

**Wakulla Springs Alliance**

**2-19-16 WSA Meeting Minutes**

The Wakulla Springs Alliance held a Board meeting on February 19, 2016 at the Renaissance Center. The draft agenda and list of participants can be found in Appendices A and B. Review the action items underlined below for your commitments and actions you can help with. This report is based on the secretary’s notes and does not capture everything or exactly what was said.

**Opening**

Chair Sean McGlynn welcomed everyone, reviewed the meeting agenda and everyone introduced themselves. Charles Pattison was recognized for his valuable service to Wakulla Springs as a WSA Board Member, and leader of many efforts that have benefited Wakulla and other springs. Charles will be leaving the Board to become the Executive Director of the Monroe County Land Authority. The minutes of the 1-15-16 Board meeting and Treasurer’s Report were approved.

**BMAP Update**

Debbie Lightseyreported on the meeting with FDEP staff (see appendix E) regarding the Basin Management Action Plan Notifications for Florida Department of Environmental Protection, for the Upper Wakulla River and Wakulla Springs BMAP, a brief update on the status of the BMAP including the proposed structure of the OSTDS/Wastewater Management Advisory Committee. The recently passed water legislation will shorten the time to produce a remediation plan. New standard septic system permits cannot be issued if the BMAP is amended by July 2018. The next BMAP meeting will be 02/22/16, 10:00 AM.

A motion was made by Tom Taylor, seconded by Debbie Lightsey and passed authorizing the WSA BMAP committee to send a letter to DEP recommending qualifications and/or representatives for the BMAP OSTDS Committee after the 2-22-16 meeting for Executive Committee approval. Possible names included: Debbie Lightsey, Anthony Gaudio, Bob Deyle, Pam Hall, Bob Henderson, someone to represent Woodville, Audubon, FOWS, Septic Tank Operators, and a Wakulla citizen to recommended by Howard Kessler.

**Parks in Peril**

Jim Stevensonreported that there have beenSierra Club rallies around the state last week including Wakulla Springs. There were 12 news articles including the Tallahassee Democrat.Jim met with the League of Women Voters and will be talking next Tuesday before efforts at the capital on Wednesday.Dana Bryant is using FB to post pieces daily. DEP is keeping a low profile and focusing on Park Management Plans. There have been many retirements and employees are unwilling to talk. Chuck Hatcher and other new hires will change the focus. Brian Frugate is over panhandle parks. Jim has 143 editorials and op eds; this great coverage is making a difference. Jim is doing a Wakulla Springshed tour tomorrow including a Democrat reporter who is doing a story.

Senate Bill 1290 would allow adjacent owners to get an easement for use of park land. Another bill talks about “conservation or recreation” that could include golf courses and hunting. There may be legal issues where bonds have “use purpose” requirements. DEP wrote the bill. There were bad things that may be added at any point.

**Legislative Update**

Springs funding - Rob Williams and Charles Pattison reported that the Senate Environmental Preservation and Conservation Committee supported an amendment Tuesday that would require at least $75 million a year to be budgeted for springs preservation. There may be funding for springs considered next week. Some of the Everglades money may be dedicated for springs next week.

See bill and summary Charles Pattison sent out with the agenda (Appendix F) and go to the 1000 Friends website for further updates. The money could be available July 1, but DEP will have to develop an application/designation process. We should invite Theresa Hiker at Leon County and Cal will invite someone from Wakulla to our next meeting to discuss their plans for requesting and using funds for water quality and quantity efforts. Debbie Lightsey will ask Montfort’s office for an assessment of springs related funding.

Fracking Update – Seán McGlynn said that the exploratory permit in Dead Lakes was challenged but **t**he Calhoun fracking permit challenge has been rejected**.** Exon has claimed mineral rights in Wakulla County, including the Turner Sink tract that has direct link to Wakulla Springs. If they can get a permit in Liberty they can get a permit in Wakulla. We need to let the public know these connections. See articles in Appendix F. Energy stock prices are related oil and grass reserves. We need to consider how Virginia mineral rights issues have played out. Companies have bought rights and passed on to new owners. In some cases the rights to extract or access property may expire. Sean and Cal will check on who has mineral rights in Wakulla. The PennsylvaniaSupreme Court has ruled against prohibition of local fracking bans. Leon County has banned fracking in rural areas. Jim Stevenson and Rob Williams will encourage FL Springs Council to do a letter on Monday. We will ask Leon County to adopt a ban. Wakulla is considering one. The Leon Co Soil and Water District has done a letter. The Wakulla County Soil and Water District will do one too.

The Wakulla Environmental Institute had their Grand Opening (02/15/16). Cal Jamison, Rob Williams and Seán McGlynn attended.

**What’s new?**

Panhandle Outdoors is sponsoring the Wakulla Springs Water School on March 1-2. Tuesday morning Jim Stevenson will do a ppt version of the watershed tour. Tuesday night at 7:30, Bob Deyle will explain dark water, eel grass, etc. Wednesday morning Scott Savory and Pam Hall and Moira Horman, DEP BMAP staff.

There will be a Water Festival in Cascade Park on Saturday 03/05/16

Robert Thompson talked about Submerged Aquatic Vegetation, SAV monitoring. He said that plant communities could still be impacted even if the TMDL is reached. Historically eel grasses were bright green waving in the current with white sand and no hydrilla. Some native plants are now gone. The invasion of hydrilla blocked flows and created mucky bottoms.

Herbicide killed plants but not the roots, with muck.  **T**here is more algae and slimy brown color on plants. Manatees achieved biological control of hydrilla but it is gradually growing back. Algae grows on the bottom. A 2014 survey showed unhealthy bare bottoms with streams of algae. Since 2014 some plants are growing back with the decrease in the number of manatees.

There are 3 approaches to monitoring: visual survey**,** linear vegetation survey (used for the BMAP) and LTS (count species of plants, diversity not quantity). Good plants get a higher weighted score. You can have high scores without diversity. Bob Thompson suggested another method with 5 transects across the river using a ring and an estimate of plant coverage. Results were presented that showed changes that varied by location over time. Summaries across transects indicates 46% Algae and in ’15 33%. We need more frequent surveys over a longer timeframe.

The concentration of Nitrates has been decreasing over time and this needs to be compared to SAV. Dark water may affect the plant mass. The lingua blue-green algae can fix nitrogen and extract it from the bottom. Bob Deyle suggests that the combination of the manatee and lower nitrogen from the spray field may be having an impact. Affect at Sally Ward Spring and Run has been the denuding of plant life and clear water. The river is a desert. The herbicide kills all the plants even eelgrass and creates an advantage for algae. Can this be compared to Wasissa and other springs? The same thing happened (vegetation is gone) at McBride and other springs. Cal is not finding snails anymore. Bob Deyle hypothesizes it is related to Ciano toxins from blue green algae.

Scott Savory is the staff coordinator. He is retiring and we hope another biologist replaces him.

Cal Jamison provided springshed updates– He said thatdark water creeks are flowing. They were down but back up now. Spring Creek is flowing. Wakulla county planners refer owners to Cal to give free reviews of sinkholes. Suzy Goodhope has a cadaver dog and is exploring the cemetery at Cherokee Sink (Confirmed 8 grave sites) and other locations. Another gravesite was found near the old gate to Wakulla Springs.

The Wakulla Environmental Institute grand opening had 300 people, speakers and oysters from Skipper Bay. They are trying to figure out what to do with it. It is one of the most expensive classrooms ever built in Florida. A 200 room world-class resort and camp cabins, an RV park, and more are all being planned. The graduates are not getting jobs.

Cal is running for the Wakulla Soil and Water District.

Newport Spring is fenced off, the oak trees have been cut and the area has been cleared. The Mormon Church owned this land. They are now the largest landowners in Florida. Charles knows, Frank Mathews, their attorney. Charles will ask for a meeting with the church or who ever the current owner is. They do have a good environmental policy.

There is a sinkhole land oak tree on Capital Circle SW. There is a meeting on February 29 on this project. It is on the Capital Regional Transportation Planning Authority, CRTPA. agenda. Debbie Lightsey will probably go and will consider a letter to appropriate leaders to call for caution regarding impacts. Cal Jameson will draft language on the sinkhole. FGS will identify sinkholes. DOT hasn’t done a good job of identifying sinkholes and cultural resources.

Appendix A

**Draft 2-19-16 WSA Board Meeting Agenda**

**9:00 Opening**

* + Welcome and meeting agenda review (Seán McGlynn)
	+ Introductions (Board)
	+ Secretary Minutes (Tom Taylor)
	+ Treasurer Report(Howard Kessler, will not be present)

**9:05 BMAP Update– Debbie Lightsey**

* Report for meeting with FDEP staff
* Basin Management Action Plan Notifications for Florida Department of Environmental Protection, for the Upper Wakulla River and Wakulla Springs BMAP. A brief update on the status of the BMAP and to present the proposed structure of the OSTDS/Wastewater Management Advisory Committee. 02/22/16, 10:00 AM, Room 609, Martinez Bld.

 ***9:25 Questions***

**9:30 Parks in Peril -** Jim Stevenson

**10:00 To be Continued** Legislative Update – Rob Williams and Charles Pattison

* + Fracking Update – Exploratory permit in Dead Lakes challenged - Seán McGlynn
	+ WEI Update, Grand Opening (02/15/16) - Cal Jamison, Rob Williams and Seán McGlynn

**11:00 What’s new?**

* + Panhandle Outdoors LIVE! - Wakulla Springshed School– Bob Deyle
	+ Water Festival, Cascade Park, 03/05/16 **-** Seán McGlynn
	+ SAV monitoring **–** Robert Thompson
	+ US Highway 319 / Crawfordville Road Widening – Bob Deyle
	+ Light and Dark Water Studies **-** Seán McGlynn
	+ Springshed Updates **-** Cal Jamison

**11:50 Items from the floor**

**12:00 Adjourn**

**Attachment 1: FDEP PowerPoint Silver Springs and Rainbow Springs BMAP Updates, by Mary Paulic**

**Attachment 2: SAV Monitoring Summary Revised 2016 02 08**

**Attachment 3: Summary BMAP Meeting**

Appendix B

**Board, Advisors and Guests**

\* Indicates 2-19-16 Participants

Board Members

Bob Deyle \*

Gail Fishman

Albert Gregory \*

Cal Jamison \*

Howard Kessler

Todd Kincaid

Debbie Lightsey \*

Terrance McCaffrey

Sean McGlynn \*

Charles Pattison \*

Jim Stevenson \*

Tom Taylor \*

Rob Williams \*

WSA Advisors

Anthony Gaudio

Pam Hall \*

Julie Harrington

Bob Henderson \*

Bob Knight

Pam McVety

Dan Pennington

Bob Thompson \*

Guests

Mark Heidecker \*

Johnny Richardson

Appendix C

Treasurer Report For month ending January 31, 2016

Starting Balance November 30, 2015: 3,114.68

Deposits: 619.00

Tours: Jim Stevenson

Withdrawals: None

Balance ending December 31, 2015: 3,733.68

Appendix E

**Report on DEP meeting - OSTDS/Thiele letter Jan. 25, 2016**

by Debbie Lightsey

I think we had a good productive meeting. They had lots of people there so I think

They took us seriously. For DEP - Tom Frick, Moira Homann, Beth Alvi, Kevin Coyne

and Greg DeAngelo, (oversees BMAP and TMDLs statewide). We met for well over an

hour. Closer to 2 hours. Attending for us: myself, Pam Hall, Tom Taylor, Bob Deyle.

**Discussion Topics:**

**Membership: OSTDS Advisory Committee:**

We made our case for having more than one non-governmental rep on the OSTDS

Advisory Committee. They made no commitments, but listened attentively (for what

that is worth). They said the next step will be another BMAP meeting to be held on

Feb. 22nd at which time they will discuss how they intend to set up the

Committee. They sent us a copy of what they put together for this step in the Silver

Spring BMAP process, which I have attached. It lists slots for members beyond what

the legislation calls for (which were primarily local governments and utilities) which

gives us hope that we can get 2 or 3 reps on the Committee. The Committee will be

kept small and will operate in the Sunshine. Therefore if we have more than one

member on the Committee they will not be able to talk to each other about these issues

between meetings.

Action Required: We must prepare resumes or bios for the people we would like to see

serve on the Advisory Committee and have those ready for the Feb. 22nd meeting.

The product DEP expects from the OSTDS Committee was described as being primarily

an infrastructure plan, but we made a couple of important points, which I think DEP

heard and will act upon particularly if we continue to make them at the Feb. 22nd

meeting. We said more than a project list was required in the Wakulla Springs

area. We insisted that the wastewater treatment initiatives should include a structure

and a mechanism to managing wastewater systems (like an RME); that we fully

expected something in addition to extending city central sewer is to be used, and that

some policy changes would have to be made to Comp Plans and local LDRs to reflect

higher nitrate removal for OSTDS in the Primary Springs Protection Zone. These higher

standards would be in line with those achieved by the newly recommended passive

OSTDS systems from the now completed FDOH study. DEP’s final comment on this was that they would use “strategies” or “actions” to clearly indicate other approaches to

remediation, rather than just a projects list.

We did get an acknowledgement from Tom Frick that while BMAP Advisory Committees’

first task is usually to do a review of the scientific data available on their Spring and

launch efforts to fill in the blanks, that we have a wealth of data on Wakulla Springs

and that not a lot of time or effort would be required for this task. He agreed that

Wakulla is one of the most studied Springs anywhere. He did say however that he

hoped we would assist to some degree in the Educational elements of the BMAP,

particularly with elected officials. (I personally think that is a naïve way to look at

Educating Elected Officials. My experience tells me that DEP, with a hammer in its

hands, will fare better than citizens in this effort. We have had little luck “educating”

the Leon County Commission on their responsibilities for septic tanks. Some of this

education must come from above, rather than below. And I hope our participation isn’t

channeled primarily into Education rather than developing the actual Recommendations

in the Remediation Plan.)

Tom Frick said that the new date, July 1, 2018, listed in the 2016 Water Legislation Bill

(Springs Section) for Remediation Plans in Springs with adopted BMAPs will in effect

cause DEP to have to produce - under the auspices of the OSTDS Advisory Committee

- something equivalent to the Blueprint Alternatives to Sewer project by mid-2018. He

acknowledges that DEP does not have any funding set aside to achieve this

considerable goal. We can hope that this means DEP will push the County to start

that project well before 2020. Otherwise I don’t know how that will be accomplished.

DEP said that the Leon County Health Dept. regardless what the Leon County

Commission did or did not do in changing policies in the Comp Plan or LDRs, would

simply be unable to issue a permit for a standard OSTDS after a certain date. Instead

use of new higher nutrient systems identified in the FDOH Passive Systems Study would

be mandated. I don't remember the date, but I think it will be as soon as the FDOH

report is translated into policy. ?????? (Need to get this date) Mr. Frick said that

about 7 different systems had been certified .

**County Attorney Thiele letter to DEP:**

DEP said they made no changes to the BMAP after the County's decision to Challenge

the Plan either in the text of the approved Plan nor any significant understanding as to

implementation or strategies. They said most of what Thiele said in the letter was

simply his clarification of sections that the County staff had misconstrued. I said it

looked like a CYA letter to me, and Mr. Frick agreed with that characterization. Mr.

Thiele may have sought changes and when none materialized, he had to say something

to the County Commissioners that made it look like DEP had given ground.

The only substantive discussion was the 2018 start date listed in the Leon County and

City Management Strategies list (Alternative to Sewer - our $2.8M project) which DEP

may or may not try to enforce. The Sales Tax Extension funding for that project does

not officially start to flow till 2019. I told DEP that all those funds were fungible and

the County could likely do it sooner with permission from the IA Board. Sales tax

projects have routinely through the years been moved up or delayed due to funding

(more money or less) causing scheduling changes. We left the start date unresolved,

but did state quite strongly that Mr. Thiele's letter implied that the County, having

approved the project, never had to do anything further, like actually commence the

project. That of course is not true. Although we expect the County to continue to try

to slow its implementation unless pushed by DEP.

**2016 Water Bill**: which recently passed

The Springs section of the Bill requires that Remediation Plans for 1st Magnitude

Springs with TMDLs and BMAPs be completed by June 30, 2018 which is sooner than

the Wakulla BMAP had called for. So this requires serious action by the OSTDS

Advisory Committee and DEP staff. (See the discussion above under OSTDS Advisory

Committee.)

Appendix F

**Water Bill Summary**

**CS/CS/SB 552 (Dean) and CS/HB 7005 (Caldwell)– Environmental Resources**

* Similar to final version of water policy legislation that died on the floor at the end of last session.
* Bills have been expanded beyond initial goal of springs protection to include major changes to statewide water policy.
* Both House and Senate bills cleared all committees before the start of regular session and are headed to the floor.
	+ Senate Bill is on special order calendar for earlier this morning, Wednesday January 13th.
	+ House Bill will likely be placed on special order calendar for Thursday, January 14th or Friday, January 15th.
* Both bills are expected to pass, without substantive amendments, during the first week or two weeks of session.
* Effect on Florida’s waters of any legislation will be dependent on funding and implementation.

Appendix F

**Seismic testing on hold in Gulf, Calhoun counties**

**JEFF BURLEW**

DEMOCRAT SENIOR WRITER

A Texas oil company’s plans to conduct seismic testing for oil and gas in Calhoun and Gulf counties are on hold because of a legal challenge filed by a Clarksville man worried it will lead to fracking.

Cholla Petroleum is seeking permits from the Florida Department of Environmental Protection to test in a swath of private land stretching from about 17 miles south of Blountstown in Calhoun County to immediately north of Wewahitchka in coastal Gulf County.

The testing involves the use of small explosive charges, dropped in shot holes 100 feet deep in about 1,000 spots around the Chipola River and the Dead Lakes and just north of the fragile Apalachicola Bay. About a third of the testing zone is located in wetlands.

DEP last month issued notices of its intent to issue permits allowing the testing, and affected parties had until 5 p.m. Thursday to challenge the agency action. Late Thursday afternoon, Robert Voss, a retired law enforcement officer, filed a petition seeking to block the permits.

“The petitioner believes that process of explosive mapping is, in and of itself, a threat to the watershed and rivers and the county’s underground substrate and wildlife,” Voss wrote. “More particularly, the area chosen along 60 miles of the Chipola River to the Dead Lakes would be one of the worst possible places in terms of disruption in the county.”

Voss is a board vice president of the Panhandle Pioneer Settlement, a living history museum in Blountstown. And he is a board member of the River Way South Apalachicola Choctawhatchee organization, a group devoted to the preservation of natural, cultural and historic resources in nine counties.

He wrote in the petition that testing would lead to fracking and the use of “volatile chemicals” to release oil and gas from underground, creating “voids and sink holes.” He also complained production would lead to pollution and increased traffic from heavy vehicles on rural roads.

“In short, if we are to ban fracking, we have no need for a survey, creating explosions and the irreparable damage to the ecosystem and wildlife,” he wrote.

Cholla, which initially wanted to begin testing in December, hasn’t said whether it would frack, though it has a history of doing so in Texas. The seismic testing is an early phase of exploration. If it proved promising, it’s likely the company would seek permits for exploratory drilling. Actual production could begin if oil and gas were found.

The Gulf County Commission last year approved a ban on fracking, but the Calhoun County Commission opted not to pass one. Representatives of the Neal Land & Timber Company, which owns much of the land where testing would occur, urged commissioners in Calhoun County to reject a fracking ban.

DEP planned to issue permits allowing the testing after the company submitted detailed plans to protect wildlife and cultural resources. Monitors overseen by DEP would accompany crews during testing.

The agency is reviewing Voss’ petition for legal sufficiency. If it passes that legal hurdle, it will be referred to the Division of Administrative Hearings, and a hearing date would be set. DEP couldn’t issue any permits until the hearing process is complete.

JEFF BURLEW

**DEP dismisses challenge to seismic testing**

Clarksville man says he intends to amend, refile complaint

**JEFF BURLEW** DEMOCRAT SENIOR WRITER The Florida Department of Environmental Protection has dismissed a challenge by a Clarksville man trying to block seismic testing for oil and gas in Calhoun and Gulf counties north of the Apalachicola Bay.

Robert Voss, a retired law enforcement officer from Clarksville, filed the petition earlier this month, saying the planned testing by Cholla Petroleum of Dallas, Texas, would cause environmental harm and lead to fracking.

Voss, vice president of the board of the Panhandle Pioneer Settlement, a living history museum in Blountstown, also said testing would cause disruption around the picturesque Chipola River and Dead Lakes.

But the agency earlier this week dismissed Voss’ complaint, saying it was legally insufficient and failed to show he had legal standing. The agency gave Voss until Wednesday, Feb. 24 to file an amended complaint, which he said he intends to do. The Apalachicola Riverkeeper is helping Voss find legal counsel but isn’t directly involved in the challenge.

“I can tell you they rejected my petition on legal grounds and gave me 15 days to resubmit it,” Voss said. “And the Apalachicola Riverkeeper is (helping) me with an attorney.”

Don Tonsmeire, the Apalachicola Riverkeeper, said the organization is at this stage only helping Voss secure counsel. He said if actual drilling permits were ever issued, the group would mount its own legal challenge to stop it.

“His biggest concern is based on the fact that it’s going to lead to fracking or drilling of some sort,” Tonsmeire said. “And those activities, those will be very challengeable. I would say the potential impacts from those activities are an order of magnitude more dangerous and risky than the seismic testing.”

DEP last month issued its notice of intent to issue permits allowing Cholla to conduct the underground testing in a swatch of land from about 17 miles south of Blountstown in Calhoun County to just north of Wewahitchka in coastal Gulf County. About a third of the testing would occur in wetlands.

The seismic testing involves the use of small explosive charges dropped in shot holes about 100 feet deep in more than 1,000 locations across lines totaling 63 miles. The charges would be detonated one at a time, sending acoustic waves back to the surface, where they’d be recorded by more than 6,000 geophones.

The resulting data — itself a commodity in the industry — would show whether there are prospects for oil and gas. Cholla initially planned to begin exploration in December. A representative of the company said there is no set date for testing to begin, though it’s expected sometime this year absent a successful challenge.

The legal fight comes as the Florida Legislature is considering bills that would create regulations around fracking, a controversial drilling technique that environmentalists say would cause a myriad of human health and environmental problems, including water contamination.

Numerous environmental groups are trying to block the bills, as a growing number of cities and counties in Florida have enacted resolutions and ordinances to ban or otherwise oppose fracking. Industry groups, like the Florida Petroleum Council and Associated Industries of Florida, are supporting the bills.

Legislation (HB 191) sponsored by Rep. Ray Rodrigues, R-Estero, easily passed a full House vote last month. But it’s facing bipartisan opposition among some in the Senate. It’s possible the Senate Appropriations Committee will hear companion legislation (SB318), sponsored by Sen. Garrett Richter, R-Naples, as soon as next week. Democrats have put forward legislation to ban fracking statewide, though it’s unlikely to pass given opposition in the House.