

# Better nutrient standards are needed

The idea that you could have pollution standards that don't involve numbers seems, well, not serious.

But that has been the case with too many of Florida's rivers, lakes and streams.

For nutrients that have been causing the toxic outbreaks of algal blooms in recent years, there were "narrative standards."

That sounds fine for a journalist working on a story but not for a scientist.

As Environmental Protection Agency officials confirmed, the narrative standards are vague and difficult to enforce.

That doesn't mean coming up with numeric standards is easy or that meeting them will be cheap.

In a Nov. 30 letter from EPA to the state Department of Environmental Protection, a set of standards were described as providing better protection for sensitive waters, lakes and estuaries.

The standards make "significant advancements," EPA said.

"Nutrient pollution threatens human health and the environment, hurts businesses, costs jobs, reduces property values and otherwise impacts the quality of life for all Floridians," said EPA Regional Administrator Gwen Keyes Fleming in a news release.

## A GOOD START

But you have to start somewhere with the best numerical values possible, test them with real world observations and then adjust them with eyes wide open. If cost is a factor, then there needs to be gradual enactment.

For instance, if there are algal blooms despite nutrient standards being met, then something is missing.

The standards need to reflect all the variables in Florida's diverse set of streams, rivers and bays.

But one thing is clear: The St. Johns River can't be allowed to revert back to its polluted status of decades ago when untreated wastewater was dumped into it.

Today's pollution issue is more complicated, but the signs are clear enough: Ribbons of stinking green algae called the "green monster."

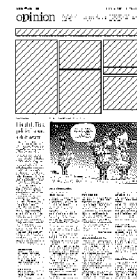
Nutrients weren't such a big factor when there were about half as many people in the river's watershed.

Now population growth alone means that dilution won't work.

The nutrient standards didn't come without a push through the court system by environmentalists. And there has been "sky is falling" concern from some business interests regarding the standards.

EPA officials, however, are confident that extensive research and collaboration have resulted in standards that are reasonable and defensible.

The St. Johns Riverkeeper is not not so sure. Lisa Rina-



man prefers the EPA rules over what are described as “less stringent standards” proposed by the DEP.

The EPA rules add biologic and chemical indicators as well as the nutrient limits. For instance, the Santa Fe river met state nutrient standards, but it was clear from the biologic indicators that the river was impaired.

### HEALTH AND ECONOMY AT STAKE

EPA has approved the state’s rules for nitrogen and phosphorus. The state’s rules affect only a portion of the state’s waterways; the exact proportion is unclear. The rest of the state’s affected waterways will be covered by EPA rules.

It still is unclear if waterways with some man-made involvement will be covered by the standards, such as canals in South Florida. EPA is taking public comment on the rules.

One key is to have aggressive testing to serve as a regular checkup of the health of Florida’s rivers and streams. EPA officials said that the state of Florida has some of the best testing programs in the nation due to its extensive and varied hydrology.

Clearly this is a work in progress. But there must be a commitment that Florida’s waterways will be protected, and that is the only narrative that matters.

### TIMELINE ON STANDARDS

**1998:** EPA notifies states they should develop numeric standards to protect waters from nutrient pollution. Deadline was 2003.

**2008:** Ten years later, environmental groups, including the St. Johns Riverkeeper, filed a lawsuit to compel the EPA to set the numeric standards.

**2009:** EPA settles. As part of a consent decree, EPA agrees to create rules with numeric limits for nutrients.

**2011:** Opponents challenge the consent decree. EPA’s rules were upheld but the court ruled that more scientific justification was needed for certain streams.

**Nov. 30:** EPA conditionally approved a limited state rule that applies to a fraction of the state’s flowing and estuarine waters. The rest of the state’s waters are covered by the EPA rule.



The Times-Union

**Green monster.** In 1999, algae was floating on the surface of the St. Johns River near Christopher Creek and Epping Forest. This was considered unusual at the time.