



May 15, 2007

The Honorable Charlie Crist  
Office of the Governor  
The Capitol  
400 South Monroe Street  
Tallahassee, FL 32399-0001

Secretary Michael W. Sole  
Florida Department of Environmental Protection  
3900 Commonwealth Blvd. MS-10  
Tallahassee, FL 32399-3000

Dear Governor Crist and Secretary Sole:

The Sanibel Captiva Conservation Foundation has been participating in Department of Environmental Protection, (DEP) meetings across the State regarding proposed revisions to the designated uses and waterbody classification system for Florida waters. We are very concerned that proceeding with the plan endorsed by the Policy Advisory Committee, (PAC) will result in an erosion and reduction of water quality statewide. We urge you to reject this initiative.

Currently water bodies are classified by their highest attainable use with standards established to ensure those uses are protected for drinking water, shellfish harvesting or recreation.

The DEP rationale for changing uses and standards is that some waterbodies may never be able to meet the water quality standards for recreational uses. Further they argue that holding all water bodies to the Class III standard is unfair and does not reflect the unique characteristics of some natural systems. They propose changing the current five standards to a matrix of 7 human uses and 4 aquatic life uses including categories such as:

waters good enough to fish in but not suitable for human contact, (splashable but not swimmable);  
and

water suitable for boating but not good enough for human contact or to sustain aquatic life; (unfishable/unswimmable)

This effort begs the question of how creating more designations will help improve water quality? It will not. Instead it will create new classifications with lower water quality standards and provide a vehicle to petition for lower water quality standards of public waterways. It is our assertion that the classification system is not the problem, instead it is the lack of coordination between the policy

and regulatory divisions that regulate land and water use that has resulted in impaired water bodies throughout the State.

One serious by product of this effort that has not been addressed is the cumulative downstream impacts on receiving waters. It is precisely the affect of such cumulative impacts that have degraded the water quality throughout the Caloosahatchee basin as well as San Carlos Bay, Pine Island Sound and Estero Bay, the first Aquatic Preserve in the State. If waterbodies no longer meet their classification the answer is to make changes to the landscape, land use and project designs that will allow water quality to be improved and the standards met, not create incentives to downgrade the waterbody to a lower water quality standard.

Florida is a very diverse State ecologically which makes it difficult, if not impossible, to adopt “one size fits all” statewide standards that will be effective in vastly different areas of the State. As has been demonstrated in other initiatives such as Total Maximum Daily Loads, TMDL’s, the unique natural systems of a region and watershed, including the habitats, soils, hydrology and topography must be considered to develop standards that are effective and efficient in achieving a stated goal. The goal is to protect water quality by insisting that individual projects and municipalities work to improve waters to meet current water quality standards, not create new categories with lower water quality standards.

This effort does not rise to meet that goal. The definition of insanity is to do the same thing over and over expecting a different outcome. Two things are clear; first, in an era of increased permit review and expense water quality has continued to decline; and second, creating new lower water quality categories and standards is not going to improve water quality.

On behalf of the 4000 members of the Sanibel Captiva Conservation Foundation, we urge you to reject this initiative and instead focus on establishing TMDL’s for the many statewide waterbodies that are currently impaired and invest the personnel time and resources to actively change the way we permit water managed between the landscape and waterbodies in order to restore the waters of Florida which are our lifeblood.

Sincerely,

A handwritten signature in black ink, appearing to read "Rae Ann Wessel". The signature is fluid and cursive, with a large loop at the beginning.

Rae Ann Wessel  
Natural Resources Policy Director