



COASTAL & HEARTLAND NATIONAL ESTUARY PARTNERSHIP
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Ansel Bubel, Environmental Administrator
Division of Environmental Assessment and Restoration
Water Quality Evaluation & TMDL Program (WQETP)
Florida Department of Environmental Protection
2600 Blair Stone Road MS #3555 Tallahassee, FL 32399-2400
Transmitted via email

December 20, 2022

Dear Mr. Bubel,

The Coastal & Heartland National Estuary Partnership (CHNEP) is submitting the following comments for the Florida Department of Environmental Protection's (FDEP) consideration with regards to impaired Outstanding Florida Waters (OFWs) within the CHNEP service area. We appreciate FDEP's solicitation of public input and offer these suggestions in support of your efforts to restore water quality.

First, we would like to commend the department in moving toward assessment on a biennial basis which will help to more frequently identify and address water quality impairments. We also appreciate that the department is taking into consideration spatial clustering aspect of its prioritization methodology. Finally, we are excited at the prospect of the forthcoming use of biological indicators, including macroalgae and seagrass, to assess which impaired waters should be prioritized for TMDL development.

CHNEP Interest in TMDL Development

The CHNEP is part of the U.S. EPA National Estuary Program, created by Section 320 of the Clean Water Act, to protect and preserve the estuaries from Lemon Bay to Estero Bay in Southwest Florida – recognized as estuaries of national significance by Congress. Long-term management, preservation, and restoration activities within the CHNEP are guided by our 2019 Comprehensive Conservation and Management Plan (CCMP, available at chnep.org/our-plan), developed and implemented with all the local, state, and federal entities in the Partnership.

Our CCMP priorities include Water Quality Improvement, Hydrological Restoration, Fish, Wildlife, & Habitat Protection, and Public Engagement. Herein we address Water Quality Action 2, to develop water quality standards, pollutant limits, and cleanup plans, specifically to “Encourage review, development, and implementation of additional water quality criteria and targets, pollutant limits, and cleanup plans that correct impairment, protect aquatic life, and prevent degradation of all surface waters, particularly Outstanding Florida Waters.”

CHNEP Recommendations for TMDL Development

Experts serving on the CHNEP Technical Advisory Committee (TAC) held a special session in 2017 to review and discuss the impaired Outstanding Florida Waters (OFW) Waterbody IDs (WBIDs) in the CHNEP area. As outlined in the CHNEP CCMP, stakeholder ranking includes protecting Outstanding Florida Waters and examining the impact of nutrients on these waters. Many of these same waterbodies continue to be impaired for nutrients and bacteria today.

This expert group represents the local, county, and state and federal agency stakeholders that comprise the 10-county region. Areas listed below are recommended for increased prioritization for pollutant limit and clean-up plan development. Additionally, because some of these impaired OFW WBIDs are contiguous and share the same impairment parameter, it was agreed that it would be appropriate to group those - hopefully increasing expediency and efficiency of pollutant limit and clean-up plan development. These recommendations have been vetted and supported by the full CHNEP Technical Advisory Committee, Citizens Advisory Committee, Management Committee and Policy Committee representing scientists, resource managers, citizens, and policy makers throughout Central and Southwest Florida.

The CHNEP TAC reviewed all the impaired OFW WBIDs in the CHNEP area, which in 2017 totaled 88 and presently total 51. The TAC then went through extensive prioritization discussions and evaluations to arrive at the following five priority areas that they would like FDEP to consider developing TMDLs for, these are as follows:

Matlacha Pass

2065F - Matlacha Pass [Nutrients (Total Nitrogen), Bacteria]

Lemon Bay

1983A - Upper Lemon Bay [Nutrients (Chlorophyll-a) and (Total Nitrogen), Bacteria],

1983A1 - North Lemon Bay [Nutrients (Chlorophyll-a) and (Total Nitrogen)],

2039 - Forked Creek [Bacteria]

Dona Bay

2002 - Dona Bay [Nutrients (Chlorophyll-a) and (Total Nitrogen)]

Roberts Bay

2018A - Roberts Bay [Nutrients (Total Nitrogen)]

Blackburn Bay

1968F - Blackburn Bay [Nutrients (Total Nitrogen)]

The Partnership continues to be supportive of the above recommendations and recognizes that other WBIDs have become impaired since that time that may also warrant prioritization based on local stakeholder input and priorities, including Charlotte Harbor. We appreciate FDEP's consideration of this partner input in finalizing its TMDL development prioritizations. We share FDEP's desire for timely restoration to occur in these areas important to many regional stakeholders.

Please do not hesitate to contact me at (941) 833-6583 to discuss further.

Sincerely,



Jennifer Hecker
Executive Director