

FLORIDA (REGION 4)

A Snapshot of Florida's TMDL Program (August 2008)

The Basics

Key Agency/Department & website

Florida Department of Environmental Protection
www.dep.state.fl.us/water/tmdl/index.htm

TMDL Program Structure/Placement

Housed in Division of Environmental Assessment and
Restoration / Bureau of Watershed Restoration; Integrated

By the Numbers

| | |
|--|---|
| Number of Impaired Waters | 934 |
| Number of Causes of Impairment | 2,061 (23 parameters) |
| Total Water Body Segments Impaired | 1,754 |
| Top Five Causes of Impairment | 1. Nutrients 2. Dissolved Oxygen Depletion (mainly nutrients) 3. Pathogens 4. Mercury in Fish Tissue 5. Metals (other than mercury) |
| Approximate Number of TMDLs Developed Annually | 50 |
| Total Number of TMDLs Approved (1995 to present, incl. any est'd by EPA) | 441 |
| Total Number of TMDLs Approved in 2005/2006/2007 | 59/128/170 |
| 2008 303d/Integrated Report Submission Status (Date) | 8/1/2008 |
| Approximate Number of FTEs Working on TMDL Issues | approx. 115 (70 FTE + 45 salary only), 12 contract, & several consulting teams |

TMDLs

EPA Under Consent Decree to Develop TMDLs? Y

Broad-Scale? (e.g., watershed, multi-jurisdictional, etc.) Y

Non-TMDL Options

Use of Non-TMDL Options to Address Impaired Waters? Y

Example(s) Reasonable Assurance Plans

Funding

Approximate Annual Budget for TMDL Program \$25 million +
\$3.2 million (for
Lake Okeechobee/
Everglades impl'n)

Primary Source(s) of TMDL Program Funding State funding;
local gov't
stormwater utility

fees; federal 106
grant (\$2 million);
319 funds

TMDL Implementation

TMDL Implementation Required?

Y (per state law)

Innovations

Example(s) of Any Innovative Approach(es) Employed

--adopted, by rule, a science-based methodology to assess environmental data and to evaluate the health of water bodies; includes minimum data requirements, QA requirements, and specific thresholds for impairment; much of this rule was adopted as a WQS specifically for the TMDL program and has been approved by EPA as a change to FL WQSs

--pursuing 4-year study to produce science-based, statewide TMDL to reduce methyl-mercury levels in fish tissue

--enacting the FL Watershed Restoration Act (FWRA), Section 403.067, Florida Statutes, to provide a legal foundation for FL's TMDL watershed management and restoration program; includes development and adoption of Basin Management Action Plans (BMAPs), which are developed collaboratively with watershed stakeholders and allow for detailed allocations for PSs and NPSs to ensure equitable load reductions from all contributors; requires the FL Dep't of Agriculture and Consumers Services (DACS) to develop, and adopt by rule, ag BMP manuals for various ag commodities; once adopted, ag producers must submit a Notice of Intent to DACS specifying which lands are being enrolled in the ag NPS program, which BMPs are being implemented, and the schedule for implementation; field staff then work with the producers to assure that all applicable BMPs are being implemented and to conduct inspections of the BMPs; DACS provides cost-share funding for the BMPs; FL DEP is charged with verifying the performance of ag BMPs to reduce pollutant loads; BMPs are periodically revisited and revised as new information is obtained, especially if they are not reducing ag NPS pollution as expected; the law authorizes DEP to conduct enforcement if farmers are not implementing the BMPs that they committed to implement in a BMAP

--The FWRA authorizes the use of a Reasonable Assurance option to expedite water body restoration where state-authorized water quality improvement programs have already created a blueprint for restoration and that plan is being implemented

--BMAPs include tracking of projects that are being implemented to reduce pollutant loads and a monitoring plan and program to assess changes to water quality over time; FL is developing a new comprehensive water information database that will allow better integration of the water chemistry, biological, sediment, flow, ground water, etc., data being collected statewide

--developing a comprehensive “TMDL Tracker”—a web-based database to track all stages of TMDL development and implementation (from initial listing to BMAP adoption); provides GIS information and a “dashboard” to allow management to do queries on all impaired waters (*e.g.*, checking by geographic area, parameter of concern, or status of TMDL completion)

--to implement the TMDL program, a Bureau of Watershed Management (now Restoration) was specifically created to enhance coordination of ongoing programs in targeted watersheds; Bureau coordinates the many aspects and specific activities of the TMDL program relating to monitoring ambient water body health; storing, checking, and distributing these data; assessing the data and developing lists of impaired waters; TMDL development; adoption of TMDLs by rule; and the implementation of TMDLs using a multi-year public participation process to produce Basin Management Plans that are formally adopted; the program is highly collaborative, depending heavily on enhanced communication, coordination, and cooperation of watershed stakeholders

TMDLs that Represent a Particular Achievement

Lower St. Johns River TMDL for dissolved oxygen and nutrients

<http://www.dep.state.fl.us/northeast/stjohns/TMDL/tmdl.htm>

Barriers

Top Three Barriers to TMDL Development

1. inappropriate water quality standards and water body classification system; FL, like nearly all states, adopted its WQSs in the 1970s as a means of permitting point sources of pollution, not protecting ambient water quality or aquatic ecological systems (*see* NAS TMDL Report, 2001)
2. lack of data, information, and knowledge linking water quality impacts to causes or sources
3. insufficient time and flexibility due to Consent Decree
4. insufficient resources for BMAP implementation

Top Three Barriers to TMDL Implementation

1. lack of financial resources

2. lack of data, information, and knowledge linking water quality impacts to causes or sources; understanding pollutant fate and transport, especially nutrient dynamics, that occur within individual water bodies
3. lack of scientific data on the pollutant removal performance of BMPs for NPSs, particularly for ag BMPs