

OSFR Letter Gets Noticed by US EPA

February 20, 2013

Today, the US EPA responded to President Merrillee Malwitz-Jipson complaint regarding the missing teeth in a recent EPA Ruling. Though the response was a request for a missing attachment, it means that they read the document enough to know that the attachment was missing!

Count this as a score for Our Santa Fe River! It is a strong reminder to write letters to officials in both the State and the Federal Government because you never know who might be listening! Let Our voice be heard!

Feb 12, 2013

EPA Docket

Dear Docket,

The photograph in this email is on the Santa Fe River. I was there the day this picture was taken and I was also there when this outbreak of cyanobacteria first occurred and I exposed this story.

My name is Merrillee Malwitz-Jipson and I represent a citizen advocate group (Our Santa Fe River, Inc, not for profit) that helps to protect the ecology, quality and quantity of the water in and around he watershed of the Santa Fe.

The FDEP says that the nutrient requirements for the Santa Fe River are more stringent than the rules you will impose. I am here to say that their requirements obviously do not work and our river is noticably impaired. And though they say they are

working on “fixing” our problem, it is a dare I say, too late, and I feel they really need a hard push to make it a quicker fix; less studies at this moment and more action.

I urge you to take the mandatory steps necessary to protect our watershed and all watersheds in Florida for the betterment of the natural systems and our own quality of life and livelihood.

This river and so many other waterways are our economic engine; without them we will falter and the humans will move away and other living organisms will most likely perish.

On November 30, 2012, the EPA published a rulemaking to set numeric nutrient standards for South Florida flowing waters, estuaries, marine and coastal waters (the 85% percent of Florida waters that were not included in the state Department of Environmental Protection rule).

EPA also conditionally approved the DEP state rule and its standards for the 15% of the state’s flowing and estuarine/coastal/marine waters that were included in it.

That conditional approval depends on the state taking a number of actions that it may or may not take. There are a number of problems with this plan.

* Rivers and streams covered by the state rule will not have true criteria. Instead, they have “thresholds” that can be exceeded without nutrient reduction measures ever necessarily being required.

* In order for these waters to potentially get pollution limits, the presence of algae outbreaks/fish kills/other types of biological failure would be required and subsequent studies linking the biological failure with the exceedence of the thresholds would need to be completed. The DEP rule has no

commitment to do, nor timeline/deadline for study completion; therefore waters can indefinitely exceed the thresholds with no requirement to reduce nutrient pollution inputs.

** The state DEP rule allows tidal, intermittent, altered artificial waters and South Florida waters to be exempted from all numeric nutrient standards in the future.*

I oppose EPA putting DEP in charge of enforcing the Clean Water Act; DEP is firing experienced staffers and replacing them with people who represent polluting industries.

I oppose the less stringent standards and "thresholds" found in the state DEP rule.

I oppose any attempts DEP may make to pursue rulemaking to expand weak alternate standards to apply to the additional waters that the EPA Rule now covers.

I oppose any attempts by DEP to exempt current Class III waters, including tidal, intermittent, altered/artificial waters, and South Florida waters from having the EPA standards apply to them.

I support having EPA establish protective limits on fertilizer, manure, and sewage pollution for ALL streams, rivers, canals, estuaries, marine and coastal waters everywhere in Florida.

Sincerely,

Merrillee Malwitz-Jipson