



EPA Water Quality Standards Grower/Stakeholder Comments

Due to the devastating affect this ruling could have on Florida's economy, as well as the exponential increase in taxes which would be required to fund the infrastructure improvements, EPA's numeric nutrient criteria will have a longstanding and resounding impact on every person within the state. Those in the agriculture industry will be hit particularly hard. It is because of this that FFVA is encouraging all of its members to voice their opposition to this ruling. Separate from the EPA's requests for technical comments, we have developed a separate list of topics specifically for our members. These topics address certain concerns and observations regarding the proposed ruling. It is our goal to have our member comments be as specific to each individual's personal operation as possible, as opposed to issuing very broad and generic responses. In your comment responses, include where your farming/agricultural operation is located, as well as the specifics of your operation, including what you grow, the overall size of your operation and how many people you employ. At the end of this newsletter, FFVA has set up a comment response letter template that will assist its growers when responding to the EPA. The following topics have been developed for our members to include in their comments to the EPA:

- **Economic Impact**

- It has been estimated that, for wastewater and utilities infrastructure improvements alone, the cost could be in the tens of billions of dollars. How does the EPA expect the state of Florida to absorb these costs, especially given the current economic climate? Has the EPA taken into consideration the monumental tax burden that will be levied upon Floridians, especially when individuals are struggling to keep their homes in a state that is currently burdened with one of the highest unemployment rates in the nation?
- You can discuss how your operation has been affected by the current state of the economy. What is your operation's affect on the local community? How many people do you employ from within the community? If you were forced to close your business or relocate, how would the local community and economy be affected? How do you think your operation would be affected if this ruling is adopted?
- Given the estimated costs to upgrade current infrastructure to meet the proposed ruling's stringent criteria, we can guarantee that the costs to the farming and agriculture communities will be staggering. In this stagnant economy, how does the EPA expect Florida's growers to absorb the high costs that will be incurred with meeting their proposed criteria? To filter

out phosphorus and nitrogen from agricultural run-off, there is the potential that large portions of farmland would have to be sacrificed for the construction of drainage ponds and other treatment structures. Additionally, expensive technologies, such as reverse osmosis, might have to be utilized to meet the proposed criteria.

- **Current Best Management Practices (BMPs)**

- The agricultural community, unfortunately, is viewed by some of the general public as irresponsible and careless when it comes to environmental issues; here is an opportunity to prove them wrong. Discuss what your operation has done to lessen negative impacts to the environment and to prevent surface water degradation.
- Does your operation have a site-specific conservation plan that was developed with certain BMPs? Depending on the nature of your operation (vegetables and agronomic crops, nurseries, sod, etc.) discuss what BMPs you currently employ to help improve water quality. If you have water quality monitoring data available showing the effectiveness of the BMPs you have implemented, discuss them.
- What is the state of health of the rivers and lakes in your community? Have you personally noticed any symptoms, such as fish kills or algal blooms, which would indicate surface water degradation? If not, please state so.

- **The Proposed EPA Nutrient Ruling Criteria is Too Generalized**

- Each water body within Florida is unique, with its own characteristics. The EPA criteria that are proposed with this ruling subjects Florida's waters to a somewhat universal approach when determining the overall "health" of those water bodies. Instead of studying individual watersheds to determine their unique, inherent characteristics, the EPA plans to use nonspecific formulas and broad criteria to determine the relative health of Florida's surface waters. Based on this simplistic approach, many lakes, rivers and streams that support healthy and functioning aquatic ecosystems will be considered impaired. According to the FDEP, due to this generalized approach at categorization, many pristine springs and streams within the state, which are basically isolated from anthropogenic (human) influence, would be considered impaired.
- The FDEP has been working for a decade gathering large amounts of data, from a multitude of watersheds, for their TMDL (Total Maximum Daily Loads) program, aimed at reducing levels of identified pollutants, including nutrients, in our bodies of water. The ultimate goal of this program is to adopt Basin Management Action Plans (BMAPs), developed in conjunction with the Department of Agriculture and Consumer Services, along with local stakeholders, for individual watershed management areas. So as not to give a false indication of water

impairment due to naturally occurring conditions, TMDLs only consider pollutants from anthropogenic, or man-made, activities and sources. It is our opinion that, although more time intensive, DEP's approach to abating nutrient enrichment in our waters is more scientifically sound and supportive of Florida's economy, including its agriculture sectors. If the proposed EPA ruling is adopted, it could supersede the TMDL and BMAP programs.

- As of right now, if the proposed ruling is adopted, we do not know the implications to current National Pollutant Discharge Elimination System (NPDES) permit holders, but it is logical to assume that the EPA's new criteria could invalidate these existing permits, requiring individuals to reapply and pay additional permit application fees.

- **Responsibility for Impaired Waters Entering the State**

- Because Florida is the only state to which the EPA's proposed ruling will apply, it will be our responsibility to clean and maintain impaired streams and rivers flowing from Georgia and Alabama into our state. Florida should not have to bear the burden or absorb the costs to remediate impaired waters entering the state. Members of the agricultural community should voice their opposition to such unfair and unreasonable expectations.

- **Flood Control Within Southern Florida**

- Historically, the existing network of canals within southern Florida provides both necessary drainage and flood control. Has the EPA considered the implications should a hurricane or other powerful weather system hit the southern portion of the state? Excess water will be held back due to emplacement of nutrient-reduction mechanisms and structures. Not only would farms be devastated, but also entire neighborhoods and communities.
- We encourage our members to enquire of the EPA how they plan to implement nutrient control for southern Florida's canal systems while still providing essential flood relief.