conserves Florida's water supply for generations to come.

## Epilogue: Derrill S. McAteer, a pioneering board chairman of Swiftmud

Dan DeWitt, Hernando Times Columnist

Monday, December 28, 2015 5:43pm

BROOKSVILLE — Derrill S. McAteer, one of the earliest and most influential board members of the Southwest Florida Water Management District, was a Republican and staunch believer in property rights but nevertheless fought for the right to regulate groundwater pumping.

Mr. McAteer, 83, who died early Monday of heart disease, also was an early advocate of the detailed mapping of floodplains to control flood-prone construction. And though he was the child of farmers, he used eminent domain to acquire crucial sections of the Green Swamp.

"He had strong ties to agriculture, and people would come to him with third- or fourth-generation farms and say, 'Please don't condemn our farms,' or 'Please don't take away our pumping rights,'" said his son, Derrill L. McAteer, 38, of Tampa.

"That was one of the toughest things he had to do. He had to choose (the public interest) over their right to farm." Jake Varn, the water management district's former general counsel, said Mr. McAteer should be remembered not only for helping to build the district, but also for a balanced approach that could serve as an example to current conservatives intent on dismantling regulation. "These days, with Gov. Scott in charge, I don't think most people would have any idea what (Mr. McAteer) did to make this state a better place," Varn said.

Besides serving on the district board for 13 years, from 1967 to 1980, and as chairman for the last 11, Mr. McAteer worked for Lykes Bros. Inc. for nearly 40 years.

A graduate of Tampa's Hillsborough High School and the University of Florida, and a former Navy pilot, he moved to Brooksville in the early 1960s to run a Lykes feedlot operation.

His support of Claude Kirk, who in 1967 became Florida's first Republican governor since Reconstruction, helped get Mr. McAteer his appointment to the Swiftmud board.

The feedlot's location, near district headquarters south of Brooksville at what is now Brooksville-Tampa Bay Regional Airport, allowed him to be a hands-on chairman.

"Oh my god, he was a micro-manager," Varn said. Though that might have driven away some good staffers, Varn said, it also means Mr. McAteer deserves credit for the many moves that brought the district into the modern era and helped set statewide models for groundwater regulation.

In the late 1960s, it became apparent that groundwater pumping for rapidly developing St. Petersburg and Pinellas County was starting to drain lakes and wetlands in northern Hillsborough County, said Sonny Vergara, who worked at the district in the 1970s and later served as its executive director.

Mr. McAteer's push for greater power to regulate pumping helped lead to the passage of the Water Resources Act of 1972, which also created the current statewide system of water management districts.

Before passage of the act, Vergara said, Mr. McAteer supported the science that established the connection between pumping and falling levels of surface water, and that enabled such regulation to stand up in court. "He was very much involved in the creation of the legal network and the science behind it," Vergara said.

Mr. McAteer's experience as a pilot generated his interest in using aerial photography to map floodplains. And he later supported using the information to control development that would adversely impact nearby property owners.

"He questioned (such regulation) strongly, but he realized there was a need to be addressed," Vergara said. "He understood it must happen if there is to be a sustainable future."

Though Mr. McAteer's son has no memory of his father's work at Swiftmud, he did witness the appreciation of natural Florida that influenced it.

The older Mr. McAteer, he said, who went on to run Lykes Development Corp. and spend much of his free time coaching youth baseball, owned and later lived on a ranch south of Brooksville.

He hunted and fished there, hosted father-and-son camp-outs and would sometimes take a moment to soak in its beauty. "There were several times we'd be driving along, going to fix fences or whatever, and he would stop the pickup and roll down the windows," the younger McAteer said. "And I understood that meant silence."

*Contact Dan DeWitt at [ddewitt@tampabay.com](mailto:ddewitt@tampabay.com); follow @ddewitttimes.*

#### Obituary

McATEER, Derrill Selwyn

83, of Brooksville, passed away Dec. 28, 2015. Mr. McAteer was born on July 25, 1932 in Tampa, and attended Hillsborough High School and the University of Florida, where he was a member of Phi Delta Theta fraternity. Mr. McAteer graduated college in 1954, having earned a Bachelor of Science degree in Agriculture. He then enlisted in the United States Navy and completed Officer Candidate School in Newport, RI. Mr. McAteer was subsequently stationed in Pensacola, where he earned his wings as a Naval Aviator. While in the Navy, Mr. McAteer qualified as a jet pilot and as a single and multi-engine flight instructor, specializing in all-weather instrument instruction. He retired from the United States Naval Reserve in 1964, having attained the rank of Lieutenant Commander. Following his service in the Navy, Mr. McAteer worked for Lykes Brothers, Inc. for nearly 40 years, first as president of its cattle feeding division and then as head of Lykes Development Corporation. He was an active public servant and community member, serving on the board of the Southwest Florida Water Management District for 13 years, 11 as chairman. He also served as president of the Hernando County Chamber of Commerce, the Florida Agricultural Council, and the Florida Cattlemen's Association. Mr. McAteer was a devoted youth league baseball coach and volunteer for Hernando Youth League baseball. He was also an avid quail hunter. Mr. McAteer was a member of St. John's Episcopal Church of Brooksville. Derrill Selwyn McAteer was predeceased by his parents, Nell Gooding and Thomas Selwyn McAteer of Tampa. He is survived by his wife of 47 years, Rosemary Lee Sparkman McAteer; a son, Derrill Lee McAteer of Tampa; a daughter-in-law, Megan Flynn McAteer; and two granddaughters, Clara Parrish McAteer and Kathryn Flynn McAteer; a sister, Carol Jean McAteer Spoto of Tampa; niece and nephew, Lauren Spoto, of Brooklyn, NY and David Spoto, of Tampa; sister-in-law, Lamar Jean Sparkman Toole and husband, John, of Charlottesville, VA, and their children, John Carter Toole (Barbara) of Nashville, TN and Lucy Bland Toole Guillot (Jason) of Richmond, VA. In lieu of flowers, the family asks that donations in memory of Mr. McAteer be made to Hernando Youth Leagues, Inc, Hernando Pasco Hospice or the University of Florida Institute of Food and Agricultural Sciences (IFAS). Funeral services are private.

Blount & Curry Funeral Home (813)876-2421



## Ocala Star Banner

# IN OUR OPINION Editorial: Get it right on our water

December 30, 2015

Supporters of a massive water measure oppose delaying the legislation, yet the bills would only delay protections for our imperiled water bodies.

State lawmakers promised for the past two legislative sessions to finally approve protections for our polluted and depleted springs and other water bodies. Yet after promising starts, they watered down protections and then still failed to pass them.

The upcoming session appears to be different, with lawmakers poised to vote on identical House and Senate water bills as one of their first orders of business. But instead of cheering the legislative breakthrough, some of our state's leading environmental advocates are rightly asking lawmakers to put on the brakes and do better.

More than 100 organizations and businesses have signed onto a letter to legislators criticizing the proposed measures.

The bill's improvements are undermined by loopholes and "needlessly forestall necessary action to protect and restore Florida's impaired waters," they wrote.

"Various regulated industries, agriculture, and their lobbyists are leading a retreat from protective policies and are instead relying on the same tools that have, for decades, failed Florida's citizens and our waters," the letter states.

As an example, the bills would allow up to 20 to 32 years before water-quality targets must be achieved. A failure to act sooner only makes it more costly for future generations to do the job right. The letter calls for accelerated deadlines.

It also calls for setting deadlines on legal tools that cap the acceptable amount of pollutants in water bodies and establish plans to reduce the flow of pollutants from land to water. In the current bills, those deadlines only apply to areas near springs designated as outstanding.

The bills would also create a massive transfer of public money to private pockets with no assurance of cost effectiveness. As an example, nearly \$1.8 billion worth of Central Florida water projects would be funded with tax dollars and run by private companies — with no requirements for conservation.

Frank Jackalone, Florida staff director for the Sierra Club, told us that some parts of the legislation work against water conservation and protection of groundwater and water bodies. He pointed to the current allowable time frame of at least two decades to restore a river or spring to its adopted minimum flows and levels, a tool intended to stop their decline. "You know what that says to me — it's not going to happen," he said.

Senate President Andy Gardiner's office released a statement saying he was happy to receive input but "believes the Senate has reached consensus on this important legislation." He wrote that he looks forward to bringing the legislation to the Senate floor for a vote during the first week of the session starting in January.

The organizations signing the letter simply want amendments to improve the legislation, something the Legislature should be able to do without scuttling the measures. As the letter states, "making bad water use decisions now will result in even costlier fixes in the future."

The declining flow and green waters of our region's springs are evidence of long legislative neglect. Lawmakers need to get it right this time rather than passing water legislation that delays real fixes and provides an excuse to again ignore the program for years to come.

# New water policy expected to flow in session

By JIM TURNER  
THE NEWS SERVICE OF FLORIDA

THE CAPITAL, TALLAHASSEE, December 30, 2015..... Shortly after the 2016 legislative session goes through its opening rituals, the House and Senate will take up a statewide water-policy proposal more than two years in the making.

The proposal (SB 552 and HB 7005), which sped through legislative committees, has attracted some last-minute opposition from environmental groups that contend it wouldn't go far enough to ensure clean waterways.

But the package, a priority of Agriculture Commissioner Adam Putnam and House Speaker Steve Crisafulli, is expected to quickly win approval from the House and Senate.

The proposal seeks to establish water-flow levels for the state's natural springs and set guidelines for the Central Florida Water Initiative, which is a regional water-supply planning effort that involves the Department of Environmental Protection, the St. Johns River Water Management District, the South Florida Water Management District, the Southwest Florida Water Management District, the Department of Agriculture and Consumer Services and regional water utilities.

The identical bills also include further management action plans for Lake Okeechobee, the Caloosahatchee Estuary and inland portions of the Caloosahatchee River watershed, and the St. Lucie River and Estuary.

The package also would require the Legislature's Office of Economic and Demographic Research to provide an annual assessment of the state's water resources and conservation lands.

Lawmakers will take up the issue during the annual 60-day session, which starts Jan. 12. The House and Senate also put together major water-policy bills during the 2015 session but could not reach agreement on a final version.

"This bill is a heavy lift," Putnam said. "It fell apart last year because it is a significant water policy that is comprehensive in nature and statewide in nature. If it were easy, it would be sailing through."

However, unlike in the 2015 session, the measure has been given a much simpler path heading into 2016.

Many bills go before three committees in each chamber before reaching the floor. The water-policy proposal was put before two Senate committees in November --- where it received no votes in opposition --- and a pair of House committees in October and November.

One of the House panels, the House Agriculture & Natural Resources Appropriations Subcommittee, spent less than 30 minutes debating and taking public input on the proposal. Only Rep. Jose Javier Rodriguez, D-Miami, voted against the measure.

House Minority Leader Mark Pafford, D-West Palm Beach, expects the measure to face a little more scrutiny when it's heard on the floor.

"It's geared for ag, and water quality will be looked over," Pafford, a critic of the package, said. "If you're in the Apalachicola area, if you're in Florida Bay, there is no relief coming."

That is not a view shared by Republican leaders.

Crisafulli noted that groups such as The Nature Conservancy generally voiced support for the legislation at the committee meetings, as did groups such as the Florida Farm Bureau, the Florida Realtors, the Florida Chamber of Commerce and Associated Industries of Florida.

"I think you will find them cherry-picking the things they do like in it, and then finding other things that they don't," Crisafulli, R-Merritt Island, said of the late round of opposition. "At the end of the day, I think we've got a good product in the policy piece."

The most vocal opposition arose in early December, when 106 environmental organizations and businesses --- including the Sierra Club, 1000 Friends of Florida, the Florida Wildlife Federation and Friends of the Everglades --- signed a letter seeking 12 changes to the proposal.

Among the desired changes were stricter deadlines for cleaning waterways, stronger enforcement language against polluters, wider authority for regional water-management districts to review water-use permits and the ability of local governments to impose stronger restrictions on the use of fertilizer.

In the letter, the groups also raised questions about the Central Florida Water Initiative, which they said plans "surface water withdrawal projects that total nearly \$1.8 billion, to be paid for with tax dollars and implemented and operated by private companies. ... This represents a massive transfer of public money to private pockets."

David Guest, managing attorney of the nonprofit environmental law organization Earthjustice, argued in a letter to newspaper editors that the water bill --- "written by lobbyists for agricultural corporations" --- is "a major rewrite of hundreds of clean water regulations that Florida has on the books."

Guest objected to what he calls the mostly voluntary "best management practices" regulations for Lake Okeechobee, the Everglades and the state's natural springs.

"The changes are artful and subtle, and --- if the bill passes --- the effects are going to come back to haunt us all," Guest said.

Putnam said the package is just a step in Florida meeting future water needs, as demand is expected to grow by more than 1.3 billion gallons a day by 2030. One-third of the growth is expected in the Orlando region.

"This builds on Florida's strong tradition of water policy that dates back to the early '70s," Putnam said. "And it won't be the end. I think there are things we need to continue to do, but in that march toward progress. This appears to be moving and I hope it goes all the way, unlike last year."

Over the summer and fall, the House and Senate resolved differences that scuttled efforts to enact the statewide policies during the 2015 session.

The Senate's push to include an oversight council to rate potential water projects was one of the sticking points earlier this year. The House agreed to have state economists perform some oversight, easing concerns from the Senate.

The policy doesn't dictate funding but provides some direction for spending money from a 2014 voter-approved constitutional amendment that requires 33 percent of an existing real estate tax to go toward land and water preservation and maintenance.

# Water management districts make millions available for local government projects

By Chris Curry, Staff writer

Published: Friday, January 1, 2016 at 4:17 p.m.

A combined \$4 million in state money is available for local government water conservation projects in north central Florida and the central Florida area near Orlando.

In mid-December, the St. Johns River Water Management District and Suwannee River Water Management District announced the availability of funding for projects within the North Florida Regional Water Supply Partnership region, a 14-county area that includes Alachua County, and the Central Florida Water Initiative region, a five-county area centered around Orlando.

The latest round of funding follows tens of millions of dollars - including \$13 million this year in north central Florida alone - that the Florida Department of Environmental Protection and the water management district have pumped into projects intended to cut water use and reduce pollution from utilities and agricultural businesses.

In statements included in a news release, St. Johns River District Executive Director Ann Shortelle and Suwannee River District Executive Director Noah Valenstein said the projects would leverage state and local government monies to protect water and natural resources.

"Cost-share projects like this are one of the best ways to stretch our dollars to ensure taxpayers are getting the best return on their investment," Shortelle said in a statement.

On the other hand, representatives of some environmental groups say the state and water management district are not taking significant steps to cap or curb withdrawals and protect the aquifer, rivers and springs.

"Of course, any funding for water conservation is helpful because conservation always seems to play second-fiddle to the more powerful economic interests that typically promote expensive water-supply projects," Bob Palmer, the legislative chair for the Gainesville-based Florida Springs Council, wrote in an email. "However, in past years, many of these conservation projects have subsidized big water users, allowing them to use (i.e. waste) just a little bit less water.

"There are more efficient approaches to conservation that the state is unwilling to consider. One would be a requirement for the largest water users to pay a moderate fee for the water that they are currently extracting for free. Another would be for the state to buy out, perhaps through conservation easements, some of the most water-intensive agricultural operations. The best method would be to determine, for each water management district, a cap on groundwater withdrawals that would leave sufficient water in the ground to protect the environment. That would be the simplest, cheapest and most effective water-conservation program. But given that the state water managers lack the vision or courage to try these sorts of novel approaches, the taxpayers of Florida will be asked, year after year, to mitigate impacts caused by those consuming the largest quantities of our groundwater."

In this area of the state, the latest round of funding is focused on springs in the Ichetucknee and Lower Santa Fe river systems. Both of those rivers are already flowing below their adopted minimum flows and levels, the point at which any additional groundwater withdrawals are considered to cause significant environmental harm. Still, agricultural businesses and utilities with existing groundwater pumping permits are not slated to face any potential required steps and permit conditions intended to bring those rivers back to healthy flow for up to four years. Instead, those minimum flows and levels will only be taken into account in water management

district reviews of brand new applications for groundwater pumping permits or if any existing users apply to increase their maximum allowable pumping when renewing a permit.

Existing permits will be grandfathered in until after a new computer model shows the groundwater flow in areas of North Florida in the Suwannee River Water Management District and the St. Johns River Water Management District and in south Georgia.

The St. Johns River and Suwannee River districts and the Florida Department of Environmental Protection established the North Florida Regional Water Supply Partnership in early 2012 in order to work more closely in planning and permitting decisions. They formed the partnership to address the fact that groundwater pumping in one district's jurisdiction affects water bodies and aquifer levels within the neighboring district.

The latest round of funding is for projects that conserve water and improve "efficiency" of use. A list of eligible initiatives included, but was not limited to, the replacement of toilets, faucets and shower heads, planting landscaping that require minimal watering, and more efficient irrigation systems. Similar projects that previously received funding included \$66,000 toward a \$212,000 Gainesville Regional Utilities project to replace old mechanical water meters with electronic "smart" meters that store downloadable information on usage and are designed to better detect a slow leak in a customer's system.

Rick Hutton, the GRU supervising engineer for water and wastewater, said utility officials plan to apply for funding for additional smart meters.

In the Lake City area, another project previously funded replaced 600 existing toilet fixtures and 665 faucets with "high efficiency units" designed to use less water. The DEP put \$250,000 toward those projects, local governments \$70,000 and the water management district \$30,000.

The funding now becoming available is intended to be a 50-50 cost split with the local governments and public utilities, with a \$1 million cap on any project. Designated Rural Economic Development Initiative communities may be eligible to receive full funding with no local contribution.

The St. Johns River District describes those communities, in general, as "economically disadvantaged with an employment base dominated by traditional agriculture or resource-based industries." In this area, they include the city of Hawthorne and Gilchrist, Bradford, Columbia and Putnam counties. The deadline to apply for funding is Jan. 29.

# Florida Springs Council again pushes for stricter water bill

By Christopher Curry, Staff writer

Published: Friday, January 1, 2016 at 4:20 p.m.

With the start of the session in Tallahassee approaching, the Florida Springs Council is again pushing state leaders for more strict water legislation.

In a letter sent Tuesday to State Senate President Andy Gardiner R-Orlando and House Speaker Steve Crisafulli R-Merritt Island, the Gainesville-based environmental group reiterated its objection to the current water policy bills expected to go to a vote in both houses early in the session and again urged a slew of amendments.

“There are some springs-related provisions in the bill which are worthy of support,” the environmental group wrote. “Overall, however, FSC does not believe that the pending water bills would restore Florida’s beleaguered springs in the foreseeable future, and we would therefore only support the bill if significant amendments were adopted on the Senate and House floors.”

The group has pushed for 17 changes and highlighted four priorities:

- Metering all permitted groundwater withdrawals of 100,000 gallons or more
- Requiring water management districts to come up with an estimate of the maximum amount of groundwater available for withdrawal within the jurisdiction of their district
- Authorizing an independent study on the potential of establishing water fees on withdrawals
- Selecting a “restoration focus spring” that will have its flow and water quality restored in 15 years.

In early December, the Florida Springs Council and dozens of other statewide and local environmental groups, including 1000 Friends of Florida, the Sierra Club, Our Santa Fe River, the Ichetucknee Alliance and Florida Defenders of the Environment, had simultaneous press conferences at Gardiner and Crisafulli district offices and in Gainesville to push for changes to the proposed water policy.

Some other changes they urged then included:

- Inserting deadlines for setting the total maximum daily loads that cap the acceptable amount of nutrients, nitrogen, phosphorous and other pollutants for water bodies and establishing Basin Management Action Plans that include strategies to reduce the flow of pollutants from land to water bodies. In the current bill, those BMAP deadlines only apply to areas near designated outstanding springs.
- Accelerating the timeline for meeting the minimum flows and levels, or healthy water flows for rivers and springs and total maximum daily loads of water bodies from the current bill, which allows 20 to 32 years.
- Changing the standard for minimum flows and levels for rivers and springs from the current language, which defines them as the point from which any additional groundwater withdrawals would be “significantly harmful,” to the more stringent merely “harmful” standard. Last year’s Senate water policy bill originally had the harmful threshold but “significantly” was added back at the urging of industry groups.

Several environmental groups have also objected to language in the current bills stating that any time a water management district denies an application for a groundwater pumping permit on the basis that the withdrawal would push a river or spring below its adopted minimum flow level, the Florida Department of Environmental Protection will review the district to update its regional water supply plan and require an update if the plan is deficient. The time-consuming and expensive process of updating those plans usually takes place every five years.

The new language says the review will take place because those water supply plans are intended to make sure enough water is available for all existing and future “reasonable-beneficial uses and natural systems.”

At the event in Gainesville, Frank Jackalone, the Florida staff director for the Sierra Club, said that language was another example of the FDEP exerting more control over water management districts to “pressure districts already strapped for resources into approving permits.”

Gardiner's office responded to the concerns with a statement that said in part:

“While President Gardiner is happy to receive and review continued input from dedicated stakeholders who share his concern for Florida’s environment, he believes the Senate has reached consensus on this important legislation and he looks forward to bringing it to the Senate floor for a vote during the first week of the 2016 Legislative Session.”

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