



# St. Johns River Water Management District

Hans G. Tanzler III, Executive Director • David W. Fisk, Assistant Executive Director

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On the Internet at [floridaswater.com](http://floridaswater.com).

November 22, 2011

Secretary Herschel T. Vinyard, Jr.  
Florida Department of Environmental Protection  
3900 Commonwealth Boulevard, MS10  
Tallahassee, FL 32399

Dear Secretary Vinyard:

I am writing to express the District's support for the recent proposed revisions to Florida's water quality standards (62-302, FAC) in order to establish numeric interpretations of the narrative nutrient criteria. We find that the Department's October 6, 2011 draft rule represents a substantial improvement over EPA's draft rule previously published in the Federal Register (January 26, 2010; 40 CFR Part 131; Water Quality Standards for the State of Florida's Lakes and Flowing Waters – Proposed Rule).

There are several major areas of improvement represented by the proposed revisions that I would like to highlight. First, the revised rule retains the narrative nutrient criteria as the foundation for setting limits on nutrient concentrations and loadings. The narrative criteria appropriately acknowledges that nutrients only become problematic when anthropogenic loadings lead to concentrations high enough to cause violations of other water quality standards or to cause an imbalance in natural populations of aquatic flora or fauna. Moreover, site-specific interpretation of the narrative criteria was the basis for establishment of nutrient total maximum daily loads (TMDLs) in many of Florida's most prominent fresh water bodies. In our comments to EPA, we recommended retention of the narrative criteria as the basis for development of numeric criteria. We are gratified to see this approach in your rule revisions.

Second, the revised rule establishes a hierarchy for interpretation of the narrative criteria wherein TMDLs and Site Specific Alternative Criteria (SSACs) have primacy. Using this framework, the general numeric criteria would only apply where a site-specific interpretation had not been established by the Department. This hierarchy is in accord with our previous comments to EPA and appropriately recognizes the fact that rigorous, site-specific science should supplant general numeric criteria.

Third, the revised rule establishes estuary-specific numeric interpretations of the narrative criteria. It has been our position that estuaries are not so numerous as to make development of site-specific numeric criteria infeasible. Further, estuaries have such high regional significance, both economically and ecologically, that the application of general criteria would be imprudent. The revised rule has appropriately acknowledged that estuaries warrant site-specific criteria.

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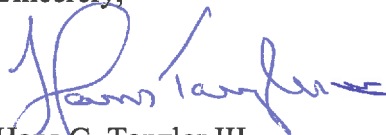
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The rule is well conceived and has our full support, but I want to mention that the proposed general numeric interpretations (and, indeed, any generalized criteria) will likely be inappropriate for a significant number of individual water bodies. In these cases, SSACs will be necessary, either to provide for stronger protection of designated uses or to prevent over regulation of nutrient loadings. For the revised rule to work well, we urge the Department to consider the need for a suite of streamlined methods for setting SSACs. For lakes, the continuous model developed by District scientists (the morphoedaphic index) could be one such method.

Again, I congratulate you and your staff on the progress you have made towards incorporating numeric nutrient criteria within the state's water quality standards. This is an important step in the state's continuing efforts to manage and regulate nutrient pollution in order to protect and restore our outstanding water resources.

Sincerely,

A handwritten signature in blue ink, appearing to read "Hans Tanzler III". The signature is fluid and cursive, with a large initial "H" and "T".

Hans G. Tanzler III  
Executive Director