

Controversial water permit for ranch operation wins state approval

By [Kevin Spear](#) Orlando Sentinel

July 14, 2015

A Marion County ranch gets permits to pump from aquifer near Silver Springs.

A water permit linked to the declining health of Silver Springs and fiercely opposed by a broad coalition of environmentalists and Central Florida residents was approved Tuesday by state regulators.

The St. Johns River Water Management District will allow the pumping of nearly 1.5 million gallons a day by Sleepy Creek Lands, a ranch operation in Marion County owned by Canadian industrialist and billionaire Frank Stronach.

The permit application had been contested in a trial-like administrative hearing conducted by the state last year, which resulted in a judge's siding with Stronach.

Action at the district's headquarters in Palatka had been widely expected to be a formal ratification of the judge's decision.

But dozens of impassioned speakers on Tuesday called on the agency's board to deny a permit for Sleepy Creek as certain to cause further injury to Silver Springs, which is the source of Silver River at the west edge of Ocala National Forest.

"We think you are not protecting our water," said Whitey Markle, a Sierra Club member, directing forceful comments toward the agency's board members. "We hope you follow the science and realize we are running out of water."

The 18-county district, which spans from the Orlando area to Jacksonville, has previously disclosed evidence that Silver Springs is in trouble because of heavy pumping from the Floridan Aquifer by cities and agriculture.

That finding was the basis of the water district's determining that it would reject a second water permit sought by Sleepy Creek.

But that background was excluded from debate Tuesday because of legal formalities stemming from the administrative hearing.

Supporters of agriculture said approval of the Sleepy Creek permit would stand as important precedent for the viability of ranching in Florida.

Curt Williams, spokesman for Florida Farm Bureau, said issuing the permit to Sleepy Creek will support creation of jobs and production of food. Meat from a cow will "feed a family of four for a year," he said.

Another advocate for agricultural and proponent of the Sleepy Creek permit said: "We are hunger fighters."

That comment was quickly followed by one from a mother holding two small children, who said she doubted that hunger stems from a lack of "meat farms."

The fate of Silver Springs, one of the state's first tourist destinations, has galvanized environmentalists in recent years like few other conflicts over water or land in Florida.

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State outlines plan to protect Silver Springs

By [Kristine Crane](#)
Staff writer

Published: Thursday, July 23, 2015 at 7:15 p.m.

“What is a BMAP?”

That was the question that Mary Paulic, an environmental consultant at the Florida Department of Environmental Protection, posed to a group of about 75 environmental activists and concerned citizens at the Marion County Public Library in Ocala on Thursday afternoon.

Most of them already knew that a BMAP is more than a cool sounding acronym. They came eager for more information on the state’s roadmap to providing greater protection of Silver Springs.

BMAP stands for Basin Management Action Plan, and there are several around the state that aim to improve the quality of water in the Floridan Aquifer.

This particular BMAP covers the roughly 30 springs in the Silver Springs system, Mammoth Springs and the Silver River. Sixty percent of it is in Marion County, with other affected waters in Alachua, Putnam, Sumter and Lake counties.

The specific purpose of this BMAP is to control the nitrate levels of the water that reaches the aquifer. Ultimately, they would like to reduce the nitrate load by 79 percent, to .35 milligrams per liter.

Doing that is no easy task, but to chip away at it, the DEP is armed with data showing estimates of who is responsible for how much nitrate loading.

Although 50 percent of the land use in the BMAP area is divided between agriculture on one hand, and business and residential properties on the other, septic tanks are responsible for 38 percent of the nitrate loading.

“Seventy to eighty percent of Marion County is in septic tanks,” said Lisa Saupp, a local scientist and springs activist who was sitting in the audience. “This is a very septic tank-heavy county.”

There are an estimated 66,000 septic tanks in the BMAP area, and part of the plan is to reduce some of those by getting Silver Springs off the septic tanks, Paulic said.

Cattle farms are estimated to contribute 17 percent of the nitrate load in the aquifer, with crop fertilizers responsible for another 11 percent, according to the DEP data.

The BMAP also aims to make farmers more accountable by enforcing best management practices. Several members of the public questioned the DEP’s ability to enforce these, however.

“Presumption of compliance is a weak way of looking at it,” said Guy Marwicke, the executive director of the Felburn Foundation, an Ocala-based philanthropy non-profit specialized in water protection.

“It’s gonna take inspections to make it work,” Marwicke continued.

Saupp added that periodic monitoring that is non-regulatory, non-punitive and site-specific needs to occur. Otherwise, she explained, “For us to assume progress for a five-year period” and then obtain it would be unfortunate.?????

Paulic added that one proactive thing being done in Ocala is the phasing out of old wastewater facilities and reliance upon newer ones that work well.

Other members of the public voiced concerns about other issues affecting water quality, such as the recent approval of a substantial water-use permit for Sleepy Creek Lands, a Marion County cattle farming operation.

The St. Johns River Water Management District two weeks ago approved ranch owner Frank Stronach's use of up to 1.46 million gallons of water a day.

"If you have less water and allow one person to take more water, isn't the concentration of nitrates going to go up?" one person asked.

"It looks to me like you're trying to kill an elephant with a BB gun," another said.

Paulic tried to keep the meeting focused on the BMAP, however. "Having a management plan helps push funding out of the Legislature," she said.

The BMAP includes 130 projects, and the public can comment on those until Aug. 19 by going to the DEP's website: <http://www.dep.state.fl.us/water/watersheds/bmap.htm>

At the end of the meeting, Saupp looked at the audience and told Paulic that the people before her represented thousands of volunteer hours that had gone toward saving the springs.

"How can we ensure that this [BMAP] is more than just a document?" she asked.

Other members of the public mentioned that more people have to become involved and encourage businesses and neighborhoods to engage in springs-friendly policies, with the "carrot" of giving them official springs-friendly recognition in the form of a plaque or sign.

That would get the message across, Saupp said, that "pro-environment is not anti-business."

Paulic said one of the components of BMAPs is educating the public and encouraging public participation, since all levels of government and several private entities are part of the BMAP working team.

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IN OUR OPINION

The value of conservation

Published: Sunday, July 26, 2015 at 9:54 p.m.

Marion County residents have long shown they understand the value of conserving land, as a way to protect the flora and fauna on it and the water flowing through and beneath it.

Too bad that officials in Tallahassee don't appear to share that view. In fact, some of them seem outright hostile to land conservation.

The land and water conservation amendment passed in the fall with nearly 75 percent of the vote. Yet this past session, state lawmakers ignored the intent of voters by setting aside just a small percentage of the money dedicated through the measure for buying land.

A guest column on Sunday from former Gainesville Mayor Pegeen Hanrahan, the amendment's deputy campaign manager, outlined how lawmakers have given the environment short shrift in spending amendment money on insurance, technology and other expenses that have little to do with land protection or management. A companion column by state Sen. Alan Hays, R-Umatilla, attempted to defend those decisions but barely conceals the disdain he has shown for the whole idea of publicly owned lands.

Other members of the Legislature and Gov. Rick Scott's administration have shown a similar attitude with their push for state parks to pay for themselves. Department of Environmental Protection Interim Secretary Jon Steverson has told lawmakers that parks covered 77 percent of their expenses, but he wanted to boost that figure to 100 percent.

After a plan to put privately run golf courses in state parks fizzled, officials have turned to opening up parks for more cattle grazing, logging and other uses that conflict with their intended purpose. The idea was first floated at Myakka River State Park near Sarasota and now appears to be spreading statewide.

A state analysis has been conducted of private cattle grazing at Paynes Prairie Preserve State Park, which was a cattle ranch before it was purchased in 1970 as the first state preserve.

Even the analysis suggests that grazing could disrupt endangered species and other wildlife, damage vegetation and habitat and impact water quality. This makes little sense given that millions in public money have been spent to remove pollution from water flowing to the prairie.

Hunting, grazing and timber harvesting can be done in way that actually benefits the environment. But it's hard to trust Scott administration officials have the best interests of the environment in mind, given their track record. They have slashed enforcement of environmental laws, used springs money to subsidize polluters and now are weakening protections for endangered species such as the Florida panther.

When 27 former managers of state parks write a letter to the editor criticizing the grazing and logging idea, as they do in Star-Banner today, the public needs to pay attention.

Protecting natural Florida for future generations requires a public investment. Voters in Marion County and throughout the state understand that. Now we just need to make sure that Tallahassee gets the message.

SJRWMD WATER NEWS

July 28, 2015

Comment period on CFWI planning documents extended to Aug. 17

The public comment period on the Central Florida Water Initiative (CFWI) draft 2035 Water Resources Protection and Water Supply Strategies Plan (Solutions Plan) and minor changes to the draft 2015 Regional Water Supply Plan has been extended to Aug. 17, 2015. The time extension will provide additional opportunity for the public to review and comment on the documents. The two draft documents will set a path forward for meeting water supply needs in central Florida for the next 20 years.

CFWI is a collaborative effort among the St. Johns, South Florida and Southwest Florida water management districts, Florida Department of Environmental Protection, Florida Department of Agriculture and Consumer Services, regional public water supply utilities and other stakeholders to develop a unified process to address central Florida's current and long-term water supply needs. The CFWI planning area includes Orange, Osceola, Polk, Seminole and southern Lake counties.

When finalized, the Solutions Plan will provide detailed information about water conservation; specific water supply project options and partnerships with water users; a financial assessment of the project options; and management and implementation strategies.

The draft plans are available at cfwiwater.com. Comments can be provided online or by mail and email. Details are available on the website. The comment period will close on Aug. 17, 2015.

Permitting tip

Wetland monitoring reports due in August; use e-Permitting to submit

Environmental resource permit wetland monitoring reports are typically due in August and can be submitted online using e-Permitting.

Submitting reports online is easy. After logging in, select the "compliance submittal" tab and enter the permit number, the desired date range and then click "submit query" button. The wetland monitoring report due for that permit will be displayed. When uploading documents, please be aware that only certain formats are acceptable and are shown on the screen for your convenience.

For additional information or assistance, please call the District's customer service line at (386) 329-4570

July 31, 2015

District Governing Board to meet in Orlando Aug. 11

The St. Johns River Water Management District will hold the first in a series of off-site Governing Board meetings when the Board holds its monthly meeting in Orlando on Tuesday, Aug. 11, 2015.

The public meeting will be held at Orlando City Hall, Council Chambers, 2nd floor, 400 S. Orange Ave., Orlando, FL 32802.

While Board meetings are routinely held at District headquarters in Palatka, periodically holding an off-site meeting will allow Board members and staff to hear from elected officials and their staffs, and members of the public who might not otherwise be able to travel to Palatka for the monthly meeting.

"Part of being able to help find solutions for local water resource issues is to hear about them first-hand from the people who live in those communities," says Ann Shortelle, District executive director. "We look forward to visiting Orlando and other areas of our District to speak with local officials and residents."

Holding off-site meetings will allow Board members to be more accessible to the public and enhance transparency in District business. The Governing Board anticipates holding meetings at other locations throughout the 18-county District a few times throughout the year.

The Aug. 11 Board meeting schedule is as follows:

- Projects and Land Committee, 9 a.m.
- Finance, Administration and Audit Committee, 10 a.m. (or upon conclusion of the Projects and Land Committee, whichever is later)
- Regulatory Committee, 11 a.m. (or upon conclusion of the Finance, Administration and Audit Committee, whichever is later)
- Governing Board, 11:15 a.m. (or upon conclusion of the Regulatory Committee, whichever is later)

Aug. 6, 2015

Cooperative project to improve Silver Springs water quality and flow moving forward



Work continues to move ahead on upgrades to the Silver Springs Shores wastewater treatment plant and to increase the distribution and reuse of reclaimed water, a partnership project among Marion County, the St. Johns River Water Management District and the Florida Department of Environmental Protection (DEP) to improve water quality and flow in Silver Springs.

The cooperative project will help Marion County reduce the amount of nutrients that flow into Silver Springs and is among those listed in DEP's recently released draft Basin Management Action Plan (BMAP) for Silver Springs. The BMAP documents projects aimed at reducing the introduction of nitrates to the Upper Floridan aquifer, the source of Silver Springs' flow.

"This project is a prime example of the collaboration that is so vital to the successful restoration of Silver Springs," said Tom Frick, director of DEP's Division of Environmental Assessment and Restoration. "We are proud to be a partner with the county and water management district in improving our springs."

"Reducing nutrient loading, groundwater usage and minimizing impacts to the springs are vital to protecting Silver Springs' health and unique ecosystem," said District Executive Director Ann Shortelle. "This partnership demonstrates our shared commitment to long-term springs protection that is science based, cost-effective and collaborative."

When completed in March 2016, the project will upgrade the existing wastewater treatment plant located in Silver Springs Shores to reclaimed water quality effluent standards. It will also relocate the wastewater discharge from the facility, which is located near Silver Springs, and redirect it for beneficial reuse at area golf courses. Marion County has finished the plant upgrades and has completed 55 percent of the reclaimed water pipe installation.

The combined plant upgrade and relocation of the discharge to area golf courses will eliminate a nutrient source near the head of the spring and result in an estimated reduction of more than 40,000 pounds of nitrogen entering the aquifer per year.

The project also will reduce groundwater withdrawals for the area golf courses and may improve the flow of Silver Springs.

"Our community is blessed with world-class springs, and protecting them and our other natural resources is a key priority for Marion County," said Stan McClain, chairman of the Marion County Board of County Commissioners. "We are glad to be actively working with our state and District partners on this initiative in Silver Springs that will positively impact our water bodies."

Funding for the \$8.2 million project comes from local government funds, the District, DEP and a 2013 legislative appropriation for St. Johns River restoration and protection.

Silver Springs is a first-magnitude spring that forms the headwaters of the Silver River, in Marion County. Silver Springs is a group of large vents and smaller springs in the bed or in coves at the edges of the Silver River. There are 30 springs in the Silver Springs group.

For information about this and other springs protection cost-share projects, visit the District's website at floridaswater.com/springs/projects.html.

Aug. 11, 2015

District approves \$25 million for cooperative funding projects

The St. Johns River Water Management District's Governing Board on Aug. 11 approved \$25 million in cooperative funding for 50 local projects that when leveraged with local partners' funding represents more than \$98 million in total project investment.

These projects will conserve more than 1.7 million gallons of water a day (mgd), develop more than 56 mgd of alternative water supplies, reduce total nitrogen loading to waterways and springs by nearly 540,000 pounds per year and reduce total phosphorus loading by more than 113,000 pounds per year.

"Through this program, we are partnering with public and private entities on projects that will significantly help local communities conserve water, develop alternative water supplies, or improve surface water quality," said Board Chairman John Miklos of Orlando. "These projects are shovel-ready, so construction can get under way quickly."

Projects include reclaimed water projects, storm water or surface water treatment and enhancement projects, wastewater treatment plant upgrades, alternative water supply development and water conservation enhancements.

Project applications were ranked on the overall quality of the application, support of core mission areas, District priorities, potential for success and problem solving, and cost effectiveness. The projects address one or more of the District's strategic priorities, including springs protection and water quality protection in the Indian River Lagoon, Northern Coastal Basins, and middle and lower St. Johns River basins.

Click [here](#) for a listing of the projects...see "Cost-share funding, FY 2015-2016" below.

The Board also directed staff to initiate a second round of solicitations to generate proposed projects for an additional \$5 million. The additional funding will be specifically for innovative projects and projects in Rural Economic Development Initiative (REDI) communities.

Cost-share funding, FY 2015–2016

The St. Johns River Water Management District accepted applications until March 13, 2015, for cost-share funding for water conservation and construction projects that will contribute to any of the following:

- **Water conservation** that reduces water demands by:
 - Increasing irrigation efficiency for both crops and landscapes, including soil moisture sensors, rain sensors and irrigation head upgrades
 - Automating the tracking of customer water use by water utilities to enhance water conservation measures and educate water users about their water use and conservation measures and benefits
 - Installation of high-efficiency indoor plumbing retrofits, automatic line flushing devices or hydrant flushing devices, and pre-rinse spray valves
 - The District encourage industrial, commercial, agricultural and institutional water users, as well as homeowner and condominium associations, to apply for funding.
- **Alternative water supply development** that replaces existing or planned groundwater use with other sources such as reclaimed water, surface water and seawater
- **Water quality/nutrient-loading reduction** in springsheds and other water bodies with adopted nutrient total maximum daily load requirements including: the middle and lower St. Johns River, the Indian River Lagoon and Northern Coastal Basins waterways. Nutrient reduction projects can include reduction or elimination of domestic wastewater discharges, removal of onsite sewage treatment and disposal systems and connection to central sewer, stormwater storage and infrastructure modification, sediment reduction facilities and retrofits.
- **Water resource development** that increases the source of water available, such as providing storage of wet weather flows for potential use during dry periods.

The benefits of funded projects are directed to one or more of the following District priorities:

- [Water conservation](#)
- [Springs Protection Initiative](#)
- [North Florida Water Initiative](#)
- [Central Florida Water Initiative](#)
- Minimum Flows and Levels Development and Prevention and Recovery Strategies
- [Indian River Lagoon Protection Initiative](#)
- [Middle and Lower St. Johns River Water Quality Improvement Initiative](#)
- [Northern Coastal Basins Initiative](#)

Disclaimers

- Funding is contingent upon the District Governing Board's final budget approval in September 2015.

NEWS RELEASE: District Approves Proposed Millage Rate

July 28, 2015

District Approves Proposed Millage Rate

The Governing Board of the Southwest Florida Water Management District (District) adopted a proposed FY2015-16 millage rate of 0.3488 mill, 4.6 percent lower than the current fiscal year.

For the owner of a \$150,000 home with a \$50,000 homestead exemption, the District tax would be \$34.88 a year, or about \$2.91 per month. The fiscal year runs from Oct. 1, 2015, through Sept. 30, 2016. The total FY2015-16 proposed budget for the District is \$183.4 million.

The budget reflects the District's commitment to protect Florida's water resources and to improve Florida's economic vitality. All programs and projects advance the core mission of the District and are designed to provide the highest quality service to residents within the District.

The proposed budget includes more than \$109 million for Cooperative Funding Initiatives and District projects. The District funds are leveraged with its partners' resulting in a total investment of more than \$150 million for water resource management projects.

The District will hold a tentative budget hearing on Sept. 15 at 5:01 p.m. at the Tampa Service Office, located at 7601 U.S. Highway 301. The Governing Board will vote on the final budget on Sept. 29 at 5:01 p.m., at the Tampa Service Office, located at 7601 U.S. Highway 301.

Chris Zajac
Senior Government Affairs Program Manager
Southwest Florida Water Management District

DROPPING THE BALL

In judgment, court joins state in failing to protect waters

The state's position on two local rivers has gotten murkier.

Unfortunately, over the years, so have the rivers.

In March, an alliance known as Save Our Springs-Nature's Original Wealth (SOS-NOW) —

consisting of the Save the Homosassa River Alliance, the Chassahowitzka River Restoration Committee, Save the Manatee Club Inc., Brad Rimbey, Mitchell Newberger and Priscilla Watkins — filed an appeal in a case against the Florida Department of Environmental Protection (DEP)

over the health of the Chassahowitzka and Homosassa River systems. In short, their argument was twofold: First, current state policy of withdrawing water from the systems via a management practice known as minimum flows and levels (MFLs) is inconsistent with the rivers' designation as Outstanding Florida Waters; and second, members of SOS-NOW were being harmed by the degradation of the rivers, which they attributed to the MFL policy.

THE ISSUE:

Court rebuffs environmental group in clash over rivers.

OUR OPINION:

Despite ruling, management of waterways conflicts with rivers' protected status.

The second part of the argument is likely where the coalition fell flat, but it's the first part we think is the most cogent, and where we think the First District Court of Appeal erred in siding — without explanation — with the state.

A couple of quick explanations, for the unfamiliar: MFLs are, in the words of the South Florida Water Management District, "the minimum water levels and/or flows ... required to prevent significant harm to the water resources resulting from water withdrawals. ... MFLs define how often and for how long high, average and low water levels and/or flows should occur to prevent significant harm. When use of water resources alter the water levels below the defined MFLs, significant ecological harm can occur."

MFLs are set by the governing boards of the state's regional water management districts. The logic behind them is simple: Manage how much water is in a given system to prevent habitat destruction and saltwater intrusion from irreparably damaging the arteries which feed Florida's ecology.

OFWs are bodies of water deemed worthy of special protection because of their value to the ecosystem. The designation is intended to protect water quality. Per the DEP, projects regulated by a water district or the DEP in an OFW "must not lower existing ambient water quality." Furthermore, "activities or discharges within an OFW ... must be 'clearly in the public interest,'" DEP states citing Florida statute.

See the conflict? The state, apparently, doesn't — and if it does, it's not yet willing to act to resolve it.

For those who, like the state, have trouble putting two and two together, here's the bind: In river systems with naturally low flows, continued withdrawals further concentrate nitrates and other pollutants. Continued withdrawals can also pull salt water from the Gulf into freshwater tributaries and lower ground-

water levels, which gives rise to saltwater intrusion — a tenacious process which can turn fresh waters brackish, threaten supplies of drinking water, destroy established habitats and lower biodiversity. In systems with high flows, withdrawals aren't so noticeable — this is why the Rainbow River appears to be healthier than either the Chassahowitzka or Homosassa Rivers, despite having higher levels of pollutants. Rising sea levels

— irrespective of their cause — only hasten saltwater intrusion, and the science is clear: Global sea levels are on the rise.

With the Legislature punting for a second year on water policy while misappropriating Amendment 1 funds and the state's water districts obligated to allow cheap, private withdrawal permits — like the \$50 unmetered permit issued in 2012 to Heatherwood Investments LLC of Crystal River and Mistletoe LLC of Ocala to withdraw 76,000-plus gallons of water a day from a Crystal River well for transport to a bottling plant — the court's ruling is hardly surprising, but it's still disappointing.

We mention the permit in part because the good folks at the Southwest Florida Water Management District get annoyed every time we do, and because we think there's a lesson in their frustration: In the district's eyes, 76,000 gallons is a drop in the aquifer. To those living nearby who have watched the waters they not only cherish but depend upon degrade year after year, it's a torrent.

The district might argue — and rightly so — that the degradation of those waters is due to a host of factors, many which need to be addressed at the individual and local levels. (Commissioners, if you're reading, limiting the sale and use of fast-release fertilizers — as other, more sensible counties in the state have done — would be a good start.) Still, the question vexes: If we can't trust the state to be a stalwart steward of our waters, who can we trust?