



**FLORIDA SPRINGS COUNCIL, SIERRA CLUB, AND DEP AGREE TO A
SIX-MONTH DELAY IN ISSUANCE OF THE SUWANNEE RIVER BMAP**

FOR IMMEDIATE RELEASE

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GAINESVILLE, FL – The Florida Springs Council (FSC), the Suwannee-St. Johns Sierra Club Group, and Florida Department of Environmental Protection (FDEP) have agreed to work together to improve the plan for cleaning up nitrogen pollution in the Suwannee River and its seven associated Outstanding Florida Springs. The agreement was reached on June 30, when FDEP granted FSC and Sierra a six-month extension of time to file a petition for an administrative hearing challenging adoption of the BMAP.

FDEP had intended to finalize the clean-up plan – the “Basin Management Action Plan (BMAP) for the Lower and Middle Suwannee River Basin” – in early June. However, analysis by FSC and Sierra showed that the BMAP clearly did not meet the requirements of the “Florida Springs and Aquifer Protection Act,” which went into effect on July 1. The parties will attempt to make the BMAP compliant with the act by the end of 2016. However, if the BMAP is not modified to their satisfaction, FSC and Sierra have retained their right to file an administrative challenge to the BMAP.

FSC Chairman Dan Hilliard stated, “If FDEP had proceeded to implement this draft BMAP, it would have had minimal effect, if any, on the health of the river and its Outstanding Springs. The draft plan lacked many elements required in law, including legitimate milestones for water quality improvement, details on projects, funding needs for these projects, information on

sources of nitrogen pollution, and projections of future trends in nitrogen loading. We simply couldn't let this draft become a final plan without a good-faith effort to make it a functional document. We congratulate the staff of FDEP for their vision in making this collaboration possible.”

Whitey Markle, Conservation Chair of the Suwannee/St. Johns Sierra Club said, “We are at a crucial point in the management of our water in Florida and this type of negotiation should prove to be a positive means toward accomplishing the requirements of the state law regarding clean water.”

Environmental Background

Despite its 1979 designation as an Outstanding Florida Water, the Suwannee River is one of the most polluted water bodies in Florida. The Middle and Lower Suwannee River receives more than 10,000 tons of nitrogen each year from the northern Withlacoochee River and an estimated 250 artesian springs. The primary source of this nitrogen is from agricultural practices in the 6,400,000-acre basin that recharges the Floridan Aquifer and feeds Florida's Springs Heartland. The pollution of the Suwannee River has received little attention in the press and by Florida's general population. But recreational springs-hoppers, cave divers, fishermen, photographers, naturalists, and canoeists and kayakers have lamented the debilitating consequences of this pollution for more than 20 years. During that time, native submerged vegetation disappeared from key springs “protected” in state parks like Manatee, Fanning, Lafayette Blue, and Troy on the Suwannee River, and Madison Blue on the Withlacoochee River, and was quickly replaced by noxious growths of filamentous algae. Bright green summer algal blooms began haunting the lower Suwannee River, and the live bottom and associated fisheries at the river's mouth have reportedly suffered in response to nitrogen-fueled red tides in the nearshore waters of the Gulf Coast.

Legal Background

After more than 50 years of declining water quality in the springs and river, these impairments finally received FDEP attention with adoption of a nitrate nitrogen Total Maximum Daily Load (TMDL) requirement of 0.35 mg/L in 2012. This admirable goal will require nitrogen load reductions as high as 92 percent in many of the springs that feed this stretch of river. After four more years, with scant public input and worsening pollution and impairment of the springs and river, the Lower and Middle Suwannee River BMAP was entered as a Final Order by the Florida Department of Environmental Protection (FDEP) on May 24, 2016, allowing 21 days for an administrative challenge. On June 14, John Thomas, attorney for FSC and Sierra, requested an extension of the time to file a petition for an administrative challenge. The requested extension was approved by FDEP on June 16, setting June 29 as the new deadline to file the FSC BMAP challenge.

Given both the deficiencies in the Suwannee River BMAP and the new BMAP requirements in effect on July 1 for springs protection – and with the intent to expedite an improved BMAP as soon as practicable – FSC and Sierra agreed on June 27 to accept a six-month extension from FDEP before challenging the defective BMAP. During this six-month hiatus, FSC with input from member organizations and technical assistance from the Howard T. Odum Florida Springs Institute (FSI) will recommend improvements to the BMAP. It will be FDEP’s responsibility to produce a final BMAP that fully complies with State law, which promotes TMDL target water quality restoration within 20 years.

To date, no BMAPs have been contested under the provisions of Florida’s Administrative Procedures Act. If an administrative challenge proves to be necessary, the case would set important precedents for the many Outstanding Florida Springs BMAPs that must be finalized by June 30, 2018. The only springs BMAP with a track record, the Santa Fe River BMAP, was finalized in 2012. In the four years since that BMAP was adopted by Secretarial order, there has been no measurable improvement in nitrogen concentrations in the Santa Fe River and springs. In fact, nitrate nitrogen levels are still climbing in indicator springs such as Gilchrist Blue. Other adopted springs BMAPs include Silver, Rainbow, Wekiwa, and Wakulla. With the exception of Wakulla Springs, there have been no significant projects that have reduced nitrogen loads to the Floridan Aquifer, starting those springs on the road to recovery.

The Florida Springs Council is a coalition of 36 springs-focused organizations that represent over 150,000 Floridians. The Council’s mission is to ensure the regional, state, and federal conservation, preservation, protection, and restoration for future generations of Florida’s springs, spring runs, and groundwater in the Floridan aquifer that sustains those natural systems and provides our drinking water.

The Suwannee St. Johns Group (SSJ) Sierra Club has over 2,000 members in 15 North Central Florida Counties, and is part of the Florida Chapter of the National Sierra Club. Our mission is to explore, enjoy, and protect the wild places of the earth; practice and promote the responsible use of the earth’s ecosystems and resources; educate and enlist humanity to protect and restore the quality of the natural and human environment; and use all lawful means to carry out these objectives.

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