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Wakulla Springs Alliance

"...to cooperatively provide scientific knowledge of ground and surface water resources and advocate for the effective application of that knowledge toward management, conservation and protection."

October 23, 2013

Diane Suddes-

Legislative Assistant
Office of State Senator David Simmons
320 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

The Wakulla Springs Alliance is a sub-group of the HydroGeology Consortium which was created to work on critical issues concerning Wakulla Springs.

As you will note from our Board of Directors we have some of the top scientists in Florida as Directors and active members of our organization.

We strongly support the proposed legislation for Springs Protection and will be working with other organizations through-out the state in support of this proposed legislation.

We do have several comments we feel would provide additional Springs Protection and have listed them below.

1. FINANCING:

For this legislation to be successful there must also be funding at a level adequate to encourage local governments to participate. This could be outright allocations or matching funds where the local government must also fund a portion of the costs.

2. Section 369.409(2) (page 9)

The Department shall promulgate rules to implement this subsection, increase standards, set reasonable maximum standards that county and municipal governments may impose, and take advantage of advancements or improvements regarding best management practices.

We are opposed to state preemption of local governments' authority to regulate fertilizer use. This provision is an unnecessary and counterproductive constraint on

local governments seeking to protect water resources in light of varying local conditions. As you are aware, recent attempts at statewide preemption of local fertilizer ordinances have elicited strong opposition from non-profit groups, concerned citizens and local governments throughout Florida. This provision stands in stark contrast to the remainder of the bill which uniformly improves protections for Florida's water resources. We recommend that this subsection be amended as follows:

369.409(2) - The Department shall promulgate rules to implement this subsection, increase standards, ~~set reasonable maximum standards that county and municipal governments may impose~~, and take advantage of advancements or improvements regarding best management practices.

3. Section 369.409 Protection of Water Quality (7) (page 11):

According to DEP the largest source of nitrate affecting Wakulla Spring are septic tanks, and in particular the 8,600 septic tanks in the springs protection zone. These systems are projected to contribute 51,200 kg of nitrate pollution per year by 2018.

We are concerned that the language at page 11 of the draft by limiting required upgrades to onsite systems in proximity to a spring, lake or river would exempt most of these systems which are located in the unconfined, vulnerable area of the aquifer.

We suggest the following language:

(7) As part of the basin action management plan, all property with onsite sewage treatment and disposal systems located within the spring protection zone on lots of less than one acre shall be required to be connected to any presently existing lines of a central waste water treatment facility on or before July 1, 2016, at no cost to residential property owners. All other properties with onsite sewage treatment and disposal systems within a spring protection zone and ~~within ___ feet of a spring, lake, or river~~ on parcels less than 5 acres shall be either connected to a central waste water treatment facility or upgraded to meet a standard of no more than 10 mg/L Total Nitrogen, expressed as N, on an annual basis, on or before July 1, 2019, at no cost to residential property owners. ~~All onsite sewage treatment and disposal systems on lots of between 1 and 5 acres within a spring protection zone and within ___ feet of a spring, lake, or river shall be upgraded to meet a standard of no more than 10 mg/L Total Nitrogen, expressed as N, on annual basis, no later than July 1, 2019, at no cost to residential property owners.~~ The Department shall promulgate rules to further reduce the nutrient limits provided for herein if it determines that advancements (such as technological developments) justify such additional reductions.

4. Section 381.0065: (7) RESPONSIBLE NUTRIENT MANAGEMENT ENTITIES: (page 21)

In many local areas septic systems will be the major cause of nitrate loading. From our review of this issue we have become strong believers that the most successful way to manage this issue is to establish a Responsible Nutrient Management Entity (RNME) that owns and maintains septic systems. In this case, the individual septic systems would be considered like a utility such as telephone equipment, electric equipment and or water lines on individual properties. Homeowners would pay a fee to the RNME just like they currently do for the utilities located on their property.

The RNME would then be responsible for the operation and maintenance of these systems, freeing the homeowner from the responsibility of the cost to upgrade and maintain these systems.

Under the proposed legislation, (7) (a) states that “each municipal, county or appointed regionally **entity shall have the right** to establish a responsible nutrient management entity---“.

We feel that this should be changed to mandate that “each municipal, county or appointed regional entity **must establish a responsible nutrient management entity**”.

In summary, the Wakulla Springs Alliance strongly supports this proposed legislation and we are available to you and your staff to do whatever we can to see that this legislation gets passed this year.

Regards,

Ron Piasecki

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