Leon County

Board of County Commissioners

301 South Monroe Street, Tallahassee, Florida 32301
(850) 606-5302 www.leoncountyfl.gov

County Attorney's Office
Suite 202, 301 S. Monroe Street
Tallahassee, FL 32301
(850) 606-2500 (Telephone)
(850) 606-2501 (Telefax)

October 16, 2013

Mr. Stephen Cioccia
Environmental Consultant
Watershed Planning & Coordination Section
Florida Department of Environmental Protection
2600 Blair Stone Road, MS 3565
Tallahassee, Florida 32399-2400

Re: Draft Wakulla BMAP Onsite Sewage Treatment and Disposal Systems Initiative

Dear Mr. Cioccia:

Leon County has a deep appreciation for the environmental, economic, and cultural significance of Wakulla Springs and the Wakulla River. In recognition of that importance, over the past several years, the Leon County Board of County Commissioners has actively sought practical solutions to the problem of nutrient loading in Wakulla Springs. By funding studies and community outreach programs, adopting ordinances limiting development in the most vulnerable areas of the County, and its continued engagement in springs protection issues, the County has expended substantial resources towards improving the water quality in the Spring.

The County anticipates that it will continue to take an active role in springs protections issues, even as the evidence indicates that the nutrient goal set by the State for Wakulla Springs may be readily achievable. It is encouraging that preliminary reports suggest that the significant nutrient reductions mandated for the City of Tallahassee's sprayfield may be sufficient to meet the TMDL goal during the first BMAP iteration. Also encouraging are the reports that FDOH's OSTDS nitrogen reduction strategies project may yield effective and cost-efficient alternatives to traditional septic tanks. It is not unreasonable to believe that future reductions from OSTDS may be achievable through the adoption of cost-efficient and minimally burdensome management strategies. These two factors indicate that the short-term goal for water quality improvement in Wakulla Springs may be within reach. Nevertheless, Leon County is supportive of the Department's efforts to continue development of effective strategies to reduce nitrate loading to Wakulla Springs through the OSTDS Initiative.

While the County has been an active participant in the BMAP process and is generally supportive of the Initiative concept, it is important that the Department and other stakeholders recognize that the County's authority to regulate septic tanks is severely constrained by state law, pursuant to which the County does not permit, operate, or adopt maintenance standards for septic tanks. We acknowledge that local governments, including Leon County, can play a role in improving nutrient loading from OSTDS within its jurisdiction. However, the Department's determination that the County is a "responsible stakeholder" for OSTDS loading and its subsequent finding that the County's efforts have not been "sufficient" appears to be legally without merit and arbitrary. Under existing law, the County is not legally authorized and cannot legally be required to take any action regarding OSTDS.

Nonetheless, the County remains supportive of efforts to reduce nutrients and appreciates the importance of Leon County's participation in the BMAP OSTDS Initiative. While we hope that changes can be made to alleviate the County's concerns regarding the wording of the OSTDS Initiative, we cannot commit to participating in the Initiative as it is presently outlined in the draft BMAP document. Our concerns are two-fold: despite the earlier objections of Leon County, it appears that the Department intends for the OSTDS Initiative to result in a report that will operate as binding agency action; and the scope of the management strategies to be reviewed during the Initiative is significantly overbroad.

The County reiterates its objection to the statements in the draft BMAP document that the Department report will be binding on the participants in the Initiative. The BMAP process has historically been the result of local governments evaluating potential management strategies and making commitments to the Department to implement those strategies. Consistent with past BMAPs, the ultimate authority and responsibility for determining which strategies are appropriate for each local government in the Wakulla Springs Basin must be made by the governing body of the respective local governments. A Department report based on input from interested participants cannot operate as an agency rule to dictate policy for the participating local governments. As we stated in our letter of August 16, 2013, in order for any commitments to be binding on the participants, they must be adopted pursuant to the authority granted to the Department through the appropriate statutes and administrative rules. The County cannot engage in the Initiative if the objective is to circumvent the regulations adopted to implement the BMAP process.

The proposed scope of the OSTDS Initiative is also of significant concern, as it includes the review of several management strategies that would have little or no effect on nitrate loading. The focus of the OSTDS Initiative should be on technologies that are available, or will be available, to reduce nitrate loading, and the merits and shortcomings of those technologies. We would expect to have discussions during the Initiative regarding the results of the FDOH study and agency guidance on the applicability and implementation of the findings. If the study identifies cost-feasible, effective alternatives to traditional OSTDS, the Initiative should also consider such issues as the desirability of additional sewering progams within the PFAs and the impact of future loadings from increased development from outside the PFAs to the City of Tallahassee's sprayfield, which is located in PFA1. Furthermore, the Department's approach to

WWTFs near and within the PFAs should be reviewed. Due to the particular County approvals necessary for that project to move forward, the County was recently able to place more restrictive requirements on the waste water facility at the current DISC Village site. This was a unique opportunity for Leon County, which the County is unlikely to be able to duplicate. Since part of the discussions in the Initiative will relate to appropriate use of WWTFs as an alternative to traditional septic systems, it should be imperative that the Department place adequate restrictions on new and existing WWTFs within the Basin.

In addition to these general concerns, we provide the following regarding the specific nitrogen reduction strategies proposed for consideration during Phase II of the OSDTS Initiative:

- Potential nitrogen reduction strategies 1, 8, and 11 involve reviewing existing ordinances or Comprehensive Plan provisions. Leon County has already adopted regulations that significantly limit new development that can be permitted on septic systems. These adopted Comprehensive Plan provisions are referenced as Leon County commitment LC-13 of the Leon County Management Strategies. The Department had an opportunity to review the County's ordinances during the BMAP process and appears to have found these efforts to be sufficient. Naturally, should new information or approaches present themselves, it may be appropriate for the Board of County Commissioners to review its ordinances, but the County's existing ordinances should have been reviewed as part of the initial BMAP effort..

- Neither a Responsible Management Entity ("RME," potential strategy 2), nor an inspection program (potential strategy 9) would constitute a nitrogen reducing strategy, particularly under the existing legislative prohibitions. Even if such strategies were acceptable best management practices for nitrogen, the County does not believe it is prudent or constructive to commit itself to reviewing strategies that are not legally available. Should such programs become available to Leon County, the Board of County Commissioners would likely review the value and feasibility of adopting such programs; however, the review of these programs is not appropriate for consideration during the Initiative.

- The Leon County- City of Tallahassee Water and Sewer Agreement has been in place since 2005 which, among other things, addresses the extension of sewer to the unincorporated county. The City and County also coordinate sewer planning through the Sewer Master Plan and City of Tallahassee- Leon County Comprehensive Plan. The City and County have already determined the feasibility of expanding sewer to areas of dense OSTDS concentration and have already identified Woodville, Oak Ridge, and Lake Munson, as priority areas for sewer extension. It is unclear what purpose further review of this issue would serve.

- While it may be an acceptable management strategy for fecal coliforms, it is our understanding that better OSTDS maintenance will have negligible impacts on the level of nitrates released from OSTDS. Nevertheless, Leon County has already proposed regulations requiring regular maintenance and replacement of failing OSTDS that match maximum

standards allowable under State law. Again, we do not believe it is appropriate to discuss management strategies that are currently in violation of state law and whose effectiveness would be minimal.

- The Leon County Board of County Commissioners is well aware of the water quality issues associated with traditional OSTDS as it has been deeply involved in regulatory issues related to OSTDS for years. Should the Board of County Commissioners commit to involvement in the Initiative, County staff will bring back periodic reports on the progress of the project and will involve other entities, as appropriate. Including such a requirement for consideration as a potential nitrogen reduction strategy in the OSTDS Initiative is not productive.

The OSTDS Initiative explained to the stakeholders in August was a collaborative approach that would have allowed progress to be made, while taking into consideration the significant technological and regulatory barriers that currently exist. According to the draft Initiative document and Department presentation in August, the Initiative would result in a Department report that identified reduction targets and management strategies which would form the basis for the participants to propose appropriate strategies for implementation during this or the next BMAP iteration. The County generally agreed to this approach. The edits proposed on the attached document are consistent with the Initiative as originally presented and also address the County's objections to the scope of Initiative in the draft BMAP. Finally, in light of the fact that the FDOH study will not be released until January 2015, and to allow time for legislative and regulatory responses, we would suggest that it would appropriate to allow more flexibility in the Initiative timeline to ensure that the product of the Initiative is based on the best available information.

We would like to reiterate the County's continued commitment to improving the water quality in Wakulla Springs and, as improved technology and related regulations are developed, the County anticipates that it will be engaged in further policy discussions.

Sincerely yours,

COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

Laura M. Youmans
Assistant County Attorney

LMY/smw

Enclosure

cc: Honorable Chairman and Members of the Board of County Commissioners
Vince Long, County Administrator
Tony Park, Director, Public Works
Kathy Burke, Director, Engineering Services
Theresa Heiker, Chief of Stormwater Engineering
John Kraynak, Director of Environmental Services
Thomas Frick, Florida Department of Environmental Protection
Kenneth Hayman, Esquire, Florida Department of Environmental Protection

To ensure sufficiency for addressing nitrate + nitrite loading from onsite sewage treatment and disposal systems (OSTDS) located within the PFAs , the Department is undertaking an OSTDS Initiative, in cooperation with the Florida Department of Health (FDOH), City of Tallahassee, Leon and Wakulla Counties~~, and other interested parties~~. The objective~~s~~ of the OSTDS Initiative is ~~are~~ to identify effective, feasible strategies to reduce nitrate + nitrite ~~nutrient~~ loads from OSTDS sources in the PFAs~~; establish stakeholder responsibilities and a schedule for implementation; and ensure implementation through stakeholder commitments and BMAP authority~~. During the first BMAP implementation period, the Department, FDOH, the City of Tallahassee, Leon, and Wakulla Counties, ~~and others~~ will discuss options for addressing contributing OSTDS loading, identify effective, feasible strategies for the Upper Wakulla River and Springs Basin, ~~establish homeowner and local government council/commission education and outreach programs, determine responsibilities,~~ and identify potential funding sources to implement the identified strategies. The Department will prepare an agency report proposing necessary reductions and identifying appropriate nitrate + nitrite reduction strategies ~~that outlines the strategies appropriate to the basin, prioritizes the importance and sequencing of strategies, and identifies stakeholder responsibilities~~. ~~The agency report may serve as a comprehensive wastewater management plan for the area encompassed by the PFAs. The responsible stakeholders~~ After development of the report, the Department, FDOH, the City of Tallahassee, Leon County and Wakulla County, respectively, ~~will~~ may propose to implement those cost effective nitrate +nitrite reduction strategies suggested for their jurisdiction ~~necessary~~ to meet ~~the~~ TMDL reduction targets, if necessary, in the next BMAP iteration.

For the first five years of BMAP implementation, collectively the nitrate +nitrite strategies included in the BMAP are sufficient and reasonable to address nitrate loading in the PFAs to the Upper Wakulla River and Wakulla Springs Basin. Additional strategies to reduce nitrate + nitrite loading to the Upper Wakulla River and Wakulla Springs Basin may be required in the next BMAP iteration unless more current water quality data indicate that the TMDL has been achieved.

1.3.4 ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (OSTDS) INITIATIVE

With the major reductions made in wastewater loading in the basin, OSTDS located within the PFAs ~~are now~~ and inflow appear to be the next largest sources of nitrate + nitrite loading to the Upper Wakulla and Wakulla Springs Basin . However, the nitrate +nitrite reduction strategies that can be implemented at this time to reduce nitrate +nitrite loading from OSTDS are limited and activities to abate or remove OSTDS contributions are ~~both~~ expensive and require significant planning to implement because OSTDS are generally owned, operated, and maintained by ~~require coordination with~~ individual property owners consistent with permitting requirements imposed by statute and implemented by FDOH. ~~and, therefore, require considerable planning to implement.~~ Additionally, the FDOH is currently conducting the Florida Onsite Sewage Nitrogen Reduction Strategies Project, a multi-year study to determine the best systems to attenuate nitrate loading, including passive systems. The results of this study will help to guide future best practices for strategies to reduce nitrate + nitrite loading from OSTDS sources. Subsequent to the release of FDOH's study, the Department will work with the City of Tallahassee, Leon County, Wakulla County, and FDOH to identify available, appropriate, cost-effective nitrate + nitrite strategies and funding sources through the OSTDS Initiative. The OSTDS Initiative will focus on effective strategies to reduce nitrate + nitrite loading from OSTDS in the PFAs, which are the OSTDS that have been identified as contributing to the nitrate +nitrite loading in the Upper Wakulla and Wakulla Springs Basin ~~To help address this source of loading, the Department, FDOH, the City of Tallahassee, Leon County, Wakulla County, and other parties will participate in the OSTDS Initiative.~~

The objectives of the OSTDS Initiative is ~~are~~ to identify effective, feasible strategies to reduce ~~nutrient loads~~nitrate + nitrite loading to the Upper Wakulla River and Wakulla Springs Basin from OSTDS sources located within the PFAs. ~~; establish stakeholder responsibilities and a schedule for implementation; and ensure implementation through stakeholder commitments and BMAP authority~~. During the first BMAP iteration, the Department, FDOH, the City of Tallahassee, Leon County, and Wakulla County~~, and others~~ will discuss available strategies ~~options~~ for addressing nitrate + nitrite loading to the Wakulla River and Springs Basin from OSTDS in the PFAs, with consideration given to findings contained in FDOH's study~~loading, identify effective strategies for the Upper Wakulla River and Springs Basin, establish homeowner and local government council/commission education and outreach programs, determine responsibilities, and identify funding sources to implement the strategies~~. Based on the results of these discussions and the outcome of the FDOH study, ~~T~~the Department will prepare an agency report that outlines ~~the strategies~~ available, cost-effective nitrate +nitrite reduction

strategies identified appropriate to help achieve the TMDL. ~~the basin~~. The report will take into consideration the results of the Florida Onsite Sewage Nitrogen Reduction Strategies Project and any regulatory changes made in response to the results of that study. ~~, prioritizes the importance and sequencing of strategies, and identifies stakeholder responsibilities~~. ~~The agency report may serve as a comprehensive wastewater management plan for the area encompassed by the PFAs.~~ The Department, FDOH, the City of Tallahasee, Leon County, and Wakulla County, respectively, ~~responsible stakeholders will~~ may then propose to implement appropriate nitrate +nitrite reduction strategies -, to help meet the TMDL reduction targets in the next BMAP implementation period. ~~suggested for their jurisdiction necessary to meet the reduction targets~~. The ~~management strategies~~scope, phasing, and milestones ~~to be evaluated for implementation through the~~of the OSTDS Initiative process are detailed below. It is important to note that nothing herein should be construed that the TMDL will be achieved solely through reductions in nitrate +nitrite loadings from OSTDS. .

1.3.4.1 General Direction for the OSTDS Initiative

This BMAP includes those ~~management~~ strategies ready for inclusion as an enforceable responsibility, in addition to a commitment to participate in the OSTDS Initiative where details for additional strategies will be ~~established for subsequent adoption~~considered and may be proposed by the appropriate entities for implementation in future BMAP iterations, if necessary to achieve the TMDL reduction goal. A BMAP post-adoption schedule will be developed to include ~~stakeholder responsibilities for preparing and reaching agreement on~~ an overall coordinated ~~septic tank strategy~~waste-water strategy for the PFAs to be implemented in the second five-year BMAP implementation period. This schedule would need to be timed to take into account and respond to contingencies for the potential extension of central wastewater treatment under a possible renewal of the existing ~~Leon County~~ infrastructure sales tax ~~extension~~, the potential use of RESTORE Act funding for expansion of Wakulla County wastewater capabilities, and the completion of the FDOH ~~OSTDS nutrient reduction study~~Florida Onsite Sewage Nitrogen Reduction Strategies Project. ~~Based on water quality status and implementation experience, identification of additional OSTDS load reduction strategies may be required.~~During the OSDTS Initiative process, the Department , FDOH, the City of Tallahassee, Leon County, and Wakulla County will review alternatives for traditional OSTDS, including passive OSTDS, package plants, cluster systems, or other central wastewater collection systems, determine the feasibility of such systems, and identify funding sources.

Commitment from the FDOH, as the entity responsible for permitting OSDTS, and the City of Tallahassee, Leon County, and Wakulla Counties, as local governments with OSDTS located within

their jurisdictional boundaries, ~~responsible stakeholders~~ is essential to success of the OSTDS Initiative. As part of this BMAP, good faith commitments to participate in the OSTDS Initiative process ~~to further refine responsibilities and strategies are included, and continued participation~~ would become a legal responsibility specified in the BMAP (refer to **Section Error! Reference source not found.**). ~~When appropriate management strategies and responsible parties are identified, those would be included in the next BMAP implementation phase, and these will then be binding commitments based on the nitrate + nitrite reduction targets and schedule provided.~~ The OSTDS Initiative includes four major phases.

PHASE I – DURING BMAP DEVELOPMENT, EVALUATE INFORMATION AVAILABLE TO ESTIMATE IMPACTS FROM CONTRIBUTING OSTDS ~~AND IDENTIFY AND EVALUATE POTENTIAL MANAGEMENT STRATEGIES~~

This phase will involve scoping and understanding of the following items:

1. Identify information required to determine the existing number and geographic distribution of OSTDS within the PFAs, using the existing FDOH model to determine probable numbers and locations.
2. Determine data necessary to ~~C~~calculate the best estimation of nitrate + nitrite loads from OSTDS within the PFAs to the Upper Wakulla River and Wakulla Springs ~~within the PFAs~~.
3. Obtain commitments ~~by responsible~~ from ~~stakeholders~~FDOH, City of Tallahassee, Leon County, and Wakulla County for continued participation in the ~~implementation of the~~ OSTDS Initiative process.

PHASE II – WITHIN 30 ~~24~~ MONTHS POST BMAP ADOPTION, ~~SELECT, DEVELOP, AND PRIORITIZE MANAGEMENT STRATEGIES~~VERIFY CURRENT INFORMATION AND ASSESS POTENTIAL STRATEGIES TO ACHIEVE THE TMDL NITRATE + NITRITE REDUCTION GOAL.

This phase will involve verifying the most current information:

1. Review the results of the FDOH Florida Onsite Sewage Nitrogen Reduction Strategies Project and any resulting regulatory changes.

~~1.~~2. Verify the existing number and geographic distribution of OSTDS within the PFAs using the best available method to determine probable numbers and locations of existing OSTDS, and to note the older systems (as possible) that do not meet current FDOH standards.

2.3. Project future growth and distribution of OSTDS within the PFAs through at least the first five-year BMAP implementation period. ~~within the PFAs~~.

3.4. Estimate future nitrate + nitrite loads from OSTDS within the PFAs to the Upper Wakulla River and Wakulla Springs. ~~within the PFAs~~.

4.5. Estimate future nitrate + nitrite loads to the PFAs resulting from treatment of ~~-~~waste water from new development outside the PFAs being treated by central waste~~-~~water facilities inside the PFAs, including the City of Tallahassee's Southeast Sprayfield.

5.6. Identify ~~additional~~ potential appropriate ~~management~~ strategies ~~through the initiative process~~to cost-effectively reduce nitrate + nitrite lading to the Upper Wakulla River and Wakulla Springs Basin from OSTDs sources in the PFAs.

Potential ~~management~~ strategies will be evaluated including:

~~1. Evaluate current OSTDS ordinances and other planning requirements; identify needed modifications or new ordinances and other planning requirements to reduce nitrate loading to ground water.~~

~~2. Evaluate formation of a Regional Management Entity (RME) including the authority allowed for a RME, purpose and tasks within the RME authority, process for development of a RME, RME authority and goals, and limitations of a RME in achieving the OSTDS Initiative's goals.~~

1. Evaluate appropriate ~~U~~use of central wastewater treatment and collection strategies outside of the City of Tallahassee/Leon County Urban Services Area and the Woodville Rural Community, and estimate future nitrate +nitrite loads to the Upper Wakulla River and Wakulla Springs Basin from new development outside the PFAs.

~~2. Determine the availability of central wastewater collection system locations and relationship to areas of dense OSTDS concentrations.~~

~~3. Assess the feasibility of expanding the existing wastewater treatment plants' central wastewater collection systems and extending service to areas of dense OSTDS concentrations (e.g. Woodville, Oak Ridge/Lake Munson and Crawfordville vicinities).~~

4.2. Evaluate the creation of localized, cost-effective, technologically feasible, and appropriate ~~-~~central wastewater collection systems (smaller capacity of less than 1.0

million gallons per day) with no discharge of nitrate + nitrite effluent to ground water (e.g. wetland treatment ponds for effluent) and extending central wastewater collection service to areas of the PFAs with dense OSTDS concentrations.

~~5.~~3. Assess the pros and cons of cluster systems to centralize OSTDS drainfields and determine effluent impacts to ground water, and assess options where effluent concentrations are cost-effectively reduced through technologically feasible and appropriate means to eliminate or reduce nitrate + nitrite contributions to ground water.

~~6. Review septic system commitments in the comprehensive plans, land development regulations, and elsewhere.~~

~~7. Evaluate the pros and cons of implementing a requirement for regular inspection, regular maintenance, and replacement of malfunctioning OSTDS.~~

~~8.~~4. ~~Determine if there is a need for~~Evaluate whether regulatory requirements to connect to an available central wastewater system if an OSTDS is malfunctioning or in need of repair will result in a reduction of nitrate + nitrite in the PSAs and whether such a requirement is feasible, cost-effective, and appropriate.

~~9.~~5. Review existing requirements for new development to be served by central wastewater service at a comprehensive plan, zoning, or subdivision level to determine potential enforcement actions and incentives for sewer connections.

~~10.~~6. Determine education strategies for homeowners to illuminate the water quality threats posed by OSTDS, benefits of good maintenance practices, enhanced nutrient removal accomplished by performance based treatment systems or passive OSTDS systems, and advantages of central wastewater service. Identify outreach opportunities and frequency needed such as through festivals, newspaper articles, public service announcements, tax bill/utility bill mailer, brochures, and presentations.

~~11. Determine education strategies for local government decision-makers to illuminate the water quality threats posed by OSTDS, as well as the benefits of strategic placement and central wastewater service. Hold presentations synchronized with BMAP adoption, BMAP annual reports, and after the release of the FDOH study in 2015. Hold additional presentations as identified by the BMAP OSTDS Initiative and its milestones.~~

~~12. Consider creation of an umbrella wastewater strategy that coordinates OSTDS responsible stakeholder responsibilities.~~

~~13.~~7. Provide a review of actions taken during the 2014 and 2015 sessions of the Florida Legislature that relate to OSTDS, waste-water, or springs protection and the impact of any such action on cost-effective, feasible, and appropriate strategies available to reduce nitrate + nitrite in the PFAs. ~~Review probable repeal of House Bill 1263 381.0065, F.S., restricting requirement for performance based treatment systems (expected July 2014), and evaluate opportunities for OSTDS treatment upgrade requirements allowed by this repeal.~~

~~14.~~8. Evaluate recommendations from the FDOH study and use of passive, nitrate + nitrite-reducing OSTDS. Consider ~~requirement of and~~ appropriate application of passive systems, alternative technologies, AWT-level OSTDS, or other options recommended by the FDOH study.

~~15.~~9. Identify potential state and federal funding sources available to implement recommended strategies.

~~16. Identify other strategies, not listed above, as appropriate to the basin.~~

~~17. Identify barriers such as absence of central wastewater service in areas where OSTDS reductions are needed; financial impediments to extension of central wastewater service areas including implementation delay and uncertainty of sewering strategies dependent on Blueprint 2000 sales tax extension approval and/or RESTORE Act funding, potential incurrence of unwanted debt, and difficulty in qualifying for additional grants; distribution of OSTDS and practicality of connection to central wastewater service; financial impact on homeowners of connection fees and utility bills; practicality of cluster onsite systems; and administrative and financial needs for a RME.~~

Ideas from other parts of the state should be reviewed to learn from experience:

1. Identify model strategies and success stories for reduction of nitrate + nitrite loading from OSTDS within the PFAs ~~loading~~.
2. Identify funding opportunities to help alleviate financial impediments for strategy implementation.

~~Stakeholders will be engaged in discussions of appropriate effort and placement of management strategies within the first 30 months after BMAP adoption.~~

PHASE III – WITHIN ~~48~~30 MONTHS POST BMAP ADOPTION, DEVELOP AND SCHEDULE ~~MANAGEMENT~~ STRATEGY~~IES~~ IMPLEMENTATION

During this phase, the following activities would occur:

1. Continue to evaluate nitrate + nitrite loading to the Upper Wakulla Springs Basin from OSTDS within the PFAs ~~contributions~~ and track ongoing reduction activities by responsible stakeholders.
2. Review monitoring results.
3. Determine the proposed nitrate +nitrite target reductions to be achieved within the second BMAP implementation period to help achieve the TMDL.
4. ~~Consider potential future loading prevention policy strategies such as enforcement of Florida statutory requirement (F.S. 381.00655[1][a])for connection of existing OSTDS in areas where central wastewater service becomes available; use of passive nutrient reducing septic tank technology when new OSTDS are installed; and requirement that development areas authorized by comprehensive plan amendments, rezonings and subdivisions be supported by central wastewater service if feasible or nutrient reduction be required for new OSTDS installations.~~
5. ~~4.~~ Present OSTDS Initiative findings or policy statements to capture the preferred overall direction to be taken on OSTDS concerns, in terms of clear and powerful statements that capture the consensus on ~~central~~ wastewater treatment options ~~and septic systems~~, and help give direction to future decision making.
6. ~~Prepare a Department agency report on management strategies (proposed completion 30 months post initial BMAP adoption) to describe the management strategies selected through the assessments process in Phase I (including stakeholder/public comment); prioritize the importance and sequencing of individual strategies and identify stakeholder responsibilities; and identify the relative responsibilities for nitrate + nitrite contributions from individual stakeholders, including commitments for strategy implementation and target reductions, to be accomplished by their management strategies to be contained within the second BMAP implementation period.~~

PHASE IV – WITHIN 30 TO 60 MONTHS POST BMAP ADOPTION, CONSIDER IMPLEMENTATION OF OSTDS NITRATE +NITRITE REDUCTION STRATEGIES ~~MANAGEMENT STRATEGIES~~.

Prepare a Department agency report on strategies (proposed completion 48 months post initial BMAP adoption) to describe the potential strategies evaluated through the assessments process in Phase II (including stakeholder/public comment) for consideration in the development of a subsequent BMAP.

Based on the Department's agency report, the ~~responsible stakeholders~~FDOH, City of Tallahassee, Leon County. And Wakulla County may propose strategies appropriate for their respective jurisdictions and prepare implementation plans for inclusion in a second BMAP, if necessary. ~~would be required to prepare detailed implementation plans that apply the selected management strategies to their areas of responsibility with a schedule of implementation. The implementation plans would be presented to the Department, evaluated to ensure they address responsibilities for OSTDS contributions, and included in the second BMAP implementation period.~~

1.4.2 Considerations

OSTDS – Based on evaluations of loading in the basin, OSTDS located within the PFAs and inflow ~~are~~ now appear to be the largest ~~contributor~~ sources of nitrate +nitrite loading to ~~in~~ the Upper Wakulla River and Wakulla Springs Basin (refer to Section 3.1). However, the ~~management strategies~~ nitrate + nitrite reduction strategies that can be implemented at this time to address loading from OSTDS are limited. FDOH is currently conducting a multi-year study to determine the best systems to attenuate nitrate +nitrite loading from OSTDS. . This study is scheduled to be completed in January 2015, and the study results will then be brought to the Legislature for consideration. The results of this study will help to guide OSTDS ~~management strategies~~ nitrate +nitrite reduction strategies in the basin. In the meantime, the Department will work with the City of Tallahassee, Leon County, Wakulla County, ~~the responsible local stakeholders~~ and FDOH in the OSTDS Initiative (refer to Section 1.3.4) to identify appropriate nitrate +nitrite reduction strategies ~~management strategies~~ and funding sources to address nitrate +nitrite loading from OSTDS located within the PFAs. ~~loading~~.

1.5 Future Growth in the Watershed

In addition to ~~the items that will be developed through the~~committing to participate in the OSTDS Initiative (see **Section 1.3.4**), Leon County has a proposed effort to sewer within the PSPZ, if funding becomes available. ~~The county is also proposing to modify its code of laws for OSTDS, as needed, based on the results of the FDOH study.~~ Wakulla County has an adopted comprehensive plan policy requiring advanced nitrogen reducing onsite systems on parcels of certain sizes. ~~The~~ Wakulla ~~c~~County is also proposing to sewer three historical neighborhoods, if funding becomes available, which would remove approximately 2,251 OSTDS that could occur through future development, in addition to the 1,330 OSTDS already in use.

The strategies listed above would help to reduce nitrate +nitrite loading from future development for a variety of sources. The sufficiency of this BMAP relies on these nitrate +nitrite reduction strategies. ~~management strategies~~.

4.1.2 OSTDS Sufficiency

Leon County is proposing to prepare a Geographic Information Systems (GIS) inventory of the OSTDS located within the county, revise its septic tank ordinance to require greater separation between the drainfield and seasonal high water table to reduce the amount of nitrate that enters the ground water, and add educational kiosks about septic systems at the Woodville Community Center. ~~The c~~ Leon County has also committed to reviewing the results of the FDOH study on performance based OSTDS to determine if its code of laws should be modified. In addition, Leon C~~ the c~~ounty is proposing to fund sewer extension projects~~sewer~~ within the PSPZ to remove traditional OSTDS, dependent on project and funding approval through the county's sales tax process. This strategy ~~would~~ is projected to remove approximately 15,187 kg/yr of TN, if the sewering and connections occur.

Wakulla County has an adopted comprehensive plan policy that requires advanced nitrogen reducing OSTDS on parcels smaller than five acres in the Wakulla Springs Special Planning Area; within 150 feet of surface water, swallet, or other karst feature, or within 300 feet of a 1st or 2nd magnitude spring; and on all parcels less than 0.229 acres in size. The county is pursuing funding for planned sewer in Greiner's Addition, Magnolia Gardens, and Wakulla Gardens, which could remove the existing 1,330 septic systems, and an estimated potential for 2,251 additional systems in the future. The county is seeking funding to inspect and repair old, damaged, and failing OSTDS in the Wakulla Springs Basin. The county is also looking to form a tax increment financing (TIF) district for the Crawfordville area to fund improvements, including basic infrastructure.

Wakulla Springs State Park sewered its property in 1992, which removed all OSTDS within the Park except for one septic tank that serves the gatehouse. This septic tank is a performance based treatment system, which has a high nitrate removal efficiency.

In addition, the Department, FDOH, City of Tallahassee, Leon County, and Wakulla County will work together through the OSTDS Initiative to identify appropriate, cost-effective ~~management~~ strategies to reduce nitrate + nitrite loading for the basin, determine funding sources, and develop strategies implementation plans. By the end of the first, five-year BMAP iteration, the responsible stakeholders will have already begun to implement or will be ready to implement additional OSTDS nitrate +nitrite reduction strategies.

With the continuation of adopted measures and implementation of the OSTDS Initiative (refer to **Section 1.3.4** for more details), OSTDS sources will be sufficiently addressed in the first BMAP

iteration. Depending on water quality trends, substantial additional efforts may be needed in future BMAP iterations to address OSTDS sources.