U.S. ENVIRONMENTAL PROTECTION AGENCY
PUBLIC HEARING

Proposed Water Quality Standards for the State of Florida's Lakes and Flowing Waters
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Hilton Tampa Airport Westshore
2225 North Lois Avenue
Conference Room
Tampa, Florida 33607

PANEL: Ephraim King, Director, Office of Science and Technology, U.S. E.P.A. Office of Water
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MR. KING: Okay, we're going to go ahead and get started. And for the folks that are starting fresh this evening, there will be a little bit of a -- a lag here because we have some folks that didn't have a chance to talk this afternoon.

So what we're going to do is continue on with the folks who came in this afternoon and registered this afternoon and finish that up, and that will be, as best I can tell, about 20 people, if I've got the numbers right. And then after those folks finish up, we will turn to the folks who are coming in this evening.

And we'll -- you'll probably get what the process is by just watching, but we'll also give, depending on how many of you there are and your interest levels, we'll also give you sort of an overview of what the rule is and what's in it and so you have a -- we all sort of started from a common baseline.

So what I would like to do, then, is to start with the folks that we left off with this afternoon, and that would be, I believe, number 75, followed by 76 and 77.

We need 75. There's our man. Good.

MR. ROOKS: Good afternoon, my name is Larry Rooks, I'm from Inverness, Florida. My family is a -- is a -- in the cow/calf business there in Citrus County.

My ancestors came to Citrus County in the late 1800s to -- to live there and make a living. And through the years, we've seen many changes to the demographics of Florida in -- in the way it was and the way it is today.

Florida is a great place to live. Our waterways are -- a lot of activities of families using the waters for recreational activities. It's a great place to come for tourism. We've got quite a few tourist attractions around the state. And so these -- all of these are economic benefits to our -- our state.

Through all these changes, Florida still remains in agriculture, a viable agricultural industry that's -- that's vital to our economy today.

The changes that we've seen, we recognize the -- that water is a -- is a pristine quality that we all need. We've worked in agriculture with the D.E.P., the different water management districts, the Florida Department of Agriculture and its water ag policy division, the University of Florida with its recommendations for fertilization and -- and -- and spraying, followed their recommendations for those, to develop a -- a best management practices for our agricultural industries across the state.

My concern is that -- that in my line of business with selling calves, I can't very well carry -- send the cost on down to the consumer. They came -- come in and -- and bid on my calves, and -- and I take what my agricultural product brings.

Our -- our country's in a -- in a state of economic loss. Many of our -- through the years, our agricultural lands have been through detrition, for one reason to another. I'm afraid that some more of our agricultural land is going to be lost to these additional input costs that's going to be incurred and -- and moved right on down to the citizens of Florida.

As agricultural land is lost, it's also a loss in trying to -- to clean up some of our water. When agricultural land is sold, it's going to go to the highest and best use, it won't return to agriculture. Many of these thousands of acres are recharge areas for our -- for our state.

I'm asking E.P.A. to look into the standards that we have developed, our industry, agriculture has developed, the work that the cities and the counties are doing for their stormwater.

One question I have to ask is where is the constitutional rights of the broad-brush approach to these nutrient standards on the different water bodies and also the different water types -- I mean different land types. Because one -- one -- one doesn't fit all here in the state. So I'm

concerned about those -- those requirements and what they -- the implications they may have to the citizens of Florida.

I appreciate your time, and thank you.

MR. KEATING: Thank you.

MR. KING: Thank you.

Number 76. And would number 78 come up.

MS. MELTON: Good evening. My name is Kristin Melton, and I'm here today on behalf of the Orlando Utilities Commission or O.U.C. Thank you for the opportunity to speak on this matter.

O.U.C. supports the E.P.A. and D.P. -- D.E.P.'s efforts to improve water quality across the state of Florida; however, we disagree with the E.P.A.'s numeric nutrient criteria standards in the proposed rule.

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In addition to the questions regarding the science behind the proposed rule, we believe there are a number of unintended consequences that the E.P.A. has failed to consider.

The impact on potable water treatment was not considered in any of the E.P.A.'s analyses. The proposed rule may indirectly regulate potable water and create conflicts with the United States Drinking -- Safe Drinking Water Act when nutrient concentrations in potable water exceed the proposed numeric nutrient levels.

Most utilities, including O.U.C., flush their lines frequently, and in many cases discharge the flushed finished water to canals, streams, lakes, or ponds. In the past, this was not a concern, but now with the very stringent numeric nutrient criteria in the proposed rule, the potable water itself may not meet the criteria limits when discharged.

Several local governments have tested the finished water for nutrients and found measurable levels of the nutrients in the finished water coming from either the raw water or the treatment chemicals that are added to comply with the Safe Drinking Water Act and the lead and copper

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standards.

If E.P.A. treats line flushing of potable water to the waters of the United States as point source discharges requiring compliance with the proposed rule, utilities will either be forced to curtail or modify their line flushing activities so as to only discharge to storm sewers or storage ponds, which are not considered waters of the United States, or to modify their treatment processes in order to reduce nutrient concentrations in the finished water.

In either case, this could significantly increase the costs associated with the proposed rule and have an unintended negative impact on public health, safety, and welfare.

Utilities will be placed in the untenable position of having to juggle compliance with the public health and safety values as embodied by the lead and copper rule under the Safe Drinking Water Act and the environmental protection values as

embodied by the proposed rule under the Clean Water Act.

The proposed rule also fails to address the unintended consequence of eliminating the reuse of reclaimed water. In implementing the proposed

rule, neither the E.P.A. nor D.E.P. have indicated how reuse or reclaimed water will be impacted.

Depending on the implication of the proposed rule, utilities could be required to treat reused water to the same standards required for in-stream waters because of the potential infiltration or runoff of reused into Class I or Class III waters regulated under the rule.

To meet these standards, reuse facilities will have to use very possibly membrane process for advanced wastewater treatment. Because the facility will have to treat this water to the same levels as subsurface water, there is no incentive to spend additional money for the transmission of reuse, instead, these facilities will discharge directly into the surface water.

This reduction in reclaimed water available for consumptive uses will also result in an increased demand for ground and surface water supplies.

In order to avoid this potential impact on reuse of reclaimed water, the E.P.A. should clearly state that the proposed rule should not be used to establish elevated treatment standards for reclaimed water plants.

Additionally, because the proposed rule is based on nutrient concentrations rather than loads, it may indirectly regulate consumptive uses of water and infringe on the State's ability to allocate quantities of water, in violation of the Clear Water Act -- Clean Water Act.

As part of the consumptive use permitting process, applicants must demonstrate that the proposed withdrawal will not cause a violation of water quality standards. However, the surface water withdrawals may result in increased nutrient concentrations.

Thus, if the water -- if the withdrawal of surface water causes a violation of water quality standards by increasing concentrations downstream, the proposed rule will be indirectly prohibiting surface water withdrawals.

Furthermore, surface water withdrawals currently make up approximately 10 to 15 percent of the water use in the state and are projected to increase to 25 percent of the water use in the future. By indirectly prohibiting surface water withdrawals, the proposed rule will cause additional strains on the groundwater supplies by increasing the groundwater demand.

The E.P.A. should address the effect of surface water withdrawals and concentration levels and clarify that it does not intend to directly or indirectly restrict the utilization of surface water and that surface water use is a matter dealt

with by the states.
Finally, in areas where T.M.D.L.s and BMAPs have already been established, the site-specific criteria should be incorporated into the proposed rule.
This site-specific information more accurately reflects the conditions of the watershed and incorporate -- and incorporates the surrounding habitat, biology, and geology in determining what nutrient levels the watershed can handle without becoming impaired.
The current proposal of using SSACs to address the T.M.D.L.s is unacceptable. SSACs involves a long and cumbersome process without any guarantee of approval. Local governments cannot plan substantial investments in capital infrastructure, particularly in this -- particularly in this bad economy, without knowing whether a SSCA will be granted or if it will meet the utility's needs.
Moreover, given the history of the SSCA

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process where only 14 SSACs have been granted in the state of Florida, none of which were for nutrients, there is little confidence that this solution will work.
The unintended consequences, if not resolved, will significantly impact utility operations and result in significant additional costs to our ratepayers as well as unintended harm to the environment.
Thank you for your consideration.
MR. KING: Thank you. Are you going to be submitting written comments or --
MS. MELTON: Yes, we will.
MR. KING: Okay. Thank you.
Number 77. And would numbers 78 and 79 please come up.
MR. MORRISSEY: Joe Morrissey, assistant county attorney, Pinellas County, Florida. Thank you for coming back. I think it was particularly important as we had a robust turnout by the environmental community, which we didn't have in our last set of presentations.
The work of cleaning the nation's waters is never easy, and the natural systems of Florida represent particular difficulties. As you know, we

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are a narrow state surrounded by saltwater. I'm sure you saw that as you flew -- flew in.
And we are blessed with numerous freshwater lakes, streams, and springs. And our climate varies from temperate to semi tropical. All of those factors lead to a lot of different things that happen in the waters at different times with different chemistries.
And the recent history of Florida, at least in the last 20 years, has been one of continuing water quality improvement, and this has occurred even though Florida has been under tremendous population pressures. I moved here 20 years ago, and the population in the state I think has doubled in that 20 years.
And the water quality improvements, you know,

arguably have been in fits and starts, and often uneven as it's gone from piece to piece in the state, but it has been a record of continued improvement.

And the numeric criteria as they are posed, I think a lot of citizens are viewing those as quick and easy fixes to the algae blooms and to the -- you know, the other issues that you laid out in your slide show. A lot of those blooms come from

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items other than the nitrogen.

And to the extent that either the agency or the D.E.P. propose that these will be fixes, there is going to be a lot of disappointed Floridians, particularly when you view the amount of money that utilities and general funds will spend on either sewer plant improvements or stormwater improvements.

The slide presentation criticized the State of Florida and their narrative criteria as being too slow. It is a slow process, I'm sure you are familiar with the Florida process and the Florida rules. And Florida is not an easy state to permit, it doesn't currently have easy regulations.

But the mechanisms that the agency proposes in this rule, the allowances for site-specific criteria that Florida can demonstrate to the E.P.A. as being protective is going to put another layer of controversy, litigation, bureaucracy in between the goal that everybody has in improved water quality and a standard that can be met.

The allowance for state-issued and E.P.A.-approved restoration standards poses the same problem. The rule I think allows for up to 20 years for a restoration. Sometimes that will be

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too slow, sometimes that will be too fast, but one can almost guarantee that it will slow process rather than speed it.

Anytime there is -- there is the -- the ability for somebody to protest, somebody will. And it -- it makes a challenging state permit even more challenging with an additional layer of federal government in addition to state government.

Thank you very much, and I hope you have an opportunity to visit some of our beautiful waters while you are here.

MR. KING: Thank you very much.

Speaker number 78. And would speaker number 80 come on up.

MR. MURPHY: 79?

MR. KING: Are you 79?

MR. MURPHY: Yeah.

MR. KING: Do we have speaker 78?

MR. MURPHY: I'm 80.

MR. KING: Okay, you are.

MR. MURPHY: Thank you very much. My name is Joe Murphy, I am the Florida program coordinator for the Gulf Restoration Network, and we have had the opportunity to speak at several of the hearings. I'm going to keep my comments short. We

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are also in the -- in the process of preparing and

submitting written comments that reflect not only our concerns about these issues in Florida, but a gulf-wide perspective as well.

And there are many positive things that can come out of this process that may impact other gulf coastal states and other parts of the country as these criteria are developed.

I had an opportunity before the Tallahassee hearing -- and I appreciate the fact that you guys have now been over a great part of the state, have listened to people across the state, and that is deeply appreciated.

But I had an opportunity before the Tallahassee hearing to go to one of my favorite places in Florida, and that's Wakulla Springs. And I reflected on what Wakulla Springs had looked like when I was three, four, five, six years old and what it looks like now.

And I think that while you've heard speakers today talk about the improvements in water quality that have taken place in Florida since, say, the 1970s, I would argue that it's too little, too slow, and is definitely not the sort of improvement that I think we should hang our hat on as a state.

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If this is the best we can do, then we are in serious trouble in Florida.

And I don't think we would advocate for recreating a wheel that was working, but we feel like the wheel isn't turning, and there has got to be something better.

A previous speaker mentioned that there will never be the right time or the easy time to do these things, but delay will only cause more problems and more costs and more controversy. And while we fully acknowledge that this is a controversial process and we are sympathetic to the very valid concerns of the agricultural industry and of municipalities, again, delay only creates a scenario where the costs are higher and the challenge is greater.

When I went to Wakulla Springs, I was reminded to the fact that at the end of the day, we are the stewards for what we have been entrusted with. And I think it's going to be very difficult for us to tell future generations that, you know, this T.M.D.L. here, that was enough, and that was going to work, and we made a little progress here with the bay, and so that's enough, and, hey, at the end of the day, you know, we didn't get it all done,

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but we did a few things here and there, and so, you know, be happy with us.

I don't think that's enough. I think we feel very strongly that Florida can do better, that the E.P.A. working with Florida can create an opportunity for us to do better, and that this is an historic moment in time where we have to make a fundamental decision about how serious we are about the Clean Water Act.

I'm not happy to say this, but I'm going to turn 40 next week. And 40 years ago next week, I was born just across the bay in St. Petersburg. So

three years later, the Clean Water Act was passed with a very admirable goal of making our water bodies in the United States drinkable, fishable, and swimmable.

And while some progress has been made, as progress has been made in Florida since that point, we have a tremendous distance to go. And we feel very strongly that delay is not an option. So in Florida, we cannot decouple our environment from our economy, and any attempt to do so is a losing proposition.

And while there are valid economic concerns, and we -- we feel like those are important concerns

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that need to be addressed, and we are not going to minimize those, again, the costs of not doing something is too high.

So we are very supportive of the E.P.A.'s steps in the right direction. Obviously as a conservation group, we would like to see more and we would like to see it faster, but we understand that this is a somewhat cumbersome process.

And so our message tonight is stay the course, move forward boldly, you know, keep moving down this road, keep moving in the -- in the direction that's going to help make up some of the time that we have lost over the last 12 years as Florida attempted to deal with this and -- and in many ways did not deal with this.

And so we find ourselves at a moment in time where we feel very strongly the E.P.A. is well poised to help Florida take a -- a very important step forward.

And I mentioned this earlier, and I'll just conclude on this, we think that what can happen here in Florida, historic opportunity to make fundamental changes that will improve our water quality and improve our state's economy, you know, can be replicated in other parts of the country,

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whether it's in the Great Lakes, or Chesapeake Bay, or some of my colleagues in the other portions of the Gulf of Mexico, a lot of folks from across the country are watching this and saying, "Hey, if E.P.A. can get it right in Florida, there is an opportunity for this to happen in my region, in my state," and the water bodies collectively in the United States can be improved as a result.

So thank you very much for your time, and we respectfully request that you move forward and move forward boldly and honor that commitment that we have in the Clean Water Act.

Thank you very much.

MR. KING: Thank you.

Speaker number 80. And if speaker number -- speakers number 81 and 82 could come up, that would be great.

MR. CARTER: Hello, good evening, Kevin Carter with the South Florida Water Management District, day two of three, and we thank the E.P.A. for coming back to Florida and holding these public meetings, yesterday in Fort Myers, today in Tampa, and we look forward to tomorrow in Jacksonville.

We also appreciate the E.P.A. taking the opportunity to let us, the stakeholders, giving us another 30 days to make comments, written comments on your rule. There is still a lot of information to get through and to be comprehensive in our comments, but the extra 30 days have been very helpful.

The district supports numeric nutrient criteria as long as it's based on sound science, and sound science takes sufficient time in order to be derived for Florida's unique and incredibly diverse water resources.

The -- the extreme complexities of developing numeric nutrient criteria have been shown by the Florida Department of Environmental Protection's Technical Advisory Committee, of which I have been a member since the beginning, the amount of waters that we have in this state and the -- the many different attributes that are in the environment that can basically influence the way nutrients are expressed in our -- our aquatic ecosystems make this a very challenging process.

And so we also can see that E.P.A. has realized that a rush to judgment, sometimes you need to take a step back and reevaluate what we have in this rule.

The example I would put forth to you is the SPARROW model. We appreciate that E.P.A. is reevaluating that until next year.

We also feel there is other parts to the rule that we would expressly hope that you reevaluate in a timely -- and allow enough time for sound science to be developed.

Tonight I'll talk about lakes. Last night, I spoke about some of the district's concerns on canals.

With lakes, we applaud the use of a modified criteria approach. We think that was a good first step. However, we still think there is enough variability out there amongst the thousands and thousands of lakes across the state.

For example, we fear analysis of color lakes. You took the platinum cobalt units of the lakes over 40 and did not find a relationship of chlorophyll. You then took a subset of that, 40 to 140, found than relationship that you felt was suitable to develop numeric nutrient criteria. So we have the subset in which you have criteria.

However, the lakes that are greater than 140, these highly-colored lakes, which you felt weakened the relationship to chlorophyll, you've now applied a criteria that was -- the data was not used for these lakes.

So we feel that's just one point of evidence that there was a rush to judgment, that there was not enough time to explore what was appropriate criteria for lakes with greater than 140 platinum cobalt units.

The importance of having sound science at the basis of this rule is particularly important in the

restoration initiatives, including T.M.D.L.s and BMAP processes to improve the water quality of these lakes.

As I have spoke before, the District is a leader in restoration efforts across the state, including Everglades restoration in which the State of Florida has already invested 1.8 million dollars, the Kissimmee River restoration project, which is another partnership we have with the Federal Government.

Through our state legislature, we're also involved in the northern Everglades, and that is where the District is coordinating closely with the D.E.P. on current T.M.D.L.s and current BMAPs.

We have concerns with the language that we have read to date on how these T.M.D.L.s and BMAPs are going to be infect -- affected by this nutrient criteria rule that you are proposing.

We believe that you should follow the lead of D.E.P. in their draft numeric nutrient criteria that they put out last July where current T.M.D.L.s would be basically adopted as is, the SSCA process. I would like to remind you that these final T.M.D.L.s were approved by your agency.

It is important that the stakeholders that are trying to implement these T.M.D.L.s through the basin management action process know what their targets are today.

We have heard a lot about trying to meet water quality goals today and not tomorrow. These processes are in place. And we would like E.P.A., as you move down the road, particularly with your restoration water quality standard section, understand that there is an implementation process in the state of Florida. The District supports that, and we have been behind it with our projects, resources, and time, and our scientific expertise.

So I thank you again for coming to our state of Florida. We will be submitting written comments that will go through this in -- in further detail. Thank you.

MR. KING: Thank you very much.

Speaker number 81, and then speaker number 83, if you could come up.

MR. COMPTON: Good evening, I'm Phil Compton, and I want to welcome you to my town. I have lived here for 33 years, and, like a lot of people here in Florida, our lifestyle is really based on our ability to enjoy the water. Most of our water is sick, so our lifestyle, our quality of life has really been impaired.

You met my wife earlier today. She grew up on Madeira Beach. Last summer, we were able to enjoy the beach there at her mom's house before she passed away. There was a terrible red tide there in 2005, couldn't go out there at all. We'll never know if that had any effect on her mom's demise a few months later.

But we built a house on Hillsborough River. My daughter was here earlier today, told you about how she has never been able to go swimming on that.

She is 19 years old.

First thing I ever did -- I have been a Sierra Club member for 30 years. I work for the Sierra Club. The reason I work for the Sierra Club is because we think it's very important to take the kind of sensible action that we can take here.

The first thing I ever did was back in the '90s, we had a little outbreak of medfly here, and the State Department of Agriculture sprayed malathion. Got all over the place. And with Tampa, how can you keep it 100 meters away, as is required, from any waterway with all the lakes that we have here.

So the E.P.A. did help with that, because the State had no clue that there is anything wrong with a little bit of poison getting into our waterways. The E.P.A. helped with that. And we did come up with a solution. That problem has gone away. A better way -- there is a better way of doing these things, and there is a better way of taking care of these things.

Some of my neighbors and -- here in Tampa grew up on the river in the '50s and '60s, and they call themselves river rats. They used to get out there and enjoy all kinds of things that are hard for us to imagine, those of us who came here in the '80s and -- and '90s to enjoy the river, because, you know, it was -- it was much more natural then, we didn't have the impairment.

Since I have been there, I have seen fluorescent green algae blooms, well, "bloom" is a

nice word, outbreaks, toxic outbreaks, wipe out everything.

You heard some reference earlier to the restoration of the minimum flow here in Tampa. That's a wonderful thing, life is coming back, as where -- the nursery where life is born for all of Tampa Bay. But it's still subject at any point in time to being wiped out by the algae blooms that occur here.

You know, do fish like pollution? I don't think so. You see them floating. And that's not something we ever want to see here.

There are ways, and a lot of folks here tonight, some of our friends who are on the other side of this issue or somewhere in the middle, we're working together with them, the whole concept of slow release fertilizer is huge. This is a way that industry, private enterprise, corporations are coming up with a solution not only for residential fertilizer that you've heard so much about, but for agricultural use.

Any fertilizer that runs off with the nitrogen and phosphorus getting into the waterways is wasted for the farmer, for the homeowner, for the landscaper.

And I -- low-impact development, impervious surfacing, there are companies who are making this, and we can redevelop our urban areas so that the water flows into the ground naturally, even though

we drive our cars on it and walk on it in sidewalks.

Taking phosphorus out of fertilizer. Our state is made out of it. Why do we have to ship coals to New Castle and put phosphorus on lawns and fields that already have an entirely adequate level?

If you don't care, you'll keep doing it. If you don't have levels, if you don't have goals, you'll never do what it takes, what you can do at very low cost, at no cost often with public education, to make the changes that are necessary to bring us up to those levels.

I've been living on this water for 19 years. The State of Florida was told in 1998 to get on the stick and get with it. We've been waiting for a long time. The state of Florida has more data than any other state. That's fine. The State of Florida should work with you and come up with the best numbers. Let's have the process move forward so that one day, hopefully while I'm still around,

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I'll be able to go swimming in that river.

I think it's very important for your -- for the E.P.A. to come in here because -- and help us in Florida, because our state legislature passed a resolution as you heard about, saying y'all go away.

State legislature is also trying to undo what Pinellas County did and a lot of other counties up and down the gulf coast have done to reduce the nitrogen level and the phosphorus level in your waterways with residential fertilizer ordinances.

Clearly, our state needs your help. It is impeding on the rights of citizens like myself when the State is taking away our rights to enjoy clean water, and that is what the Clean Water Act is for.

And we thank you, and please move forward with this process, and let's all work together.

MR. KING: Thank you very much.

Speaker 82. And then would speakers 83 and 84 come on up.

MR. ADAMS: Good evening. My name is Colin Adams. I am here today speaking as a deeply-concerned Florida citizen and taxpayer.

I was born in the Panhandle and raised by a nature lover who took me into wild Florida as often

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as he could, which was most of my life, still does it today.

And for many years now, excessive fertilizer use, human and animal waste, and ineffectively-treated municipal wastewater is feeding a recurrent green monster all across our state.

Algae blooms are creeping into areas where they have never been; namely, our inland freshwaters, and they are incurring with increasing frequency as well as persisting for months at a time.

Even when these blooms aren't occurring, constant nuisance growth has changed and continues to change the natural characteristics of these

waters that draw people to our beautiful state.
It's time to halt this devastation and finally set numeric nutrient criteria. The notion that cost-effective solutions don't exist is nothing more than a scare tactic.
Local ordinances and education about the effects of fertilizer use are feasible and they encourage public participation in helping improve the quality of our waters.
I've heard claims that B.M.P.'s by farmers and large animal operations are currently working. The problem is there is no way to verify these claims.
Under Florida's T.M.D.L. statute, by simply claiming that B.M.P.s are in place, there is a presumption of meeting water quality standards and then an exemption for monitoring. The chronic fertilization that results from this system is fertilizer abuse, and it causes irrevocable damage to our natural treasures.
Agriculture can implement real and effective B.M.P.s, and all you have to do is look at our waters to tell that we are well overdue for that.
In my own hometown, I have also heard unfounded claims that sewage bills have gone up 50 percent from instituting advanced wastewater treatment. And the truth is, in the case of higher bills, they have only increased by about $10 a month for a family of three.
And I'm not going to build on -- as -- what Joe was talking about, Wakulla Springs, I have had wonder experiences there as a child, too. You know, this is a place that used to generate 20 million dollars a year in revenue, and now the boats aren't even running most the time. All you're going -- all you would see in -- through the glass bottom is green murk, anyway.
My father and I are also avid fishermen. By witnessing the decline of Florida's natural ecology has discouraged me from eating anything that we catch near shore or inland.
And I can remember, you know, getting on the boat and going out into the gulf or on a river and not being afraid to just jump in the water with him, and now we -- we actually debate that decision on every trip.
I actually also had a coworker recently who went down to the Keys to Bahia State Park, and this is, you know, one of the most beautiful state parks that we have. She got out of the car and saw a wall of red algae piled on the beach line. And she said the smell was so overwhelming of porta potty, that they couldn't stay for more than five minutes.
So let's think logically about this. Someone who witnesses even one red tide, fish kill, dead manatee, algae bloom, or green water body during their visit to Florida will remember that more than any other experience they have in our state. What's worse is they're going to tell other people about it, too.
And no one questions that Florida's economy is

struggling. 2009 saw a decrease in tourism for our state. But as excessive fertilizer and human and animal waste pollution increase, the number of people visiting Florida and contributing to our economic growth will continue to decrease.

I would also like to quickly address a few things that have been said by people on the other side of this argument.

90 percent of the state's population relies on groundwater as their drinking water source. So the idea that drinking water is going to have to meet these standards is a little bit farfetched.

Also, the Department of Agricultural's legislation regarding fertilizer ordinances and trying to block local governments from instituting those ordinances, you know, you can't complain about the cost of compliance when you're blocking a cost-effective measure that could be put in place.

Using less fertilizer is going to save everybody money. It's going to save farmers money, it's going to save us money from having to clean up the mess, it's a good idea all around.

Also, you know, the idea that -- that wastewater can't be treated economically is also just ridiculous. I heard some numbers being thrown

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around that 50 billion dollars was -- you know, 50 billion dollars, $700 annually per family was going to be the ultimate cost of -- of improving wastewater treatment.

But, you know, with $700 a year, that's enough to put a gold-plated toilet in every house and mobile home in this state, so -- just to put it in perspective.

Additionally, the -- the representative from the stormwater association says that 85 percent of Florida's pristine waters are going to be impacted as a result of these criteria.

This is a total fabrication, complete. When we ask him, you know, where the -- they got this number, they said, "Oh, the D.E.P. website." Well, we went there and we look looked at it, at the website, and that number is not there. It's just made up, pure and simple.

So it does take time to figure out criteria. But the states have had -- have had -- the state has had over a decade to gather data and analyze it. And we trust that E.P.A. wouldn't move forward if they didn't trust those numbers. Plus the numbers are almost identical. You are using D.E.P.'s data.

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And that's all I have to say. Thank you so much.

MR. KING: Thank you very much.

Speaker number 83. Speaker -- is 83 here?

Speaker number 84.

MS. WILLIAMSON: Good afternoon. I'm Michelle Williamson, and I live on the family farm here in Hillsborough County. My family has been growing strawberries and vegetables in this county since the 1880s, and I live on part of the original homestead.

95 percent of Florida's strawberry industry is located in a 144 square mile area in and around Dover and Plant City area of Hillsborough County and provides for the largest industry in that area.

Over the last 20 years, our operations have implemented best management practices to manage water runoff and nutrient applications. All of our operations are enrolled and participate in the B.M.P. program and are checked by the Department to see that we are complying with these -- with these programs.

The B.M.P. program was developed by the Department of Agriculture in junction with the Department of Environmental Protection. And all of

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our new agricultural sites have tail water ponds to capture water on site for reuse and storage.

Gone are the days when producers placed an entire year's nutrient supply to the ground prior to planting. Now growers deliver nutrients directly to the roots on the plants as needed and in quantities that plants can utilize.

Growers have absolutely no desire to put out more fertilizer than what is necessary, that's just throwing money away, and it's ridiculous for anybody to think that we would even do that.

As a producer in the watershed of the Tampa Bay Estuary, I think that the work has been -- that has been done by all parties over the last ten years shows the commitment that these parties have to clean water. I think there is no doubt that the bay has improved and is still improving.

We support the state's T.M.D.L. process and have worked with the State's Department of Environmental Protection in the development of these T.M.D.L.s.

Numeric nutrient criteria must be site specific; otherwise, healthy water bodies will be deemed impaired and resources will be wasted attempting to make these water bodies make nutrient

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concentrations that they would not naturally meet due to their diversity.

In closing, I want to say that agriculture is the largest industry in this county. We are the only real green industry in this state. We provide open space, wildlife habitat, water recharge area, and most importantly, we provide the food and fiber that the citizens of this country eat.

It is vital in implementing regulations that you recognize the impact that it will have on the economy of Florida; and, therefore, we ask that you reevaluate the science used before implementing these regulations.

Thank you.

MR. KING: Thank you very much.

We now are going to move into a different --

MR. KEATING: We have the 100s.

MR. KING: That's right. All right.

Into a different numbering system. And I hope everybody is awake now, because we have a little opportunity for confusion, so let me walk through this.

There are folks that came this afternoon, and they started their numbers at 100, and it goes from about 100 to 119. Then as I understand it, there are folks that came this evening that also may have some numbers in the hundreds range.

And so what I would ask is I'm going to go from about 100 to 119, and I'm asking the folks from this afternoon, that's who we're talking about here, so please let these kind souls come on up, they're the ones who have been here all day, numbers 100 through 119, we'll let those folks come up first, and then we'll start over again, and we'll get to everybody who is here this evening, and we will do so with pleasure. Okay?

So let's start with number 100. Is 100 in the room?

Okay. 101?

This could go faster than you might think.

102? 103? 104?

MR. COE: Right here.

MR. KING: There you go.

And if 105 and 106 are in the room, would you please come up behind the microphone.

MR. COE: My name is Jerry Coe, and I have been working for the last three years in conjunction with the Florida Department of Environmental Protection and Hillsborough County E.P.C. trying to get enforcement on mobile wash operations of commercial vehicles.

This area has been a pollutant that has been identified in 1992 by the Florida Department of Environmental Protection where they released a cease and desist order to all mobile operations while they were reviewed and produced the B.M.P.s for mobile operations to gain compliance with the Clean Water Act.

In 2003, Florida Department released a program guidance memo, 0WM0302, dated July 18, 2003. Page 10, section C, states, "The source of the parameters of concern result from the variety of activities, including waste oil handling, release of antifreeze, free product spills, washing and other vehicle maintenance activities are regulated as industrial wastewater under Rule 62-620.200, Section 22 of the Florida Administrative Code, unless the facility is connected to a permitted domestic wastewater collection system."

Page 12, Section 2 goes on to say, "Activities which generate or process and non-processed wastewater discharge to surface or ground water is the subject to permitting in accordance with Chapter 62.620."

In 2008, July -- January -- I mean July 8, 2008, I personally met with D.E.P. in Tallahassee after numerous failed attempts for enforcement of these mobile operations. At the same time, this booklet was forwarded to the U.S. E.P.A. headquarters.

There are 32 incidences of discharges going straight into stormwaters or into drains that lead

to the Hillsborough County River that eventually flow into the Gulf of Mexico. It was ironic to me that in October of 2008, we had nine beaches closed for pollution.

That book got a reply back from Cesar Cebada dated August 18th of 2008. In mid 2008, mid August of 2008, Florida released -- finally released it's B.M.P.s for mobile wash operations of commercial vehicles.

We have gone through numerous complaints and investigations, only to be discussed, according to Hillsborough County E.P.C., as per our best professional judgment, they're de minimis, nothing to worry about.

Well, if you're washing 20 trucks a day, times 52 weeks a year, that's quite a bit of trucks, that's quite a bit of sludge, quite a bit of T.K. -- T.K. -- T.P.K.P.D. going in, it's quite a

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bit of nitrogen going down the drain, oil going down the drain, zinc, baromium, all of them, and they're hitting our stormwaters.

The F.P.D.S. permit program is supposed to self-check itself. Florida is not checking. Florida doesn't care. I have document after document of e-mail right here from Hillsborough County E.P.C. and individuals in Tallahassee that say, "Oh, well, we can't enforce it."

How can you not enforce something that you are regulated to enforce? Therefore, I would ask that you do put these stringent guidelines in place; at the same time, review items that's already happened.

In 2002, the International Car Wash Association found levels of nitrogen at 3.82. That's far greater than what you're proposing for a legal discharge limit. And what about they're flushing straight into the bay? 3.82 total nitrogen? They found a total phosphate levels of 9.79 in car wash water in 2002.

These levels should not be the acceptable. The pollution levels should not be acceptable. In public records, you will find investigations of mobile operations in discharging wastewater into

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ground and stormwater drains. We are in need of enforcement of the same requirements of stationary operations as well as mobile operations. Stationary operation of businesses should be required to maintain the same pretreatment levels as a P.O.T.W., as somebody stepping into a P.O.T.W.; however, all the correspondence state.

Otherwise small businesses are going to incur expenses in this. The business I work for incurs $173,000 a year in P.O.T.W. charges, surcharges after pretreatment. We pretreat ours before we sent it to the sewer, who sends it -- treats it even further to send to the bay.

I ask if anybody would like to review this, I will be here the remainder of the evening. I have all the documentation, all the NELAC approved lab results, you're welcome to them. Just please start enforcing the state.

MR. KING: Thank you. We won't be able to review it this evening. If you want to leave those documents with us, it's up to you, or you can submit them as part of -- as comments if you would like to.

MR. COE: We're going to be submitting them.

MR. KING: Okay, thank you so much.

MR. COE: Thank you.

MR. KING: Speaker number 105.

MR. SPEAKER: Bingo.

MR. KING: Okay. AND speakers 106, 107, if you're here, please come on up.

MR. DAVIS: Al Davis, 2790 45th Street South in Gulfport, Florida. I'm at the end of the pipe on what comes from upstream. And I am involved for the last eight years as a resident in a very small area of housing on an impaired water body, Clam Bayou is the name of that water body. And in microcosm, it is the Florida problem.

We have worked with -- with minimal results with the political process with D.E.P. and SWFWMD in getting this resolved. It's an obvious problem. When my wife Cindy and I moved there, there were manatee, dolphin. It had formerly been a commercial oyster harvesting area. It was rich with wildlife, and there were many birds, although we found later that there were very few left, even when we were there.

Now there are no manatee, there are no dolphin, we haven't seen a blue crab in five years, the birds have voted with their beak and have moved to a stormwater pond across town because the water is cleaner.

There are five houses on our cul-de-sac. Three years after I moved there, I was diagnosed with cancer, given three months to live. I am here by virtue of chemotherapy.

Two doors away, my next-door neighbor, Joey Paul, died two years later, brain cancer. My next-door neighbor Ray has cancer.

We found also last year that tests of the toxins which exceed the threshold level effect by 65 to 85 percent have a mortality rate upon the fertile eggs of sensitive organisms, which is quite high.

If any two toxins in that range are combined, the predicted mortality is 100 percent. This body has 23 toxins in the 65 to 85 percent range. It is acutely toxic.

Channel 9 here last year featured a story on high infant mortality amongst African American youth in the four zipcodes in the watershed. Three of those zipcodes directly abut Clam Bayou, and they are still used as a food source by those people.

It is unmarked as a hazard. And when my wife and I and our neighbors hear SWFWMD and D.E.P. proclaim all is well, and we look out back and we see how horrible it is, we -- we are incredulous.

We have documents that show you have received,

not you, Mr. -- but the area 4 folks, based on inquiry from Senator Nelson results on Clam Bayou, on inquiry. Michelle Anderson was here earlier.

They were told by SWFWMD and D.E.P., and we have copies of it, that all is well and that they do regular testing. So we went to D.E.P. in Tallahassee, and we said, "Show us your regular testing." And they said, "We don't do that."

And I said, "Well, why don't you do that?" And he said, "Well, we don't have the staff or the money." I said, "Well, how do you enforce the M.P.D.S. and the MS-4?" They said, "We contract it." "Well, who do you contract with?" "An individual in -- in Orlando." "Well, what are the results of his testing?" "Well, he doesn't do field testing."

So went to the City of St. Petersburg and we confirmed it. There is no testing. An M.P.D.S. stormwater permit in Florida is a license to pollute, and the default position is reissued.

And unless you folks get on the process here in Florida, it's going to be a continuing saga of

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deadline. We -- we don't have faith in the process, and you're hearing it from many sources drawing the same conclusion.

I'm having a grandchild born supposedly on the 3rd of May. That child will not go in that bayou. We used to be greatly involved with cleanups; now we warn people don't go in the bayou.

We know what's in there, we know about bioaccumulation, we know about where we are in the food chain, and we know where folks are beginning to dumping cover and want to rest on T.M.D.L.s, which describe a zero database, and providing you false information for years and providing us with more and more and more pollution.

And I beg you to not let Florida sneak out from under this. It's -- it's not worth it. We all -- we all need that water. And the only thing I'm afraid right now, you're probably our only hope.

Another issue with the T.M.D.L.s is that they have assumed certain things. Best management practices are applied to places like golf courses. We can observe a golf course, it's right at the edge of the bayou. And for years it's been a huge pollutant.

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It's a point source, it's not a non-point source, and it should not operate under an exemption from the Clean Water Act, nor should any golf course.

We -- we see the fertilizer streaming from that golf course nearby, and we know the effect of it. So please, when you -- when you see the comments from D.E.P., and SWFWMD particularly, know that even in the newspaper, we found that when they were pushed to the limit recently, they sent their program manager down there, but that person admitted they had not seen that bayou in ten years.

17 million dollars of taxpayer money, the manager had not seen it in ten years, and they will

tell you today that all is well, and I will tell you that it is not true.

MR. KING: Thank you very much.

Speaker number 106. And if speaker number 108 is in the room, please come on up.

MR. McELWAIN: Thank you very much, Andrew McElwain. You have heard from me before, so I will not repeat anything I have said, but I did want to note in terms of references to the state process and that it had been moving along and was going to result in industry standards without E.P.A. intervention.

One, I would note that the state-wide stormwater rule has been in limbo now for 18 months. There is no plan to submit it to legislature this session, so it will go into next session, and who knows then. So again, the State is not in a position to move regulatory measures such as this forward.

In addition, the legislature is actually going in the opposite direction. A House committee has passed a bill to repeal all local fertilizer ordinances, and that's expected to be passed by the House this session. Whether the Senate will take it up, I'm not aware of.

I would also like to address, earlier today, the Farm Bureau brought up the issue that it is going to cost 70 billion dollars to comply with numeric nutrient standards. This was an increase from an earlier estimate that I was given a few weeks ago of 50 billion dollars.

And it reminds me of another statistic, which is in 1977, there were three full-time Elvis impersonators. By 2007, there were almost 50,000. And at that rate of growth, by the end of the century, every American will be an Elvis impersonator.

The -- this kind of multibillion dollar variance in cost numbers I think really defeats the credibility of it taking and given the E.P.A.'s more reliable estimate.

Also, claims were made that the numeric nutrient standards would take 85 percent of pristine waters and make them impaired. In fact, the actual data is that 31 percent of Florida waters violate both D.E.P. and E.P.A. water quality standards, 1 percent violates D.E.P. only, and 2 percent violate E.P.A. only.

So presumably, we were to add 2 percent that are not now covered by D.E.P. over. And for some reason, I suspect 2 percent over our waterways coming into compliance would not be 70 billion dollars or require 20 million Elvis impersonators to accomplish our goal.

So again, I support what you've accomplished. I look forward to the rule's implementation. Thank you.

MR. KING: Thank you very much.

Speaker 107. And if speaker 109 is in the room, please come on up.

MR. GHENT: Good evening. I am Richard Ghent,

and I am the director of community affairs, phosphate operations, for C.F. Industries, one of the largest manufacturers and distributors of phosphate and nitrogen fertilizers in North America, and one of the founding members of the Tampa Bay Nitrogen Management Consortium.

From 1998 until 2006, I served as manager of operations for C.S. Tampa Terminal and Warehouse, located on Hooker's Point. This facility routinely ships over one millions tons of fertilizer per year from the Port of Tampa to midwest farmers and around the world.

I'm also a biologist with 32 years of experience in environmental health and safety management issues.

And I'm here today to tell you that unlike 20 years ago, there is no nutrient crisis in Tampa Bay, and E.P.A.'s proposed numeric nutrient criteria are not the most effective way to manage nutrients.

Local surface waters in Tampa Bay have been documented to be holding the line on nutrient levels over the last decade. The Tampa Bay Nitrogen Management Consortium has reduced nitrogen flowing into the bay since 1995, even as the

region's population grew by nearly a million people.

Additionally, as you have heard earlier, seagrass population, a biological indicator of the health of the ecosystem, have been increasing. This was accomplished with no federal numeric nutrient standards.

How did this happen? Well, at my company, C.F. Industries, we are proud to say that we were a part of this effort. Let me give you some examples of how we implemented rigorous stormwater controls and best management practices.

C.F. installed a stormwater collection system and a retention pond to collect drainage from our fertilizer warehouse, and we used water hyacinths for nutrient uptake. We have significantly reduced nitrogen and phosphorus loading to the bay as a result of these practices.

C.F. uses dust control additives to reduce fugitive emissions from our operations. And the Hillsborough County requirements for managing opacity during vessel-loading operations are stringent and rigorously enforced.

C.F. also purchased and maintains a street sweeper for the facility to collect any fertilizer

spillage from truck unloading operations. C.F. uses recycled conveyer belts between our railroad tracks to facilitate fertilizer cleanup from railcar unloading operations.

And C.F. designed and installed a system to collect fertilizer spillage from conveyer belt transfer points to keep it off the ground.

There are many other examples I could cite tonight, but our housekeeping practices are exemplary, and we pride ourselves on maintaining

this standard as part of our normal operating mode.
In conclusion, Tampa Bay has managed to effectively reduce nutrient levels in the largest estuary in the state by effectively implementing best management practices, stressing cooperation through public/private partnership, and working hard to develop a scientifically-sound T.M.D.L. approach.
Nobody cares more about Florida's water quality than Floridians. Over 30 percent of the national water quality data is from Florida. We have been working hard to protect our rivers, streams, and estuaries, and businesses invested millions of dollars to restore impaired watersheds and protect healthy rivers and streams.

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The State has worked hard to develop scientifically-defensible numeric nutrient criteria that will protect Florida waters in equitable and cost-effective ways. E.P.A. should support these efforts instead of imposing these standards on Florida and only Florida.
We will be submitting written comments, and thank you for your consideration.
MR. KING: Thank you very much.
Speaker 108. And if speakers 109 and 110 are in the room, please come up.
MR. KOLLINGER: Good evening. For the record, my name is Robert Kollinger, I am the water resources manager from Polk County, I am an environmental engineer, and my primary duties are implementing, monitoring, and reporting on the M.P.D.S. activities required by our municipal stormwater permit.
To give you some background, Polk County was a phase 1 municipality permitted in 1996 by E.P.A. The permit covers not only the County, but 17 municipalities within the county, as well as the Department of Transportation and the turnpike authority.
The county is predominantly rural in nature.

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We've got over 2,000 square miles of area. We have 554 lakes and the tributaries to six major river systems in the central Florida. We've got over 350 M.P.D.S. stormwater outfalls that go to these surface waters, and these are within the County's jurisdiction, not -- not counting any of the 17 municipalities.
We've been monitoring surface water within the county since 1986, and while we agree that there is room for improvement in the water quality, we disagree with the numeric criteria being proposed for several reasons.
The current proposed standards will result in over 95 percent of the surface waters in Polk County being impaired. We have estimated the costs based on the current level of treatment required to improve water quality from stormwater at 237 million dollars. This is over the next 20 years, and it only covers the cost of infrastructure improvement and not in the operational or maintenance costs.

In addition, Polk County operates ten wastewater treatment facilities that supply reclaimed water for irrigation and industrial cooling uses. It's anticipated that the costs of additional treatment to meet the proposed criteria is 15 million dollars.

And again, that's just for capital improvements and doesn't cover any of the costs to operate and maintenance. This essentially will double the cost of the average utility customer.

In addition, the proposed standards do not take into account the site -- site-specific criteria that affect water quality state-wide.

Although your rule does provide for site-specific criteria to be implemented, it puts the burden back on the local municipality to fund the studies required to show the impacts from the site-specific criteria.

Currently, the D.E.P. charges $15,000 per parameter to implement site-specific criteria analysis. In Polk County, 20 percent of our lakes are within the Bone Valley region, and that would require us to submit applications for over a hundred lakes, which would equate to 1.5 million in application fees alone to the State.

Although the numeric standard does not accurately evaluate whether or not a designated use of the surface water is being met, that's one of the issues we have with the criteria that are being proposed.

We have many lakes and streams throughout the county that are actively supporting recreational activities, even though they don't meet the proposed criteria.

And finally, the current level of technology for stormwater treatment is not efficient enough to provide the improvement needed to meet numeric standards for nitrogen and phosphorus.

Therefore, implementing best available technology at the current levels to the maximum extent practicable will not be sufficient to meet the proposed criteria.

We will be submitting comments prior to the April 28th deadline. And we do thank you for extending that deadline.

MR. KING: Thank you very much for your comments.

Speaker 109. Speaker 110. If speakers 111 and 112 are here, please come on up.

MR. REHILL: My name is John Rehill, from Duette, Florida.

Florida is a -- is a groundwater state. Most of our water does come from the aquifer and from -- and in doing so, nothing becomes more of a threat to our water here than mining, the phosphate mining, the strip-mining, of which you can Google and you can see hundreds of thousands of acres that have been just left as nothing but moonscape.

They get away with this through a process of only being regulated and being permitted through

each county. Now, they get these -- because it's less than 25 years, they get these 24-year temporary permits, which doesn't force them to completely restore the land, which they're gladly to walk away from, anywhere -- anyway.

But in doing so, there is a few problems. One thing, this is the April 1st paper. All that fine print, 91 percent of that in that print are Mosaic variances.

Now, so it doesn't really -- it's a toothless watchdog if they're going to sit there and hold them to certain regulations, and then they let it go for a year or two until it bumps back and everybody has forgotten about it, and then all they have to do is post a variance, and local reps, who have already pretty much quit and they're getting their pay from them, sort of let them slide on that.

And -- and what they need to do is be taken

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away from that. One way to do it, you've got it in your file, the one thing that I know is a burden to the E.P.A., and right in the next -- the next county over here, Polk County, there is 40,000 people that for over 25 years have been living with radiation that's a hundred times in some cases and in a few of the cases 300 times your acceptable level.

Your E.P.A., I think it was on -- it was at the insideepa.com, it had an interview saying on the 1st, you are supposed to be appointing somebody for your region 4 administrator. Well, the first thing on that ticket was supposed to evaluate that.

By your own -- by the E.P.A.'s calculations, you are looking at 11 billion dollars to clean that up. There is not going to be one dime of that coming from the phosphate companies, and it's all in phosphate mining.

There is 40,000 people that are living with that. And I know they keep pushing it back, but there is a good way to set a precedence on them saying that we can -- we will not allow you any more to get temporary use. There is nothing else. Which this proves it. I mean, these people are still suffering. And there is -- there is over

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4,000 different residences that are being affected by it, too.

And that's the only case that you've got where they have tried to do anything else with this land. As far as farming it, putting pine trees and planting grass on a piece of land is sort of like, and I hate to say this, but it's sort of like taking somebody to the earth, it's like taking somebody who just lost their child or puppy. That's how insulting it is.

The microflora, everything that has to do with it is all an insult to injury. It's a total insult to injury. They are walking away from it, they just -- they gut their -- their small shell corporation that they do until they can sit there and go bankrupt.

Now, as far as the nitrogen goes and all these

experts -- experts that have been coming up, back in the '80s for a couple times, I worked at wastewater treatment plants. I did assessments for a micro biotech firm.

And the largest thing that I had to deal with with all of them -- and I was the first one to introduce computer models to all -- nine cities along this -- this whole coast. That it would --

the nitrogen and phosphorus that was in the -- in the aeration tanks and settling tanks, and the most expensive thing you have to -- you buy in a wastewater treatment plant are the polymers and metallics. You'll pay $400 for a bag of that.

And what they use that for is when you've got 5 million gallons coming in, or 20 or 50 million gallons coming in, and you have to empty out your digesters, you've got to do it one way, you pour expensive material in there, which also makes it toxic -- the sludge much more toxic.

And another thing, the -- the mining companies continue to say that they don't get any evaporation. There is probably, I don't know, at least 10,000 acres out there, and you can Google it, of turquoise water.

All that turquoise water, when you look -- that's not beautiful Florida water, that's all hot water, that's all hot water that will kill your fish, your animals, your plants, anything it touches. And it's sitting there, it's not being dealt with one.

And one thing it is being -- doing is it's evaporating. And evaporating like that, that's -- if you do the figures, and we used to have to do

that on retention ponds, wastewater treatment plants, tens of millions of gallons, and you could even go back and you could find out how much this state has paid for these polymers and these metallics, and it's in the -- it's in the hundreds of millions of dollars that we have paid just for that because we -- we haven't been dealing with the fertilizer situation.

And I say those that sit there and say you don't want to shake things up because of the -- of the competition, nothing provides a level -- level playing field like regulation that makes everybody abide by it.

I thank you very much.

MR. KING: Thank you.

Speaker number 111. Number 112. Number 113. Thank you. And if numbers 114 and 115 are in the room, please come on up.

Good evening, sir.

MR. KIRKLAND: Yes, sir. I'm Frank Kirkland from Bowling Green, Florida. I'm in -- I live about a quarter of a mile from the Polk County Tractor Seselby Mine {phonetic spelling}.

There is a lot more than water that's the problem, but water's -- if we get rid of the water

problem, we will probably get rid of the rest of it.

I hear -- you only hear a few good things brought out by Mosaic, C.F., and their paid experts, and our government in Florida. They -- they issue variances so commonly every day, you could get on their site and pay to get the public records.

A couple in my mind right now, they just give variances for reclaiming a couple of mine sites there in Hardee County. They give a ten-year variance, they're a couple of years behind already when they get the variance, and there is written right into that is an opening for another variance when they get through with that -- playing with that variance.

And the whole thing is they don't have the material to fill the hole in unless the County lets them dig another hole, and then they can fill a little bit of the hole.

But the lakes that they leave, lakes, they're phosphate pits, every one of them gets a variance coming through. Permanent, they ask -- they call it a five-year, but they want a permanent variance on the water quality. But yet they're going to

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tell you that's a lake.

I just noticed in a meeting not too long ago, C.F. had come up with this idea of filtering the water and putting it back in the aquifer, the water they had dumped all these truckloads of acids and the oils and stuff in.

They said they are going to filter it through sand. Now, this is -- this part of it is just my thinking. I might be wrong, but I doubt it. Where are they going to get the sand to filter this water with? Right out of the tailing piles where all of that junk has been run through.

So I can read your letters and tell you guys know what the problem is. And if you -- if you guys can help us, you -- you can. Without y'all helping us, there is nobody in Florida, including Crist, who don't want you here, and I've seen him say it on television the other day.

And you might as well start bringing these materials in one of these pits and bury him, because he ain't worth nothing.

MR. KING: Speaker number 114. Speaker number 115. Speaker number 116. And let me ask, if there are speakers 117 or 118 in the room, please come on up.

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Thank you, ma'am.

MS. LANDERS: Hi, I'm Karen Landers. I live at 525 Avenue L Southeast in Winter Haven, Florida, that is Polk County. I want to thank you for coming to save us from ourselves.

When I first moved to Winter Haven in 1982, they used to dump raw sewage into the 19 lakes on the channel lakes that runs through our beautiful city. And the City since then has really tried to do quite a bit to clean up that problem.

But in Polk County, we are faced with the problem that we're out of water. We have no more water. We've been told by SWFWMD that we have to

find other sources of water.

And so now we're put into the dilemma that if we have to use any of those 19 lakes for our water sources, we can't use it if it's messed up, we can't use it if it's sick. So we need the E.P.A. to come in strongly with these levels and have some teeth in these rules so that these things will have to be done.

But this is not the first time this nation has faced this problem. Back in the 1930s, when Franklin Delano Roosevelt through Frances Perkins formed the C.C.C., the Civilian Conservation Corps,

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the job of that corps was not only to build parks, it was to work on soil conservation.

And when you tell me that your water sources are filling up with nitrogens and phosphorus, you are telling me you've got a failure of your soil conservation policies.

Those bureaus through the year were decimated. We do have some soil conservation experts that have been trying to help the farmers and so forth. But I don't see this as -- I see this as an opportunity. When you tell me you want to impose these levels, I see jobs, jobs, jobs. Because in order to build the infrastructure necessary to take care of this, we need a lot of help.

So if the farmer needs help in his best practices, we can educate another conservation corps that can come and go to his farm facility and say, "Mr. Farmer, we understand that you as one person cannot do this work, but we are here as a corps, and we are going to get this work done for you, and we are going to help you, and we are going to teach you what we know."

And this is what we have -- are living on now. We are living on that great work that was done by the C.C.C. back in the '30s and '40s. Had that

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work not been done, we would be in much worse shape today. But we are falling back into the same situation that it was then.

The other thing that bother -- that worries me is the U.S.G.S. has told us that along with sea level rises is going to come violent storms, our storms are going to get worse, our facilities are going to be subject to rapid water inundation.

That means our drinking water facilities and our sewer facilities must be protected against rapid water inundation. And I know that we are not prepared for this. And especially here in Tampa Bay, you've got water facilities right down on the bay.

So if we can put through these regulations, if we can build our infrastructure to take care of what's going to be coming at us in the future with this rapid water inundation, and I -- and I hope that you are going to put that in your plans, because it is not enough just to build a sewer facility anymore, we've got to think about it cannot be too low.

During the three hurricanes that came through Polk County, the famous hurricanes of 2004, the

sewer facilities, one of them failed in Mulberry,

one overflowed in Winter Haven. And we know that -- that went right into the Peace River, I mean.

So let's think way into the future, if we're going to set up standards and have these facilities built, let's build them for the future, let's make them storm proof, and let's go, yes, we can.

MR. KING: Thank you very much.

Speaker 117. And are speakers 118 or 119 here?

MS. ARVANITAS: For the record, this is for you.

MR. KING: Okay, thank you very much.

MS. ARVANITAS: Hi, my name is Peggy Arvanitas. I'm actually from Pinellas County, lived here over 38 years, and my great-grandmother and great-grandfather were married 62 years of marriage and lived in St. Petersburg, so we're long-time St. Petersburg residents.

I had the opportunity to do an E.P.A. filing in 2006 and the environmental bug bit me, it was 2002-68 docket, one to five acre proposed (inaudible) and permitting, had a lively discussion with a Dr. Weisberg, another scientist, and we've been one-upping each other ever since, from

biodegradation by accumulation and toxicity of synthetic-based fluids.

But what I want to turn your attention to is I happen to be the proud repository of Florida D.E.P. records requests. I discovered them in a Public Service Commission records request from 2003, sat on them for two years, Jeb Bush left with Castile, and so I got my little records request.

And so my concerns is I think our little D.E.P. is gaming the system and aren't as truthful as they should be, so I want to call your attention to three different -- three different things I'm going to talk about today.

One is reservoirs, second of all is permitting in Florida, and the third thing is the veracity of STORET, your E.P.A. database, the report card for the T.M.D.L.s, the pollution that the D.E.P. does.

Now, the first e-mail, you have in front of you, August 3rd, 2005, by Richard Harvey. I did check, he's still working at the E.P.A. Imagine my surprise when I discovered E.P.A. Harvey hastily e-mailed the D.E.P. in 2005, Castile and Sole, all the way up the chain of command screaming about reservoirs creating algae.

Well, we know from St. Johns all the way down

to Stuart and St. Lucie area waters, algae is a symptom of serious health and impairment of a water body.

So numerous lawsuits made their way to the D.E.P., especially in 2006. And, of course, our past governor, D.E.P. director, and Southwest Florida Water Management Carol Wiley, their response was to announce yet another reservoir building.

Well this E.P.A.'s document shows there were internal documents in E.P.A. they shared with the D.E.P. that reservoirs harbor and create impaired water. We are still buying and building them, though, so how is it that Carol Wiley, Michael Sole, even five years later, they didn't share this information?

Our Tampa Bay area has a reservoir, South Florida has a mining company pit. Just last week, Carol Wiley announced that the water is brackish in her mining pit, it can't be used for drinking.

So we spent 1 billion dollars for reservoirs that are now in violation of the Clean Water Act. So I want know who takes responsibility for this bolded coverup and waste of taxpayer dollars.

Second thing is permitting. We used to have

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five-year permits that gave industry users in Florida that go before the D.E.P. water management boards five-year permits. They -- of course, it's easier to review them. You know, if they are in noncompliance, there was a shorter period.

Since Grunwald in January 2009 sent that little D.E.P. Sole letter, you know, announcing we are going to do pre-Jeb, which is point and non-point source of pollution, all of a sudden, the state legislature gave the system, and Senator Alexander decided 50 are permanent. Okay. And then, of course, our non-friendly environmental governor signed it into law last year.

Well, from the other document that you have, it's a December 2006 document, in it Mike Sole has argued with staff, they are arguing about a Department of -- Department of Interior discussion about the consent order.

And, of course, the Department of Interior had a problem with permitting, you know, allowing five years to argue compliance under NEPA law, the magna carta of the environmental law.

And the last thing that D.E.P. offers, says he wants to be able to defend Castile's changes with a straight face before the E.P.A., but he cannot as a

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current -- as it currently stands with E.P.A. director Castile's changes.

So I feel the D.E.P. might be gaming the system, and our state legislature is helping out big business with the 50-year permits. You'll need to bring a big stick to beat them all up in Florida.

The last thing I discovered in a -- I guess a lawsuit of a lab technician of the D.E.P., Tom White. And in his lawsuit, he actually tested in the St. Lucie area that pours out of Lake Okeechobee to the east, he said that the phosphorus was off the charts, his boss was threatening another worker there doing testing for the pollutions.

And, of course, they fired him, but not before, from the e-mail records request, Jeb Bush pulled Kevin Neal, Castile, and Sole into meetings for eight months. The man was fired. Instead of 90 days in human relations board, they tied him up

for over a year and a half so that the E.P.A. could promulgate rules with the D.E.P., which I believe was a little subversive.

But he talks about a weakness with STORET, your -- your database, your T.M.D.L., the report card that the D.E.P. uses.

So just want to wrap up and say I'm glad you're here, you'll need a big stick, because the D.E.P. is not as it seems, and the documents I have put before you through a federal filing.

Okay? Thank you.

MR. KING: Thank you very much.

Speaker 118. Speaker 119.

Good evening.

MR. CARROLL: Good evening. I'm Richard Carroll of Carroll Brothers Nursery. We have a retail nursery in St. Pete and a wholesale growing operation in Clearwater.

And I would like to talk a little bit about the water, how this is going to hurt the efforts of cleaning up the water as far as the best management practices in the future, coming down through. And I would like to impress upon your minds about using sound science and being site specific.

Five years ago, our wells went salty on our wholesale operation, and we went to recycled water in order just to have water to grow plants. But the County couldn't keep up with the demand of water, as far as the pressure. But it took us two years proving that with the County as to what the problem is. And working with SWFWMD and everything, we was able to do it.

Two years later, we was looking for another way of watering to -- because we needed quality water for our plants. Plants need good water just like everything else.

And with that, we got into the best management practices and we started watering using Aquamax. We were using 18 million gallons a year watering, and by doing it and using the best management practices, we went down to 1.2 million gallons of water, which made a terrific difference.

But at the same time, we even tweaked the fertilizer. We are using 50 percent less fertilizer, getting 30 percent more growth.

So using nitrogen, we don't use it unless we have to. But there is a time that you've got to use a certain amount of it. I have absolutely no runoff running off the place from the plants. We checked it according to the B.M.P. standards and everything else.

Beside my place, we have a ditch of which is supposed to run all the drainage out. We haven't had any water in that ditch, but because of the County blocking it up, now water has to run uphill, so it all ends up on my property.

According to this, I will have to clean everybody else's water because it drains down to my property. Which I don't think is fair, because it comes from a trailer park, which is draining off

from parked cars, dripping oil, gasoline, and it makes me responsible.

And even though I have done my good deed, put several thousand dollars into following the best management practices, I'm getting the bad end of the stick here.

And the same thing happened when we were fighting the fertilizer law in Pinellas County, it got ramrodded down the throats, they did not use sound science, they threw the university, E.P.A., and D.E.P. under the wagon, but yet today they like to use you all.

I just hope you use sound science, because that's why that law is in Tallahassee, to take the law back to Tallahassee so that it can be used properly.

And I thank you for your time today.

MR. KING: Thank you very much.

Are there any other folks, individuals in this room from this afternoon who have not yet had a

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chance to speak?

Okay. Well, I think what we'll do, then, is move into the evening session. May I ask for a show of hands of how many people here in the evening session would like to speak?

Okay. What -- I'm not sure whether to ask you this question, but you have a choice, and it's entirely up to you. I will go through a little bit and explain and welcome you. And we are, indeed, very pleased that you came out this evening.

We can provide you with an overview of the rule and how it operates. Our sense is that that gives you sort of a common baseline. Takes about half an hour to go through all this. If any of you are interested in that, we would be delighted to do that.

You also have handouts in front of you. And I really just defer to you in terms of would folks find that helpful.

Okay. I hear you. If anybody would love to hear about this, you come on up a little bit later and we'll give you a quick overview and be delighted to do so after this session ends.

Okay. With that, then, let me just indicate to the folks who are here, we want to thank you so

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much for coming out. This is a hearing to get your comments on the proposed January proposal of numeric nutrient standards for inland waters in Florida for springs and lakes and streams and rivers and canals.

And this is an opportunity for us to hear from you and to hear any particular views that you have on the rule. We would particularly appreciate any information or opinions as to whether or not you believe we have used the available data appropriately, whether you think we have missed data or information that we should be taking into account.

If you think that the rule has a particular policy perspective or implementation consequence that you think we need to be aware of, we really

would like to know about that.
So these are the kinds of things, if you have information about that, we would be very pleased to hear this evening.
The second piece I want to share with you is that we are now engaged collectively in something called the informal notice and comment rulemaking process under the Administrative Procedures Act. What that provides is that when E.P.A. develops

regulations, we do so under the requirements of the Administrative Procedures Act, which in essence require that we prepare a proposal with particular standards, we accompany that with an explanation of how those standards were derived, we provide in addition a technical support document with a substantial amount of data and analysis so technical folks can figure out how the numbers were developed.
And then after that, we go into a comment period, which is where we are right now. The comment period is perhaps the most important part of the notice and comment rulemaking process because it is the point at which stakeholders and Floridians and other interested parties are able to get back directly to E.P.A., give us feedback on any aspect of the proposal that you believe we should be aware of in terms of whether you support it or don't, whether you think there is a technical strength or weakness we can improve on.
Anything you say today will be transcribed by a court reporter, and that's why we're going to ask you to come up and speak at the microphone here. When you come on up, we would ask that you please give your name and affiliation so the court

reporter can have this.
All the comments you make this evening will be part of the record for this rulemaking, and all of your comments will be read once, twice, probably three times by the time we are done, every single one of them, and they will be responded to in part of a general comment response document that is prepared as part of this rulemaking process.
After we finish this evening and we finish our meeting, our hearing tomorrow in Jacksonville, the record will still be open until April 28th. So if there is something that you would like to submit or like to say that you didn't get a chance to do this evening, you either can come join us in Jacksonville tomorrow, or, perhaps more simply, feel free just to give us a written additional set of comments, mail them in or e-mail them in by April 28th, they will be part of the official record, we will consider them, and we will respond.
I think that's about it. Once the comment period is closed, E.P.A. then goes into a process of -- deliberative process where we consider all the comments very carefully, we review all the new technical information, all the recommendations, all the thoughts about the different alternatives we

requested input on, and then we prepare a final

rule, which is scheduled to be promulgated on October 15th of this fall, 2010.

So that basically is the rulemaking process that we are engaged in this evening. And you are a very important part of that process, so we are very pleased that you are here with us this evening.

The way this process will work is you all -- anybody who wants to speak should have a number. We'll call you up by number. If you would like to speak and you don't have a number, just go right out to the registration desk, they'll be thrilled to give you another number. And that helps us keep track, that's the only reason we're doing this, and it makes the whole process move a little more easily.

My understanding is that we are starting this evening with the number 1. And what we'll do is ask speaker number 1 to come up. And we'll ask the two next speakers, 2 and 3, to come up behind that individual, take one of those two chairs, so we can keep the process moving pretty quickly.

Each speaker will get five minutes. You'll see up here on the screen, you've seen it, I think, operating now for a few minutes for the folks from

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this afternoon. You watch the timer, and when you get to the end of five minutes, we'll appreciate any additional comments you have in writing, or you can come join us tomorrow in Jacksonville.

So with that, let's start up. Speaker number 1, please, and would speaker number 2 and 3 come on up.

MR. TRYON: Hi, how do you do gentlemen. My name is Steve Tryon, and I have lived here in Tampa Bay for the past seven years. I'm on the executive committee of the Tampa Bay group of the Sierra Club. And I also volunteer at the Audubon Center for Birds of Prey in Maitland, Florida. And I'm also a recovering Manhattanite.

You know, in coming here, I -- I -- you know, I was -- just in -- in listening to what's been shared already, there has been a lot of facts and a lot of opinions expressed.

And I'm not sure that everything that has been expressed by either side focuses right on the -- what I understand is what you are here for, which is for the -- to set numeric nutrient standards, you know, for Florida waters.

So I hope that -- that people will stay on that track and -- and make it a little bit easier

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for you to -- to come -- you know, to make decisions and -- and know what actions you need to take.

You know, but, you know, coming from Manhattan, I didn't know much about wildlife. You know, I knew about cockroaches and -- and -- and rats and pigeons, you know, and terrorists. And, you know, and coming down here, it was, you know, it was an eye-opening experience.

And I didn't understand at that time, you know, pre Tampa days, that, you know, how everything was so interconnected, you know, that

the -- that something that could be, you know, let into a -- a stream upstream, you know, miles and miles from the bay could have an impact, you know, on the estuarine, you know, area that we, you know, know and love as Tampa Bay, but I did find that out.

Now, my first experience with -- you know, with the effects of, you know, phosphorus and nitrogen in the water was on a day in late June, I went down to the -- to the shore, I think it was -- I believe it was Sunset Beach.

And I -- I got there, and I was, you know, strolling the beach, and -- and I looked around and

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I thought that I was in the middle of a science fiction movie, because I noticed that there were all of these beautiful dead creatures on the beach, I -- things that I might never have come into contact with in any other way.

And I was looking for a camera crew, because I thought that I was, you know, certainly in the middle of a movie -- of a movie of some kind. It didn't seem real. And I -- and I noticed that there were people dining on a dock, at some kind of eatery on the canal, and they just seemed completely unphased by it.

And I -- I was just -- I was dumbstruck. I just didn't know what to think. And, of course, later on I learned about, you know, that that was a -- you know, a kill, you know.

I would just say that -- that we all know inside what's the right thing to do. And -- and I just -- one thing I wanted -- other thing I want to say. And I hope this doesn't come off wrong.

But, you know, I thought I left terrorism behind in Manhattan, but there is a different type of terrorism at operation here in Florida, and it's eco terrorism or environmental terrorism. I -- I see it, you know, in things that are happening in

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Tallahassee, you know, just the -- the ignorance of -- or the denial of -- of -- of, you know, the impact that we have on the environment.

I know -- I hear that there is a lot of fear, you know, from people about, you know, if they're -- if these things are imposed, that, you know, what will it mean for our jobs or, you know, our livelihoods. And I think there is a common solution, and -- and I feel that, and I know that the right thing will be done here.

And I just want to close in saying that, you know, if we are not part of the -- part of the solution, then we are part of the problem.

So good luck to you gentlemen. You are strong men to be up there taking all this in, you know, from -- for the hours you have. Thank you.

MR. KING: Thank you very much.

Speaker number 2. And would speaker number 4 please come up.

MS. HENDRY: Good evening, and greetings from Lily, Florida. My name is Jenny Lee Hendry, and I have lived in Florida for all of my 51 years, and I am proud to say that I am a fifth-generation

Floridian, one of those well-known crackers that surface every now and then.

My family were pioneers in the Peace River Valley and have long loved and husbanded the Peace River and its many tributaries, such as Horse Creek, Payne Creek, Whidden Creek, Charlie Creek, and several other creeks and trickles that feed the Peace River that in its 116 south river flow -- 116 mile course down to Charlotte Harbor provides a source of drinking water and multiple recreational opportunities along its banks.

I am here today both as a private citizen and as a representative for People for Protecting the Peace River. We are a local not-for-profit. We are located in Hardee County, which is about 55 miles southeast of Tampa.

A major concern to us is the adverse impact on the Peace River and its attendant watershed because the phosphate strip mining pits when mine process water is spilled from their berms and/or clay settling ponds into local waterways.

More than 18 million cubic meters of clay slime was spilled into the Peace River watershed between 1967 and 1994. That is only a shadow of what is poised to begin as they begin to hope -- as they plan to mine another 166,000 acres in Hardee County.

The result of these accidental spills include fish kills, dead zones in the river, and explosive growth of invasive vegetation, which in turn creates murky water and reduces recreational opportunity, such as canoeing, bass fishing, and swimming along the Peace River.

Also at risk is the quality of drinking water for an estimated 150,000 residents of south central Florida along the banks of the Peace River.

From my childhood onward and from my family's experience there, the Peace River was once one of the most beautiful, pristine waterways in Florida. Sorry.

It had a sandy bottom, crystal clear water, and it teamed with wildlife. There was otters, and wild turkey, and bobcats, and wild hogs. Many of our family, we lived off that land, and we husbanded that land, not to mention the lunker bass and the big snook that still come upriver.

Due to pollute -- due to the polluted conditions along the Peace River today that are largely attributable to the phosphate mines as well as some other industries that border on the river, the fishing is a mere ghost of what it used to be, and wildlife sightings are not as plentiful as they once were.

I personally, even though I love it so much, I do not canoe or fish that water nearly as much, and, therefore, do not spend as much money with local business, such as bait and tackle shops, park entrance fees, canoe and kayak rentals, and find that friends and relatives are not visitors anymore. Polluted water has an overall negative

impact on Florida's economies regardless of its source.

As a grassroots environmental action organization, the nearly 100 members of three P.R. overwhelmingly support your mission to bring numeric nutrient criteria to all of Florida. We believe the implementation and, most importantly, the enforcement of these criteria will protect and preserve our quality of life, our property values, and our health, and reinvigorate our state's tourism-based economy to which fishing, canoeing, and other water-related activities contribute millions upon millions of dollars annually.

So again, as Jenny Lee Hendry, fifth-generation Floridian and a community liaison of three P.R., I urge united, unwavering support for the E.P.A.'s effort to bring numeric nutrient

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criteria to Florida so as to restore, to protect, and preserve our magnificent ecology and environment for generations to come.

Thank you for your time.

MR. KING: Thank you very much.

Speaker number 3. And would speaker number 5 please come up.

MS. LAWLER: Hello my name is Stephanie Lawler, and I am a student at the University of South Florida in St. Pete.

I would first like to thank all of you for allowing me the opportunity to discuss my opinion and my experience with the issues at hand. I have lived in Florida my entire life, and though I have only been in the St. Pete area for about a year, I have witnessed the degradation of our waterways. As a child, my parents and I used to travel every summer over and spent a good amount of time with my grandparents.

My dad used to tell me stories of his experiences in the Tampa Bay waters. It upsets me to know that I will not be able to swim, nor would I choose to swim in our bay waters, along with the fact that my children won't be able to swim if we continue this route.

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Excuse me, I'm a little nervous.

For this reason, I decided to go into the environmental studies program and focus on water quality. I -- we spend a lot of time in our waterways with the SEAS organization, which at U.S.F. is the Students of Environmental Awareness.

I personally have cleaned up the bays after our algae blooms. And as many could probably understand, picking up dead fish and turtles could ruin someone's day. So it is slightly upsetting to see how this is affecting us in the smaller scale along with the bigger scales.

It is for this reason that I am here today to support the E.P.A.'s decision to put in action in regards to the different regulations they want to do on the water quality.

So thank you again.

MR. KING: Thank you very much.

Speaker number 4. And would speaker number 6

please come up.

MS. COUTANT: My name is Stephanie Coutant, and I am a U.S.F. St. Pete student. I grew up and was born and raised in Brevard County on the Indian River Lagoon Estuary.

I support the proposed E.P.A. rules and legislations to reduce the nutrient pollution, and I believe the regulatory -- regulatory approach of restoration standards is a fair concept and should be taken seriously.

The Indian River Lagoon when I was young was much cleaner and attracting to -- among its waters, along any bank you could find access to swimming. Access now is clogged with slime and algae that builds up everywhere from nutrient buildup, not only from point source locations but from overall long runoff and non-point resident locations, and due to the residents and growing development in the area.

These buildups are not only unattractive to visitors but also smells, affecting the residents, not only residents, but fishermen and visitors, tourists, causing harm to our local economy and losing valuable dollars.

Setting limits on this pollution is long overdue, and I believe the State has failed to solve this problem in the past. I welcome the E.P.A.'s change that they are going to bring.

Thank you.

MR. KING: Thank you so much.

Speaker number 5. And would speaker number 7 please come up.

MR. COLLINS: Hi. My name is Brian Collins. I moved to Florida in 1998 to study oceanography, and I have spent countless hours on Florida's bays, beaches, rivers, estuaries, and swamps, many of them contracted to the U.S.G.S. to monitor groundwater flows and surface water quality.

From my time out there, I see this as an obvious need for Florida to do more to comply with the Clean Water Act. Nitri- -- the nitrification is very apparent, and it's just about everywhere that you look. So I support this proposal of using numeric nutrient criteria for our water quality standards.

And in response to some concern I have heard over the -- the SPARROW model, I would like to suggest looking at another published model, specifically the -- the paper is entitled A Framework For Developing Ecosystem-Specific Nutrient Criteria, Integrating Biological Thresholds With Predictive Modeling, to be found Limnology and Oceanography, Volume 53, Issue 2, published in 2008. The lead author was Soranno.

Okay, thanks.

MR. KING: Thank you.

Speaker number 6. And would speaker 7 and speaker 8 please come up.

MS. SHARP: Hi, I'm Pat Sharp, and I'm from Sarasota. I have lived in Sarasota for 17 years.

And I am an avid windsurfer, and I spend about a hundred days a year on the water, or at least I did until February when I had surgery.

I have metastatic cancer, and I'm undergoing chemo right now. And my oncologist has told me that my cancer is environmental in nature. I believe that it came from the pollution in the water.

And I understand that nobody can say exactly what pollution caused which cancer at what point in time, but since I spend so much time on the water, and we know there is toxins and chemicals in the water, I think that's where it came from.

I would just like to ask you to do whatever you can to clean up our water supply so nobody has to suffer like I have. After having chemo, my hair went away. And I don't show this to anybody. My daughter's never even seen my terrible hair.

But I'd just like to ask you to try and keep the water clean so other people don't suffer. Thank you very much.

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MR. KING: Thank you, ma'am.

Speaker number 7. And would speaker number 9 please come up.

MS. SHEPPARD: My name is Mary Sheppard, and I'm a native of Manatee County, Florida. And I am -- I support what you are doing here. I would like to see numeric guidelines for keeping us with clean water.

A couple of weeks ago, the City of Bradenton went to the planning commission, and since then probably to the county commission, to ask that we change the rules in Manatee County.

Instead of protecting the drinking water of Bradenton by saying no reclaimed water in the watershed of Lake Evers, some developers and the City came forward to ask that they, of course, be -- take their point of development out of the watershed and let them use reclaimed water.

And in the process, they said, well, you know, those of us who might be concerned about water going underground or over ground and carrying some more nutrients into -- "Oh, but, you know, just a few feet down, why, there's no problem in the water." And I find that hard to believe. I just find it hard to believe that some of this couldn't

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be a problem.

Then a few years ago, several of us concerned citizens in our part of the county were concerned because a developer wanted to go in the floodplain of the lower part of the Manatee River. When I say lower, I mean below the dam. Because we have two dams and two reservoirs in Manatee County. I think we are unique in that regard.

Anyway, the developer wanted to put about six houses, and it was where you are supposed to put in septic -- central sewer. And you are -- the rule says you are supposed to do that.

Well, he didn't want to because the neighbors didn't want to give him permission to go there. Well, eventually, it boiled down to three houses

and that they would use some extra good septic tanks that were supposed to be developed in Monroe County to keep pollutants out of the river.

And at that point, the County was sort of interested in, you know, how effective are septic tanks. Well, they had some hearings, but then it just sort of fell -- drifted away and they didn't care much anymore, and nothing ever was changed in the rules, because after all, Florida has a health department with rules for septic tanks, and that's

good enough, you know. "We did what the rules said, so the water is protected." Well, I don't know whether it is or is not because I am not a scientist, but I am concerned.

So last week on Thursday at the planning commission comes a request to also -- the property completely, 35 acres, I believe, well, maybe it's not that big, maybe it's 10 or 15 acres, next to the Manatee River, upstream a bit, that already had a house built in the 1920s and a septic tank and all, they wanted to put, you know, a pier for fishing and a nice boat ramp to put in. Um, water's rather shallow. At high tide maybe, but otherwise very shallow.

But no one was concerned at all when questions were asked about the septic tank. "Well, oh, it's been updated, and no one hardly uses that house." Yeah, but that would make it a recreational thing. But they never thought of saying, "Well, how many people are going to be using this septic tank?"

And it was fairly close, it was right down near the old house, next to the river, you know, you went out on the cement steps and walked down the -- to the river.

So it concerns me that without numerical

things looking for it -- there is a huge Lake Manatee, and the north side of it is owned by someone who someday will probably develop it. And will there be something in place to encourage to be far enough back that it will not hurt the drinking water of Manatee County. At the moment, we also sell water to northern Sarasota County, so two of my friends here tonight may drink Lake Manatee water.

I just hope that we can make sure our waters are clean for the wildlife and for us humans. And I appreciate your being here. Thank you.

MR. KING: Thank you very much.

Speaker number 8, and would speaker number 10 please come up.

MS. SWORMSTEDT: Thank you. I am Gerry Swormstedt, and I live in Sarasota. First came down here in the -- in 1960. My husband's grandparents lived down here. And we bought a place out on Longboat, and the waters were gorgeous, and we had seahorses running around.

And it was, oh, I think at least eight years before we encountered a red tide. It was not too long, but -- but pretty smelly and pretty bad. And we didn't have air-conditioning in our cottage, so

we had to get out.

But everybody said, "Oh, that happens maybe every seven, eight years." And then -- so -- and it was, it was probably a good seven or eight years before another one came around.

But then they've increased, they've increased in duration. And so this gives me pause, anyway, which is one reason why I've been working on better fertilizer laws.

We've had a couple speakers here. The lady with the strawberries talked about there were good practices, and I think that's wonderful. I wish everybody would do good practices and maybe we wouldn't have to worry. But I think we have to have the standards, and we need you all to set the standards.

And we heard a lot today about D.E.P. not enforcing things. I don't know how we do that. I call D.E.P. Don't Expect Protection. But I think we need to do -- and then the man from C.F. was talking about holding the line. I think we need to do more than hold the line.

He also spoke about the costs of -- reflected in making the improvements that they need. But who is looking at the cost to us citizens in health

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problems and cost of lost recreation and lost money from the people who depend on that recreation. So -- and the fisheries, these -- this is all loss to us. And those costs are not reflected anywhere around.

So I hope that E.P.A. stands for Expect Protection Always. And thank you. I'm glad you're not cross-eyed at this point.

MR. KING: Thank you very much.

Speaker number 9. And would speaker number 11 please come up.

MS. DILLON: Hi, I'm Sandy Dillon from Sarasota, and I've been a resident for 40 years. I as a teen water-skied in Lake Tarpon, and the water was so clear we could actually see the alligators swimming by.

And I just want to say that I urge you to keep your standards and restore the -- and protect our waters, and encourage you to know that it is doable. We are glad that you are here to help us.

MR. KING: Thank you.

Speaker number 10. And would speaker number 12 please come up.

MS. HINES: Good evening. I'm Barbara Hines. I live on Anna Maria Island, which is a barrier

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island in Manatee County across from Bradenton.

I was stunned at some of the testimony that I have heard in the short time that I have been here, because the water that some of the -- our officials have described is not the water that I know.

I live on a barrier island. A couple of years ago, we had red tide that lasted almost continually from January to October. My husband and I were part of turtle watch. We walked the beaches. We had to be there because we had to be there for the turtles.

There were, in some places, 12, 15, 18 inches of dead sea life. There were tiny fish, there were enormous fish, there were turtles. There was nothing alive. And the smell was terrible. You couldn't put -- even put your feet in the water because you were hit by dead fish that were coming in.

Our county came every day and cleaned, but they no sooner left and the beaches again were filled. The canals on the island were filled. We had red tide, we had algae.

Our local businesses, our restaurants, the motel that was -- that's catty corner from where I live, have said that they have been hurt much more

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by the red tide and algae blooms than they have been hurt by the hurricanes. Now, that's telling you something.

The Palma Sola causeway is often shut because of high levels of contaminants and unsafeness. They post it, but, you know, they don't enforce it. And I drive, when I go into Bradenton, across that causeway, and I see little kids in that water playing. I see tourists with little kids during red tide blooms in that water with the dead sea life.

I love the island. I love everything about the island. But you know, it's been several years since either my husband or I have been in the gulf, even though we used to go down every evening. It's a shame.

I'm a member of Manasota 88, and I would like to say that I am so pleased that you have recommended numeric nutrient criteria because clear laws that are evenly enforced are what we need in order to save not only Florida but our planet.

And you know, during the red tide blooms, even though we have a lot of birds on our island, we don't see a single living bird, they aren't there, because they go somewhere else, or I don't know

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where they are.

We need -- we need your help. And the only time, and I've been to a lot of meetings -- and I didn't -- that's not how I intended to spend my retirement, I intended to spend it in the gulf.

But the only time I saw anyone at any of our meetings was someone from D.E.P., a supervisor, he identified himself as such, who testified as to why our county should change its mind and allow the phosphate industry, Mosaic, to have a mine in the headwaters of Horse Creek. Those are the headwaters that feed the water -- that are the water supply for Sarasota and Charlotte County and our backup water supply even though we use Lake Manatee.

So please, please enact your rules, because the world that they're talking about isn't the world that we see every day. Thank you.

MR. KING: Thank you very much.

Speaker number 11, and would speaker number 13 please come up.

MS. BARRERA: Good evening. My name is Kira

Barrera, and I'm a student at the University of South Florida in St. Petersburg and a member of the Sierra Club Coastal Task Force.

Water quality and conservation have always been issues that inspired me onto my current path. I am currently an environmental science and policy major.

Florida is known for pristine beaches, scenic rivers, and crystal clear springs, and these are the places where I have spent much of my recreational time and also borne witness to their degradation firsthand.

So I -- I told you that I'm a student and environmental activist, but I'm also a mother and a native Floridian. And when I was a kid, we always took camping trips to Crystal River and Rainbow River and tubed and played in the springs.

And now that I have two kids, we just went to Rainbow River for our first tubing. They are four and six, so they are swimming now, and I just took them last summer for their first tubing trip on the Rainbow River, and it's really sad.

The manatee grass is covered in all this gray crap. I mean, I wouldn't want to eat it if I was a manatee. And there is duckweed everywhere. I mean, they didn't want to get out of their tubes. I don't know.

I mean, we used to see otters and stuff. I don't think my kids will ever see one. Roseate spoonbills, not around. And there is tons of ibis, but they're eating in like soccer fields and stuff.

So this motivated me to pursue a degree and a career from which I could effect meaningful change in their preservation.

Oh, yeah. I wanted to be a Weeki Wachee mermaid when I was a kid. I went there all the time. Who didn't want a Weeki Wachee mermaid?

I took my daughter there for her fifth birthday. And there is like gray slime hitting the mermaids in their faces. And the turtles are covered in it. They have to, like, pick it off of them for the show. It's really -- it's a -- it's a bad state.

Okay. So I wanted to effect meaningful change in the preservation, and I still do. And excessive nutrient levels are not an issue specific to Florida. This is an inclusive problem facing the region and the nation, and it will have to be addressed by implementing a series of strategies and solutions, one of which I believe is to set strict numerical limits.

I am so adamant about this that I applied for -- I was nominated to apply for the Truman scholarship at the University of South Florida, and I had to write a policy proposal, and mine was based on this issue modeled after a St. Petersburg ordinance and addressed to Peter Silva of the E.P.A. trying to, you know, impose these types of nutrient level standards.

I became alarmed by this issue when I learned

about the Gulf of Mexico dead zone and active in this issue when I learned that a small hypoxic zone had formed right here in Tampa Bay. I have advocated successfully for nutrient reduction ordinances in surface waters in Pinellas County, and similars ordinances have been passed in the cities of Gulfport, St. Petersburg, and Manatee County.

Clearly, Floridians and our officials see the importance and imperativeness of acting now for the sake of our water quality. Clean water is the most basic necessity of life and a right. The Clean Water Act was passed over 30 years ago, and the D.E.P. has had more than ten years to set limits and take these actions upon themselves.

In 2008, a report was released saying 16 percent of rivers, 30 percent -- 36 percent of lakes, 25 percent of estuaries are considered

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impaired, and Tampa Bay is listed as one of the top ten impaired bodies of water by SWFWMD.

Nutrient pollution is the most prevalent water pollution problem in the state. You know all about the serious health effects. I recently wrote a paper in Florida History about the springs. And the rashes that are documented in Ichetucknee Springs are just incredibly alarming.

Our beaches face closure from these algae outbreaks, which means our 65 billions dollar per year in tourism dollars and jobs will be lost if our waters are not kept clean. Our state depends on clean water. And I am very adamant about you guys setting these numeric nutrient limits.

Thank you.

MR. KING: Thank you.

Number -- speaker number 12. And would speaker number 14 please come up.

MR. HENDERSHOT: Hi. My name is John Hendershot, I am a resident of Tampa, I am a psychologist, and I am a Sierra Club member.

Tonight on several occasions I have heard the catch phrase "sound science" thrown up. And the truth is the problem is not that E.P.A. is ignoring sound science, the truth is that the government of

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the State of Florida has been ignoring sound science and also not valuing our environment enough.

And we see the evidence all around us, throughout the state of Florida, that has resulted from the government here in Florida ignoring sound science.

My primary reason for supporting strong water standards is that I believe we have a God-given responsibility to be good stewards of our natural environment for the sake of all the plants and animals there, and not just for humans.

The scientific evidence is overwhelming that our human activities are harming our environment, particularly those activities that result in nitrogen and phosphorus and other pollutants in our ponds, lakes, rivers, and oceans, affecting that environment.

We have -- as other people have said, we have an increasing frequency, intensity, and duration of algae blooms in the various bodies of waters in Florida from my backyard in the suburbs all the way to Anna Maria Island, as was so colored in -- colorfully described earlier. I can't beat that description.

When these algae blooms happen, obviously, they're caused by nitrogen and phosphorus. And when the algae die at the end of their natural life cycle, they absorb and deplete oxygen, and then the marine life, the life in our freshwater that depends on that algae -- or that oxygen, is depleted. And, of course, as said before, the red tide kills all the marine life out there after that nitrogen and phosphorus go downstream.

There is no good reason for us to continue to delay the reduction of our adverse impact on the environment, that should begin immediately. And the burden of proof shouldn't be on the organisms that are directly affected by those problems that we're causing, the burden of proof should be on us instead.

My secondary reasons for supporting the strong water standards is that I believe we have a God-given responsibility to ourselves and our fellow human beings to have clean water and a healthy natural environment that we humans can enjoy, rather than spending more money to treat water to make it drinkable and rather than having natural waterways that are too sick for plants and animals to live in, much less for us to swim in.

I have a pond in my backyard that's immediately surrounded by 20 houses. The pond watershed consists of about 60 subdivision lawns. Because of our poor choices about what we put on our lawns in terms of nitrogen and phosphorus and how much of it we put on, we get heavy algae concentrations in our pond. Then we kill the algae with chemicals.

And even when we carefully follow the directions on the package, we end up killing so much algae that the algae dies, it absorbs the oxygen as it's decomposing, there is not enough oxygen left in the water, it's mostly depleted.

And we ended up this last summer with thousands of dead fish of varying sizes and species floating to the shores around our little pond. We counted 75 vultures feeding on the dead fish. That was not a pretty sight.

And just to sum it up, we owe it to the physical, psychological and spiritual wellbeing of our children and our children's children to take far better care of God's creation than we have done up until now. We call on you to help us with that.

MR. KING: Thank you very much.

Speaker number 13. And would speaker number 15 please come up.

MR. ROCHE: Good evening. My name is Jesse Roche, and I'm a Manatee County resident. I've

been a Florida resident off and on since 1981.
And there were a couple of thoughts that I wanted to share with you, some observations that I've made over the years, one of which has to do with words, words like "red tide" and "hypoxia", which I just heard, "dead zones".
These were words that were not common words in the '80s, but they're pretty common today. They're common enough that they've made their way into the common lexicon. Most people know what these words mean. And that in itself demonstrates something.
And as a good example of that, and the years are 2002 to 2005, those were the years that, in my opinion, as far as what I can recollect, were the worst years of red tide in the gulf waters in this area.
It -- red tide didn't really go away during that time. It was a chronic red tide with acute outbreaks along the way. And it was so bad that the seaweed would come up on onto the beach in thick mats, mats that were so thick that they literally had to bulldoze them up into mounds the

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size of sand dunes. And this happened -- it seemed to happen on a monthly basis.
I -- I frequent the beaches as well as our state and national parks quite a bit, especially during that time, I ran on -- on the beaches almost every night. We also had frequent fish kills. I have heard a couple of other people mention that.
The fish kills during those times, I -- I can recollect at least half a dozen, which were so extensive that they continued along the beach for as far as the eye could see.
And they were -- they -- the fish kills posed such a burden on the county that they couldn't clean them up quickly. So they would lay and rot on the beaches for days. And after a day in the hot sun, the fish begin to stink and flies begin to swarm.
And so now you have carcasses of fish along with every other type of sea life, which I heard some other people enumerate, that are laying and rotting out in the sun, collecting with flies and maggots. It's -- it's disgusting. And this is what tourists see when they come to our beaches.
And these type of things have been happening more and more frequently. I've gone to -- as a

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layperson, I have gone to the N.O.A.A.'s website and done research, and it's pretty easy to see that the occurrence of red tide has increased along the years as the population has increased.
And red tides increase in population centers. So you can see that where we have had the worst outbreaks are in the areas where we have the most population. It's -- it's -- you don't have to be an expert to know what's causing this.
I spoke of the -- the seafood -- the seaweed mats. You could smell the red tide in the seaweed. And during that time, they happened to be resanding the -- the beaches on Anna Maria.
So what they do is they pump sand about a mile

off, out in the gulf, and pump it through pipes back onto the beach.

Well, at that area, the red tide was so bad that in -- where the water was coming out of the pipes, you couldn't stand there, because it -- it affected your nose -- your nose and your throat so badly.

The only thing that I can compare it to was after 911 in Manhattan, when I happened to be on the Brooklyn side, and walked to the edge of the east river shortly after the towers came down, and

there was a very strange and toxic smell in the area. And every time I smell red tide, it makes me think of that.

This -- this is a -- a toxin, and it's -- during those years, 2002 to 2005, was extremely strong. And there were a number of nights when it was so bad that I couldn't even go onto the beach to take a run because of that.

And the last thing I wanted to say is ever since the E.P.A. brought up this -- brought up the water quality standards, which, as I'm sure you can guess by now, I soundly support, I've heard the cost argument, "Oh, it costs too much."

And, of course, we hear this every time we try to do something for the good of the environment, as well as the good of the people. And at what point does that argument stop? It costs too much. At what point does it stop?

Well, it probably stops at the point of which we have extracted all of the economic value there is to extract, and that means at precisely the point when there is very little environmental value left.

MR. KING: We'll need to ask you to finish up. I appreciate your comments. Thank you.

MR. ROCHE: Thank you.

MR. KING: Let me do a time check with the group. It's now about 8:15, and ordinarily, we would take a break about every couple hours. How many folks are still with us?

MR. KEATING: We should have 14 left.

MR. KING: Do we have 14 left?

How are you doing? You want to take a break?

THE COURT REPORTER: I can go a little longer.

MR. KING: Okay. We'll keep going.

Hi there. Speaker number 14?

MS. LOISELLE: Yes, I am.

MR. KING: And speaker number 16, would you please come up.

MS. LOISELLE: Hi, my name is Nicole Loiselle. I am the chair of Tampa Bay Inner-City Outings. We take inner-city children on outdoor experiences in the Tampa Bay area. I am also an avid outdoor enthusiast, I grew up on Lake Tarpon, which I heard somebody mention here today. And I'm giving my age away by telling you that when I grew up, we were able to swim in Lake Tarpon.

Eventually, the beach was shut down and we weren't able to swim there anymore, and I think that experience stayed with me and motivated me to

volunteer with Inner-City Outings today.

We take kids out of some of the very worst neighborhoods in St. Pete and Tampa, we take them into the woods hiking, we take them canoeing, we take them kayaking, we take them to the beach snorkeling.

And it's a sad state of affairs when I'm taking them out today and I actually have to look at the algae bloom and the slime. And I don't know if you have children, but it's hard enough to keep one child in check, but take 22 kids canoeing and it's -- it's hard.

And inevitably a canoe always accidentally falls over and the kids ends up in the river. And now I not only have to worry about gators, but I have to worry about is the kid going to swallow some polluted water, is he going to get a rash when he comes out, and I have to worry about the pollution in the Hillsborough River. And we shouldn't have to. It's a beautiful, natural resource, and we're trying to teach them about it, and it's not a good experience I want them to have.

And always as we're doing canoeing and kayaking down the river, there are dead fish that the kids are going to see, there is algae and there is slime. And I use that experience to explain to them what is going on in our environment.

We have had to cancel outings to the beach because of the red tide. And again, we always try to teach the kids about that as well.

My secondary reason for speaking is selfish. I am a marathon runner, and I train for a lot of my long runs on Bayshore, also on Davis Island and Harbor Island.

On many mornings I get up at 4:30 in the morning, I run 22 miles. And the stench coming up from the bay is disgusting. It's not what you want to breathe when you are on your 20th mile on a marathon run.

There is always dead fish floating. And I am sometimes just amazed that there is any wildlife left at all in the bay or in the river that comes down at that junction.

I am here to today to request that you stay the course and implement the nutrient rule. I have heard comments tonight again about the cost and the expense is too much for Florida to bear. And I say we can't afford not to.

Florida's rivers and the ecosystems are a -- rivers and ecosystems are a precious natural resource that we need to protect not only for the kids that I take out today but also for the future generations.

Thank you.

MR. KING: Thank you very much.

Speaker number 15. And would speak number 17 please come up.

Good evening, sir.

MR. McCLELLAN: Yes, sir, my name is Dale McClellan. I'm a dairy farmer. I'm opposed to the

E.P.A. getting involved in Florida business. I'm in favor of the total maximum daily load process that we currently are using in the state of Florida.

All the ag industry I know of is working with the Florida Department of Environmental Protection to improve our businesses and evolve best management practices that will help science help everyone to do a better job.

I -- I am an environmentalist. I spent 2 million dollars on my dairy farm that I didn't have to spend just to make it better. We have not used any commercial fertilizer in over five years. We use our -- our waste. And we grow a crop year around to uptake that nutrient. Our -- my goal is

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to -- to balance that nutrient.

There is no question that in agriculture that there has been some not good things many years ago, but what has evolved is good agriculture. We have to have time for the -- the farming that we are doing now to have its positive effect on the water by not doing any damage, by uptaking that nutrient and not allowing that to occur.

Now, there is five generations of my family involved in our farm, and the fifth generation is my grandkids drinking our milk. Our company does employ 160 people. It -- it feeds a lot of people in the state of Florida.

And I am very hopeful that our government, be it Florida or on a national level, will not allow emotion to make regulations, that they will allow actual science.

So thank you for your time.

MR. KING: Thank you, sir, very much.

Speaker number 16. And would speaker number 18 please come up.

MS. JELKS KING: Hi, my name is Helen Jelks King. I have lived in Florida my entire life except for my higher education. I reside in the Charlotte Harbor area. And I am in favor of your

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proposed water quality standards for Florida. I guess I'm also here to pick on the D.E.P., as opposed to the last speaker.

Excess nitrogen and phosphorus levels cause harm to aquatic ecosystems and wildlife. Because the D.E.P. has failed to provide -- to protect our waters adequately, I am glad that you will help us with an action plan. Numeric criteria will make it easier to target impaired waters and give recreational goals -- recreation goals. And recreational goals.

When I think of the D.E.P. and their actions, there are three events that surface to the top of my concerns. The Peace River cumulative impact study was the brainchild of the D.E.P., and it did show that surface water quality was reduced due to agriculture, phosphate mining, and urbanization.

However, the report failed to consider the effects of the entire Peace River watershed down in Charlotte Harbor, which, of course, is where I live.

In addition, the specific criteria of adverse impacts were set at such a high level that those impacts could hardly be exceeded. The Horse Creek water monitoring program is another example of poor monitoring as samples are taken a long distance above the site of where the water withdrawals occur.

The Piney Point phosphorgisence stack overflow caused enormous algae blooms in an event that should have been everted. And the taxpayers are spending millions of dollars to clean up Lake Hancock after the water pollution that has occurred there due to poor monitoring of waters for mining and farming has occurred.

In summary, there are over 130,000 acres or more yet to be mined for phosphate in southwest Florida along the Peace and Myakka rivers. I would like to be assured that waters entering my Charlotte Harbor will not cause damage due to upstream polluted waters.

Thank you.

MR. KING: Thank you.

Speaker number 17. And would speaker number 19 please come up.

Good evening.

MS. KEMP: Good evening, my name is Patricia Kemp, and I have lived in Tampa, Florida, for 25 years. I support the E.P.A.'s proposed standards.

I and my family are surrounded by the water who -- we live in Tampa, the Hillsborough River is nearby, Tampa Bay, and the beaches. I have raised two children here in this community, and I have been continually concerned about the water quality here.

We live nearby the Hillsborough River, and unfortunately, as my children were growing up, I had to warn them not to wade in the river because of the pollution and to make sure the dog did not go in the river.

When my son was about 12 years old, he came home one day, he had been with his friends out on the river, and came home soaked, and said he had ended up in the river when they were fooling around, got pushed in. And I totally panicked.

Shortly afterwards, he ended up with a very serious infection in his foot where he had had a cut, and I have no doubt that it was due to that day when he was soaked.

In 2005, we went to the beaches, we ended up not being able to stay at the beaches. I have some allergies. But I really just could not breathe there. My eyes were burning. The red tide was awful and -- and stayed awful for a very, very long time, as I remember it.

As my family and I became more educated about our environment and our impact on it, we have changed our lifestyle. We no longer use any fertilizer at all on our lawn. We use very little water. We have eliminated most of our grass personally for our contribution.

We need to protect our water. It will soon become such more precious resource to us. And I feel like it may shortly become more precious than oil. And we'll -- we will be looking at what we have done, and we'll try and clean it up, and we'll wonder what we were thinking about when we just let all of this pollution go for all these years.

We depend on our E.P.A., our government, to protect our natural resources with strict numeric nutrient limits and enforcement. The State of Florida has failed to protect our water. Our E.P.A. needs to take the lead in setting the standards and protecting the natural resources that we all hold in common. We need to work towards the goal of sustainable water resources, and -- and we know that we're very, very far from that now.

And I just want to refer, because I think it just says it in a very short -- a short way this comment from the St. Pete Times editorial. "The

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State sat on its hands for 11 years while runoff from farms, sewer plants, golf courses, homes has put our environment and public health and our tourist economy at risk.

"Public waterways should not be dumping grounds for industrial waste. Clean water has a cost, but so do polluted springs, closed beaches, toxic rivers, and tainted water supplies.

"The nutrient limits should help reduce the pollution in the short term and force regulators and manufacturers to rethink and us, as citizens here, to rethink how Florida farms, builds, and disposes of its sewage and industrial waste.

Thank you.

MR. KING: Thank you.

Speaker number 18. And would speaker number 20 please come up.

MR. NURSE: Good afternoon or good evening, I should say. I'm Karl Nurse, I'm a council member from St. Petersburg, Florida. I just wanted to mention that, you know, if you look at your list of the causes of nutrients, it's urban landscapes, cattle and crop fields, air emissions from cars, from power plants, septic tanks, sewage treatment works, and some other industries.

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And the reason I mention that is that we actually have a fair bit of good news, I -- I think. You know, you all have recently adopted new automobile standards which will -- which will have a considerable impact, I recognize over time.

I'm happy to say that when you sued the power industry, that TECO was the one power company in 19 -- or 2000 that settled. And so in 2004 and this year, they -- they converted their -- their two worst polluting plants, which has a considerable impact. Progress Energy also converted two plants. I should -- I should mention that cost 2 billion dollars, so it wasn't -- it wasn't free.

The water -- the urban water treatment plants have been cleaned up considerably. I have lived here for 50 years, and I do remember when -- when the water from Tampa was -- was not treated, it was

simply dumped into the bay. And the water from their treatment plants you could now drink. People don't feel comfortable drinking it, but -- but -- but it is clean enough to drink.

St. Petersburg doesn't -- doesn't have any -- any runoff of our -- into any lakes or rivers of our treatment. A number of communities -- I played a modest role in helping pass the fertilizer

ordinance in St. Petersburg. The county commissioner sitting right behind me played the lead role in passing it in Pinellas County. It's really not hard to pass them along the coast, the problem is as you get inland, where the -- where the power shifts.

I know that our own land development regulations have -- have required all new development to capture all the runoff for at least 15 years in our city, but it will still take a long time before that catches up.

Our largest lake, we -- you know, we cleaned up, took us a few years, about 25 million dollars. There is a -- the second biggest lake in the county is being done now, it's a similar cost.

So there are a lot of -- a lot of things that are -- that are on the up side that are -- that some are -- are only beginning to have the positive impact.

Now, the bad news, on the other hand, is that local government is -- has less money every year. The legislature, who is run by a bunch of lunatics, is -- puts -- every year puts additional restraints on our ability to lose money. And so -- and so even when at the economy recovers, we will -- we

will have less money, which means that all fixes have to be pretty cheap.

You probably know, the legislature is -- the phosphate industry is working with legislature to reverse our fertilizer ordinances. I would give them a better than 50/50 chance of make -- of doing that.

And so, you know, we really need some help from you all. It doesn't make a lot of sense to -- to clean up the pollution afterwards when you can prevent it in the front end. And so frankly, we need some way to be able to get fertilizer ordinances across the state. I don't know if -- I don't believe the State will do it, I think it will have to be imposed from above.

And that -- and that really operates for -- for septic tanks. Why in a -- in a state of 18 million people you would allow anybody to put a new septic tank in I can't imagine, and why you wouldn't sunset septic tanks.

But we have counties, you know, within 30 miles of here that, you know, that have tens of thousands of septic tanks that are in, you know, in -- in, you know, not -- often not good shape.

And so all I'm suggesting is that while local

governments, particularly in the urban areas, have done some stuff, we are -- we are not hitting the

targets, and it's going -- it's going -- it is going to be a challenge, and I'm -- and I'm asking you guys to -- to help with the kind of state-wide kind of push from above, because once you get outside of the -- of the areas along the coast, and using fertilizer, we're not going to successfully pass those ordinances, the power of the phosphate industry is -- is too strong once -- once you get very far away from the coast.

And so that part I don't -- you know, unless you guys can muscle it from above, I think we're going to be in a world of hurt there.

Thank you.

MR. KING: Thank you.

Speaker number 19. And then speaker 21.

MS. LATVALA: Good evening, my name is Susan Latvala, and I'm a Pinellas County commissioner.

Thank you for coordinating the adoption of downstream protective values with a proposed estuarine water quality criteria, and most importantly, for extending the comment period to allow stakeholders more time to review the proposal.

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Pinellas County is committed to working with E.P.A. and F.D.E.P. to develop water quality standards that are protective of our environment. The changes seen in Tampa Bay since the 1970s are due to adaptive management strategies by the state and local stakeholders to restore and preserve the bay.

Those actions include compliance with the Grizzle-Figg Act, improved stormwater regulations, stakeholder nutrient reduction projects and programs, and strong local policies like the fertilizer ordinance that was just mentioned, which alone is estimated to remove 84 tons of nitrogen from the bay.

As Karl mentioned, there is people in Tallahassee as we speak trying to get legislation passed that would overturn that ordinance. It is imperative that ordinances like that the local government passes need to be able to stay in force.

We know what it can do, and 84 tons is a lot of nitrogen to help in this cleanup process. And it's a very inexpensive, mostly done through public education.

Based on the extensive scientific record, the existing standards put in place for Tampa Bay have

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achieved full aquatic life protection. The Tampa Bay community realized years ago that standards were needed, and led the charge to develop proper standards to protect water quality and seagrass health.

Please support these standards as site-specific criteria for Tampa Bay. The Tampa Bay community has demonstrated that we can achieve the desired goals, and we will continue those efforts.

Pinellas County has been active in water resources management since the '70s, when stormwater master program planning process was

initiated.
Since that time, we have continued our commitment to restoring and preserving our most valued aquatic resources through water quality and environmental monitoring, watershed planning, implementation of the county's M.P.D.E.S permit, construction and operation and maintenance of water quality improvement projects, and the water quality atlas -- I'm sorry, the water atlas and other public education programs.
From 2000 to 2015, this is a very important number, the capital expenditures in budget for

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water quality improvements and planning is over 40 million dollars. This does not include the millions more spent each year to implement the County's M.P.D.E.S. permit.
To further this commitment, this past January, the Pinellas County Board of County Commissioners passed the strongest urban fertilizer management ordinance in the state, as was mentioned. And again, it's going to be overturned by those powerful lobbyists in Tallahassee, and -- and we'll start over again.
Pinellas County requests that the E.P.A. accept the chlorophyll targets and associated nitrogen loads for Tampa Bay as site-specific alternative criteria. They were developed specifically to meet the same goals the Environmental Protection Agency supports.
The most comprehensive and scientifically-defensible approach to develop numeric nutrient criteria is to relate nutrients to a measured biological response. Therefore, the technical merits of these criteria should be accepted by the E.P.A.
The County is concerned that the proposal for lakes and streams does not meet the level of

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technical assurance that will result in the effective use of our financial resources.
If the Environmental Protection Agency cannot demonstrate a link between nitrogen and phosphorus concentrations, in response, in the biological community, local governments will end up spending very large sums of money without assurance that achieving these water quality limits will result in the common goal of healthy biological communities in Tampa Bay and its freshwater lakes and tributaries.
Pinellas County is committed to continuing working with E.P.A. -- E.P.A. and D.E.P. to improve water quality and the biological ecosystems of the Tampa Bay region.
Again, thank you for allowing us to be here tonight.
MR. KING: Thank you very much.
Speaker number 20. And would speaker number 22 please come up.
MS. LARSEN-WALKER: Okay, my name is Melissa Larsen-Walker, and I have lived in Florida for 11 years. Thank you for allowing me an opportunity to express my views.

Now, as you know, algae overgrowth in Florida has been thoroughly documented, and empirical evidence strongly suggests its exacerbated by excess nitrogen from non-pollutant source runoff.

Sierra Club and other environmental organizations have helped to pass local and county-wide ordinances to address that issue. So there are some counties, you know, now Pinellas County, that are enforcing these fertilizer ordinances, but other counties are not and have nothing like that.

So naturally, the waters of the Hillsborough River and other water bodies and waterways do not distinguish county of original. So if Manatee County, for example, or -- contributes overly nitrogen-polluted water to Bone Valley rivers and the Tampa Bay, the efforts to purify the waters of this region by fertilizer-compliant counties will be nullified. Okay?

Furthermore, the economic consequences of not implementing a numeric nutrient rule could be dire. Florida's 65 billion dollar tourist industry is centered around its star attraction, which is more alluring really than Disney World to tourists, and that's the beaches.

So people come from around the world for our hospitable climate and beautiful beaches. And beach closures due to red tide interfere with people's enjoyment of these beaches. So if we don't take decisive action now, tourists will take their vacations and their credit cards elsewhere, which will in turn hurt Florida businesses.

So economic recovery is really right now the nation's top priority. So we need to keep the workers of Florida's coastal hotels, restaurants, shops, attractions employed and the owners of Florida's businesses prospering here in the sunshine state.

Okay. Thank you.

MR. KING: Thank you very much.

Speaker number 21. And if speaker 22 or speaker 23 in the room? Okay.

MR. REDD: My name is Will Redd, I am the manager for Deseret Farms of Ruskin, with agricultural oper- -- operations in south Hillsborough County. We also own agricultural land in Manatee County, Hardee County, and Collier County.

The imposition of region-wide nutrient content criteria without specific scientific supporting data will cause significant economic harm to Florida's agricultural producers.

The additional costs required to monitor and treat surface runoff will place Florida agricultural at a competitive disadvantage with the rest of the country, where such non-science-based federal standards do not exist.

Because agricultural production is highly decentralized, producers are not able to pass additional costs along to their consumers. Rather,

when costs become prohibitive in relationship to prices dictated by the market, local producers are driven out of production, and consumers become dependent on products produced in foreign countries, where costs are much lower, and the loss of control of food quality and safety become a major concern. The American consumer still enjoys by far the lowest relative food cost in the world.

I applaud the lady a few minutes ago who said she has completely stopped using fertilizer on her -- on her lawn. In fact, a very large portion of the -- the nutrient pollution does come from residential rather than agricultural operations.

In reality, with the price of fertilizers today, we simply cannot afford to put on more than the crop needs in order to produce. With the low

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organic sandy soils of Florida, growing agricultural crops without addition of nutrients is not a -- not an option for us.

In our properties, we are implementing established best management practices, such as soil nutrient testing, split nitrogen applications, fertigation to place nutrients as close as possible to the root zone and in reduced quantities, just as they are required by the plans.

Cost constraints prevent us from applying more than -- applying more nutrients, chemicals, or water than what is actually required.

We also employ integrated pest management practices and apply our irrigation water through either drip or micro jets in order to prevent excessive application.

Unlike utilities and industrial runoff, which is easily monitored coming out of a pipe from a -- from a plant or a factory, agricultural runoff is primarily the result of rainfall events that occur sporadically and in varying volumes and patterns, making it very difficult to monitor and to control these -- these runoffs.

Fortunately, much of the rainfall occurs during the summer season, when no agricultural

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inputs are being applied to the soil.

On our properties we have constructed catch ponds and grass filter strips in cooperation with SWFWMD in order to filter the suspended nutrients and silt before it leaves the property in the case of a heavy rainfall.

The phosphate mining industry of this part of Florida is positive evidence that nutrients do occur in natural levels in very high amounts in Florida soils. A lot of the runoff, a lot of the nutrient load that we're -- we're concerned and talking about really is natural and not manmade.

My concern is that the proposed E.P.A. numeric nutrient criteria for Florida streams and rivers does not take into account the variability of Florida's surface waters.

In many cases, resources will be wasted, both mine and the taxpayers', attempting to make water bodies meet nutrient concentrations that they would not naturally meet even in the absence of human

interaction.
Numeric nutrient content criteria must be site specific and based on scientifically-established individual targets in order to be achievable -- achievable, equitable, and effective in protecting

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Florida's surface waters.
Thank you for taking your time to listen to us in this matter.
MR. KING: Thank you.
I'm just going to quickly ask, I don't think there are any speakers 21, 22, 23?
I think the last set of speakers we have begins with number 101? And would 102 and 103 please come up.
MS. ROBBINS: Good evening. My name is Kristan Robbins. I have a master's in biology and I am currently a project scientist at ENTRIX, a natural resources firm in Tampa.
I have specialized in statistical analysis of biological and water quality data for the past five years. And I very much appreciate your time and effort invested by E.P.A. in developing your proposed criteria, and I especially thank you for your time spent today, I'm sure it's been a long day for both of you.
Based on my professional experience and extensive review and analysis of the proposed criteria and underlying documentation, I believe that lake criteria could be significantly improved by the addition of phosphorus deposit based

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regions.
E.P.A.'s proposed rule includes sufficient support of eco regional criteria for streams based on regional differences and geomorphology. Two of these regions, the Bone Valley and the North Central, are specifically singled out because of the rich naturally-occurring phosphorus deposits found in those regions.
Based on material provided by the D.E.P. from a nutrient TAC as well as my own analysis, I believe that there is sufficient evidence to develop modified lake criteria for regions naturally-occurring phosphorus as part of the Hawthorn Formation.
For the April 7th nutrient TAC meeting, D.E.P. provided several hand-outs to TAC members, including a summary of natural sources of phosphorus in Florida and the results of a geospacial analysis of benchmark stream phosphorus values.
Both documents show that where natural deposits of phosphorus were at or near the land surface, reference stream phosphorus concentrations were elevated.
Both groundwater and surface water phosphorus

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concentrations are expected to be elevated because of these deposits, also known as the Hawthorn Formation.
D.E.P. -- D.E.P. presented this material as justification for stream eco regions for total

phosphorus, including a new region in the east Panhandle that lies on the western edge of a Hawthorn Formation.

Based on this information and my own geospacial analysis of the long-term total phosphorus geometric means for Florida lakes, I believe that E.P.A. should revise the lake criteria to include separate nutrient and chlorophyll targets for those lakes that fall on a Hawthorn Formation.

In order to establish these targets, E.P.A. may need -- may need to run a separate analysis of chlorophyll and nutrient relationships for lakes in these regions rather than using the relationships found for all lakes that they use in the current criteria, accounting for the naturally-occurring phosphorus deposits when setting both stream and lake criteria crucial for the establishment of defensible and protective nutrient criteria.

It would be inappropriate to set a state-wide

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lake criteria that do not take into account this natural phenomena.

In addition to my comments about the lake criteria, I also have concerns about the process used to set the stream I.P.V. criteria, including the lack of a dose response relationship, the use of the so-called long-term data set that only has one or two years of data for 90 percent of the reference sites and the use of the 75th percentile as an arbitrary threshold with no proximate in peer-reviewed literature.

Based on these concerns and those expressed by others, we believe that the proposed E.P.A. criteria could be significantly improved through further analysis, and we support D.E.P.'s efforts to -- to improve their own analysis and understanding to set scientifically-defensible numeric nutrient criteria.

Thank you for your time. And I have the two hand-outs from the nutrient TAC meeting.

MR. KEATING: Thank you.

MR. KING: Thank you.

Speaker number 102.

MR. HLIS: Good evening, and thank you for allowing me to have the opportunity to speak. My

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name is John Hlis, I'm with the Little Lake Wilson Lakefront Association in Lutz, Florida.

I am in support of the E.P.A.'s numeric nutrient criteria, but am opposed to several loopholes that have been included, which I feel will undermine the ecological integrity of the waters of the state and once again contradict and not enforce the intent and spirit of the Clean Water Act.

Federal requirements for site-specific criteria are more stringent than those of the F.E.P.A., and as such, we ask the E.P.A. to require D.E.P. to meet or exceed federal requirements for site-specific criteria.

Allowing anything less would become a nutrient scheme, thereby creating great hardships for our

state's numerous lakes. D.E.P. would then be allowed to downgrade water bodies and increase polluting -- pollutant loading to new levels in excedence of those currently allowed for waters of the state.

If this is allowed, it would make the spirit and intent of the Clean Water Act a travesty. I just want to ask the E.P.A. not to cave in and also to talk about this in the response to the public comment.

The Clean Water Act requires that fishable and swimmable uses be achieved wherever obtainable, not just wherever it is easy. And this is clearly stated in the Congressional Declaration of Goals and Policy Title 33, Chapter 26, of Chapter 1, page 1251A2.

We ask once again that you make D.E.P. meet or exceed federal requirements for site-specific criteria.

Another loophole D.E.P. has birthed in response to the numeric nutrient criteria is the recently proposed Class III limited designation for non-swimmable and barely fishable lakes.

If the E.P.A. allows D.E.P.'s proposed Class III limited designation, current waters of the state, some of which have been deemed impaired and on are on the State's verified impaired waters list, may be conveniently removed.

To automatically designate an altered water body as an unnatural system is incorrect. All current waters of the state that may have been altered prior to 1997 we feel should be exempt from any Class III limited designation D.E.P. and/or the E.P.A. adopts in the numeric nutrient criteria.

By failing to do so, the E.P.A. will be in direct contradiction to our congressionally-mandated Clean Water Act.

E.P.A. has been brought to the table because basically enough is enough. We ask you to please adhere to the wishes and intent of the public that are in support of what you are doing right now.

I ask are waters of the state not worthy of the Clean Water Act? Will the E.P.A. allow the state to reset limits in order to remove lakes from the verified impaired water body list? Has this been explained properly to the public?

I am also submitting a written statement and history of Little Lake Wilson, a Class III water body of the state which, although having minor alterations during the late '50s, did not prevent the use and enjoyment by residents and wildlife as a pristine lake and refuge.

The state's road widening of North Dale Mabry created changes in the natural drainage flow and they have subsequently decimated the lake with a complete salvenia coverage in the span of only two years post widening, resulting in a hypereutrophic state and the coliform bacteria levels went from 200 for over 60,000, and they were D.N.A. typed to show to be not of human original. There is horse

farms and nurseries nearby.
12 to 13 years ago, a D.E.R., they used to be, official told me in kind of a hush-hush way that the way to correct the problem with our lake was by enforcing corrective actions on M.P.D.E.S. violations. And our lake is seven to nine acres, and we receive over a hundred acres of stormwater.
Unfortunately, our state uses the loophole "maximum amount practicable". And -- and if you look at it up, I don't think you'll find any enforcement actions.
Somebody had mentioned about asking for monitoring records. And that company in Orlando, all we could get for the records request is their word that it was done. We couldn't get copies of those records, because they contracted it out to them, so they weren't allowed to send it to us. So their response from the State agency was it was done, but we couldn't see the records.
And, you know, if you had somebody looking for records and maybe putting some big fines on, maybe this thing could get a little better in that way.
MR. KING: Do you -- do you have a written statement as well?

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MR. HLIS: Yes. Yes.
MR. KING: Okay. Just need to finish up in a few minutes here, a couple seconds. You have had about five minutes.
MR. HLIS: All right. Sorry.
Clean Water Act has looked good on paper, but in reality has been indentulous, having very little to no teeth at all. Its bark has been much bigger than its bite. The numeric nutrient criteria is an opportunity to provide some well-deserved teeth to an important congressionally-mandated legislation which will allow the long overdue enforcement and digestion of extensive nutrient and pollution problems.
To allow the incorporation of the loopholes described absolutely contradicts the will and desire of the overwhelming majority of the citizens of the state of Florida.
Thank you.
MR. KING: Thank you very much.
Speakers 103. 104. 105. 106. 107. Okay.
Anybody here after 107? Is there a 108 or a 109 in the room?
Okay.
MS. WATSON: Good evening. My name is Susan

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Watson. I've been an educator for 37 years in Hillsborough County. I'm a member of the Florida Wildlife Federation, the Sierra Club, the Audubon Society, and the Native Plant Society, and I have lived and loved Florida for over 60 years.
I am addressing you this evening as a representative of our local Seffner-Mango Community Plan here in Hillsborough County representing 20,000 residents.
For two years, our community plan has been -- we have worked on this community plan for two years and have voted our number one priority to preserve

and protect the environment. And I brought that with me this evening.

We live in the Pemberton/Baker Creek Watershed. I have attended state and regional D.E.P. and E.P.A. meetings as a stakeholder for Baker's Creek. Baker's Creek is an important -- is important to Hillsborough County's water and has a history of fecal coliform and pollution.

Baker's Creek has been ranked in the past as a D waterway due to sewage being dumped there. Baker Creek runs north to Lake Thonotosassa, Hillsborough County's largest lake.

Craig Pittman and Matthew Waite, two reporters

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for the St. Pete Times, wrote a book Paving Paradise, and they said, and I quote, "The greatest fish kill recorded in U.S. history has happened in lake Thonotosassa, here in Hillsborough County."

Baker's Creek and Lake Thonotosassa are verified are impaired Hillsborough County waters. Setting limits on pollution is long overdue in Hillsborough County. Pollution is affecting our water supply, our vegetation, and our wildlife.

We have been told by the county wildlife biologists that the only significant wildlife habitat recognized by county and state in our area of Hillsborough County will not exist in ten years if our water in Baker Creek is not protected and cleaned up.

There are over 60 species of wildlife, some endangered and threatened. The last endangered Florida panther lived under our -- in our area until 2004, when it was killed on I-4. I have a list that I would like to present of the animals that I have seen personally in this area.

A wise scholar once stated, "There is no stopping an idea when its time has come." The time has come; the time is now. Thank you for setting limits on pollution of our water. Dollar for

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dollar, it is the best investment for Florida's future.

Thank you.

MR. KING: Thank you very much. Appreciate it.

Good evening.

MS. CARL: My name is Marcia Carl, and I have worked with Susan on many water activities in the Seffner area, and we had a grant to teach a water -- a community water education seminar from SWFWMD.

And I am a proud native Floridian. I grew up in this area. I camped at various springs and rivers, and was taught from an early age to respect and take care of our unique environment.

I've spent a lot of time outdoors, including every summer as I grew up in Hillsborough County, and I continued throughout my life, I continued my studies in college, I worked for some geologists at the University of Florida and learned about our unique waterways and in my own college coursework.

Later in life, I spent years loving much time on the Alafia River horrified by the acid spills and watching the cloud of death flow by me each day

when I came home from work. Now I have addressed my commitment as a Seffner naturalist and environmental educator and activist.

I am so concerned about Baker Creek. I too have attended the stakeholder members for the Baker/Pemberton Creek subwatersheds of central eastern county.

This must be -- we must preserve this -- this way of life, the wildlife, and the water corridor that we need so badly out there, and I will fight it continuously and vigorously.

I was asked to be a member of the I-4 Corridor Core Study Group and am also a team member of the Seffner-Mango Community Plan, a member of the general board of the ELAPPP, Environmental Lands Acquisition Purchase and Protection Plan.

Susan and I recently attended that stakeholders meeting, and we realized that we had to get out and do more, and we speak an average of once every two weeks, everywhere somebody will listen to us, and they probably -- they're probably sick of us now, but we are not going to stop.

Baker Creek is one of the 177 verified impaired waters in Hillsborough County, and from my own involvement, I know that the opponents to nutrient pollution remnants are always complaining they can't afford to decrease their pollution. This must stop. They say they must develop to create jobs now. It said that -- this was in the editorial in the Tampa Tribune Sunday.

They -- they hire expensive land use attorneys. What becomes glaring is when the environmental purpose of their waterway becomes secondary to the needs defined by politics and selfish interests.

They hire -- they hire these expensive land use attorneys, and citizens do not have this luxury. We count on involved citizens and people like the E.P.A. to get beyond the local politics and come to our aid in cleaning -- cleaning up these waterways. It must happen.

I've been told, "Oh, we'll just fill in those small wetlands if you try to get in our way." I actually had a land use attorney tell me that.

We must stop this excessive nitrogen levels and other pollution we know, what they are, in our area. This must be about the water quality. Water is of utmost importance, and enforcement and cleanup must begin now or yesterday.

Even eight years ago, I had very long, brown hair, down my back. It all fell out, and I was fortunate that it came back in. And when it first came back in, it was like white cotton. It's improved now, but I still get bald spots. And it took about five years, but I was diagnosed with a rare immune disorder.

My grandchildren ask me, "Mimi, why does your hair fall out? Why do you see so many doctors?" I don't know what to tell them. I don't know that my wet head brought this to my body through impaired

waters, but I do not want this for my grandchildren, I want better for them and for the future of everyone in my beloved Florida.

Please do the best that you can to defend us, the people who count on you.

MR. KING: Thank you very much.

Are there any other speakers in the room this evening?

Then we thank you all for coming, and this hearing is closed. We'll be holding a public hearing tomorrow in Jacksonville, and you are, of course, welcome to join us if you would like to.

Good evening. Thank you.

(Thereupon, this public hearing was concluded at 8:59 p.m.)

REPORTER'S CERTIFICATE

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, NANCY E. PAULSEN, CRR, RPR, FPR, certify that I was authorized to and did stenographically report the foregoing proceedings, and that the transcript is a true and complete record of my stenographic notes

Dated this 21st day of April, 2010.

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NANCY E. PAULSEN, CRR, RPR, FPR