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July 6, 2015

Mr. Drew Bartlett
Deputy Secretary for Water Policy
Florida Department of Environmental Protection
Douglas Building – Mail Stop 23
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Submitted via email to Drew.Bartlett@dep.state.fl.us on July 6, 2015.

Dear Mr. Bartlett:

The Florida Springs Council (FSC) is a consortium of 28 organizations whose 100,000+ members share a deep concern with the health and restoration of Florida's springs. Since its formation last year, FSC has provided recommendations to Florida's legislative and executive branches on a number of programs and policies affecting our springs.

We are writing to provide FSC's input into the State's deliberations on allocation of springs funding in the recently approved State budget. Our understanding is that this funding totals about \$45 million, an amount which may be significantly augmented by additional State, local, and private sector matches. The 2014-2015 State budget provided \$25 million for springs projects, with an augmented total of about \$69 million. We have analyzed the suite of projects funded from the 2014-2015 appropriation and are recommending several changes that would make the 2015-2016 selection process more fair, more comprehensive, and more effective than last year's.

First, the selection process should be transparent. Water management districts had a large say in prioritizing projects last year, but there was no uniformity between the districts in how projects were selected or in how public input was solicited. We would certainly recommend that springs organizations representing many thousands of Floridians, like FSC and the Florida Springs Institute, should have a seat at the table.

Second, DEP should enforce more consistent cost-sharing requirements. The St. Johns District seems to have a 50:50 cost-share requirement. However, the largest springs project last year in the Suwannee River WMD – one aimed at reducing water use by PCS Phosphate – had a miniscule company cost-share of six percent. The agricultural cost-shares for projects in that district averaged only 17 percent. These cost-shares are so low that the water users

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are probably saving money in the long run with more effective taxpayer-funded equipment and practices – in other words, the cost-share is effectively zero or negative.

This leads to our next concern. Last year's projects were heavily tilted toward subsidies for those who are the largest contributors to the water depletion and nutrient pollution which are choking our springs. We recognize that as a practical matter, mitigating damage to springs must involve reducing the footprint of those most responsible for the damage. But the burden for fixing the problems should be much more equitably shared.

The Department takes the view that its projects are scientifically justified by a cost-benefit analysis which calculates dollars spent per gallon of water saved or pound of nitrogen pollution prevented. There are problems with this approach. Are the numbers verified in any meaningful way? Unsubstantiated estimates of pounds of nitrogen or groundwater reductions do not meet the standard of normal professional practices. These numbers should be based on verifiable data, showing actual existing conditions and proposed future conditions and amortized over the useful life of the proposed projects.

Even more seriously, what guarantee do we have that this cost-benefit pounds/gallons approach will actually lead to restoration of any springs? These sorts of "scientific" analyses are done in a vacuum. If a taxpayer-funded project saves "x" gallons per day, but the State continues to permit an additional "2x" gallons per day, we're not making progress – we're falling further behind.

Projects should not only be compared to each other to determine which one has a better water-per-dollar or nitrogen-per-dollar ratio. They should be compared with other policy options which are likely to be far more effective in the long run in restoring springs. These alternative options include many sensible conservation measures that the State has been loath to consider, such as dialing back existing consumptive use permits, charging moderate fees for water use, or mandating fertilizer restrictions in areas with unconfined soils. In short, DEP needs to keep its eye on the ultimate goal – springs restoration – not on a short-term, unreliable metric like project cost-benefit analysis. To our knowledge, DEP's current approach – a weak regulatory regime coupled with subsidies to the largest polluters – is not expected to lead to the restoration of a single Florida spring in the foreseeable future.

FSC would recommend that the State needs to break out of its current approach and utilize the 2015-2016 springs funding to try some new approaches that offer a far better path forward:

- In the early 1990s, Governor Martinez's water commission, along with a subsequent analysis by Chase Securities, showed that moderate water fees could be an effective instrument for conserving water and raising revenues for water protection programs, without compromising the viability of Florida's industries or agriculture. FSC has had discussions with State business leaders about identifying a credible contractor to update these reports, and DEP should consider funding these updates.

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- It is widely recognized, thanks to the work of University of Florida researchers, that intensive agriculture is incompatible with springs protection in karstic areas with permeable soils. DEP should begin to utilize springs money to buy out the most polluting farms or pay for conservation easements on these farms, much as the State did when it moved polluting dairies out of South Florida. Paying a farmer to convert from growing tomatoes to growing long-leaf pine is a far more effective strategy than paying the farmer to pollute just a little bit less.
- The Florida Springs Initiative should be reinstated by DEP to provide for projects like springs monitoring in all state-owned springs and to benefit springs knowledge and health.
- The State should select a specific springshed and make a concerted effort to actually develop a realistic schedule for restoring the spring. No degraded spring in Florida today is on a realistic timetable for recovery, and there would be real value in demonstrating that restoration of an individual spring is actually possible.
- Groundwater modeling is key to sensible regulation, and Florida's efforts in the past have not been state-of-the-art. DEP should consider funding alternative groundwater modeling efforts and providing appropriate peer-review (by an entity like the National Research Council or the U.S. Geological Survey) so that these alternatives may be compared with modeling efforts led by WMDs – the very agencies that hand out water permits. This approach would likely minimize the costs and delays associated with likely future litigation.
- DEP should fund more water conservation planning, modeled on SJRWMD's abandoned Conservation Rule Enhancements.

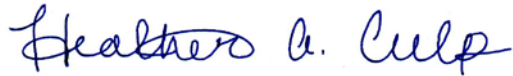
These recommendations were approved by FSC's 11-member Executive Committee. If you would like to discuss this matter further, please contact Dr. Bob Palmer at 352-371-4093 or rpa711@yahoo.com. Thank you for your attention to this matter and for your interest in restoring Florida's springs.

Sincerely,



Robert Palmer, PhD
Chair, Legislative Committee
Florida Springs Council

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A handwritten signature in blue ink that reads "Heather A. Culp". The signature is written in a cursive style with a loop at the end of the last name.

Heather A. Culp, Esq.
Member, Legislative Committee
Florida Springs Council

Cc: Sen. Charles Dean, Sr.
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