



Our Santa Fe River, Inc.

2070 SW CR 138
Fort White, FL 32038
Phone: 386-243-0322

November 13, 2020

Mr. Bill Bartnick
Environmental Administrator
Office of Agricultural Water Policy
Submitted Via Bill.Bartnick@FDACS.gov

RE: 5M-1.001, 5M-1.008, and 5M-1.009 Rulemaking

Dear Mr. Bartnick:

Please accept the following comments pertaining to 5M-1.001, 5M-1.008, and 5M-1.009 rulemaking. While our primary interest is the Santa Fe River and its springs and tributaries, we envision Florida waters as “one water” and believe that Best Management Practices must be constantly improved and always implemented as soon as and to the extent that the best science allows.

We were disappointed at the passage of Senate Bill 712 in that it focused more on issues in the southern portions of Florida and gave little recognition to the plight of the springs in north-central Florida. The algae levels in the Santa Fe River and its springs appear to have increased exponentially over the last decade to the point where aquatic flora and fauna are profoundly affected. The scientists tell us that we have not yet reached a point of no return but that it is imminent, and therein is our greatest concern with the proposed rules, which do not seem to recognize that our waters are already in crisis.

A Producer is considered “enrolled” upon the filing of a Notice of Intent, and 5M-1.009 gives the District up to two years to determine that the implementation is proper. If it is not, then the District identifies “corrective measures” to be implemented and checks back two years later. If it is still not implemented properly, the District identifies “remedial measures” and checks back again two years later. Under this scenario, a Producer need not get serious about implementation for up to six years before the Florida Department of Environmental Protection (FDEP) is even notified of the non-compliance. The health of the waters of Florida may not have six years to wait.

A Florida 501(c)(3) Non-Profit Corporation
EIN 42-1756985
FDACS Registration #CH41570

A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL OR RECOMMENDATION BY THE STATE. 1-800-HELP-FLA ([800-435-7352](tel:800-435-7352)) OR (OUTSIDE STATE) ([850-410-3800](tel:850-410-3800)).

We would suggest providing greater incentive to the Producer, perhaps though a fee assessed for non-enrollment, where enrollment (and release from the fee) is awarded only when the District has determined proper implementation. Widespread implementation of these practices is long overdue, and time is of the essence.

An additional concern is that 5M-1.008(3) states that the District shall "collect and retain records regarding the application of nitrogen and phosphorus." Based on the way the data is collected, we are left to hope that the District (and/or the FDEP) can and will analyze the data to determine if and when excess nutrients are applied with respect to specific parcels and nearby water bodies. There is no indication in the proposed rules that such analysis will ever take place, and what corrective actions can be taken if excess nutrient loading for a specific water body is identified.

We hope and expect that when the final rules are issued they will reflect the seriousness and urgency that Florida waters quality remediation deserves.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael J. Roth". The signature is fluid and cursive, with a large initial "M" and a stylized "R".

Michael J. Roth, President
Our Santa Fe River, Inc.