

May 30, 2019

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Via email to: Kaitlyn.Sutton@FLORIDADEP.gov

Re: 2019 Proposed Triennial Review Process

Triennial Review Group,

Nutrien appreciates the opportunity to comment on the kickoff of the 2019 Triennial Review. Our comments are based on the Tallahassee workshop and the Power Point presentation posted on the FDEP website.

As the presenters noted, only general information is available at this time. Therefore, our comments are likewise general. As more information becomes available, we should be able to provide more specific comments.

We support the effort to update and simplify some of the rule language in Chapters 62-302 and 62-303, FAC.

Chapter 62-302, FAC Proposals

We are concerned about the proposal to add a narrative criterion for turbidity in freshwater. We have no objection to a narrative relative to marine waters. The current 29 NTU above background numerical standard has been in place for many years and served well as an objective numerical standard. To our knowledge there have been no circumstances under which harm has occurred as long as it was met. Should FDEP decide to pursue adding a subjective, nebulous narrative standard it should provide clear documentation that a need exists and detailed guidance on how it would be applied. Examples of when the current standard has been inadequate should be provided. We understand that is solely a FDEP initiative and is not based on any EPA recommendations.

Clarification to the floral and faunal NNC metrics could be good, as long as they do not become more restrictive. We do not think the references to "weight of evidence approach" needs to be removed. Acknowledgement and consideration of that multiple lines of data and evidence is a positive way to make decisions.

Chapter 62-303, FAC Proposals.

We support the idea to remove "trend assessment" for future projections. We suggest that trend assessment for past years also be removed or better described. The lack of adequate data to assess

trends statistically is seldom available and can result in waterbodies being placed on study lists simply because adequate, long-term data are not available. This is especially a concern when there is a requirement for specific amounts of data over several years.

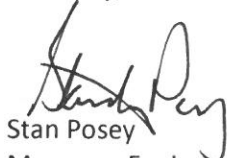
We will wait to see how "Clarify listing thresholds for both Planning List and Verified List based on bioassessments"; "Add text to assess more expressions of NNC Monthly, seven-year average" and "Revise delisting method for waters listed based on exceedances of NNC expressed as not to be exceeded more than once in three years (may delete this bullet)" are proposed. This could potentially be a very positive change.

General

We understand that all draft rule changes and supporting documentation will be provided at least 30 days prior to the next workshop. It is important that all parties be allowed adequate time to review the changes and supporting documentation in advance of the workshops so that meaningful, informed comments can be made. We recommend distributing various documents or draft rule language as they are completed instead of waiting to release all at one time.

Nutrien looks forward to assisting FDEP in considering positive changes to the referenced chapters. Please contact us if you would like to discuss our comments or need additional clarifications.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan Posey", is written over a printed name.

Stan Posey
Manager, Environmental Affairs

c: Mike Batts, Nutrien
John Davis, ESP