



FLORIDA DEPARTMENT OF Environmental Protection

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Noah Valenstein
Secretary

February 28, 2020

Eric Charest
Environmental Compliance Analyst
Indian River County Utilities
1801 27th Street
Vero Beach, FL 32960

RE: Numeric Nutrient Criteria (NNC) Exclusion Request for North Canal (WBID 3147), Main Canal (WBID 3153A), and South Canal (WBID 3158)

Dear Mr. Charest,

Thank you for contacting the Florida Department of Environmental Protection (department) about the eligibility of the stream exclusion for **waterbody identification** (WBID) 3147 North Canal, WBID 3153A Main Canal, and WBID 3158 South Canal. It is important that we receive input from interested stakeholders to ensure accurate assessments of Florida's waters. This letter is in response to the comments received via e-mail on September 4, 2019.

The department has reviewed the supporting documentation provided by the Indian River County Department of Utility Services and concluded that there is sufficient evidence demonstrating the primary purpose of the segments identified in Attachment 1 within North Canal (WBID 3147), Main Canal (WBID 3153A) (including Lateral C and Lateral D Canals), and South Canal (WBID 3158) (including Lateral J and Sub-Lateral J-1-w Canals) is water conveyance, and the canals have been historically and are currently maintained to function with the purpose of supplying drainage to 58,000 acres of southeast Indian River County, as supported by Attachment 2, 3, 4, and 5. The management and maintenance of the canals results in the waterbodies having marginal or poor stream habitat or habitat components (Attachment 6). Therefore, the department has determined that the segments identified in Attachment 1 within WBIDs 3147, 3153A, and 3158 meet the exclusion in the "stream" definition for ditches, canals and other conveyances, or segments of conveyances, that are man-made, or predominantly channelized or predominantly physically altered as per paragraph 62-302.200(36)(b), Florida Administrative Code (F.A.C.).

The department must publicly notice, in the Florida Administrative Register, the proposed exclusions and request information from the public relevant to the stream

exclusion. The department will evaluate any information provided by the public and determine whether it alters our initial determination.

If the exclusions stand, the excluded segments will not be assessed using the total nitrogen (TN) or total phosphorus (TP) thresholds per 62-302.531(2)(c), F.A.C. Additionally, neither the Rapid Periphyton Survey (RPS) nor the Linear Vegetation Survey (LVS) set forth in the document titled *Implementation of Florida's Numeric Nutrient Standards* will be used to evaluate algal mat and macrophyte information. The excluded segments will be assessed for a) chlorophyll-a (expressed as an annual geometric mean, not to exceed 20 µg/L more than once in a three-year period), b) statistically significant increasing trends in the annual geometric means at the 95 percent confidence level in TN, TP, and chlorophyll-a, and c) other information indicating an imbalance in flora or fauna due to nutrient enrichment [including, but not limited to, algal blooms, excessive macrophyte growth, decrease in the distribution (either in density or areal coverage) of seagrasses or other submerged aquatic vegetation, changes in algal species richness, and excessive diel oxygen swings].

Data currently available to the department indicate that all three waterbodies do not exceed the chlorophyll-a nutrient impairment threshold. Thus, the department plans to delist three impairments from the Verified List (WBID 3147 for Macrophytes and TP and WBID 3153A for Macrophytes) and remove one listing from the Study List (WBID 3158 for TP). These amendments to the Verified List would then be submitted to EPA as updates to Florida's federal 303(d) list. However, please note that all delistings from the federal 303(d) list must ultimately be approved by EPA.

The department appreciates the Indian River County Department of Utility Services taking the time to submit comments and supplemental supporting documentation regarding the assessment of WBIDs 3147, 3153A, and 3158. Your input helps the department in producing better assessments. If you have additional questions about our response or the assessments, please contact the Environmental Manager responsible for assessing the basin, Jessica Mostyn at (850) 245-8441 or Jessica.Mostyn@dep.state.fl.us, or contact me directly at (850) 245-8469 or kevin.odonnell@floridadep.gov.

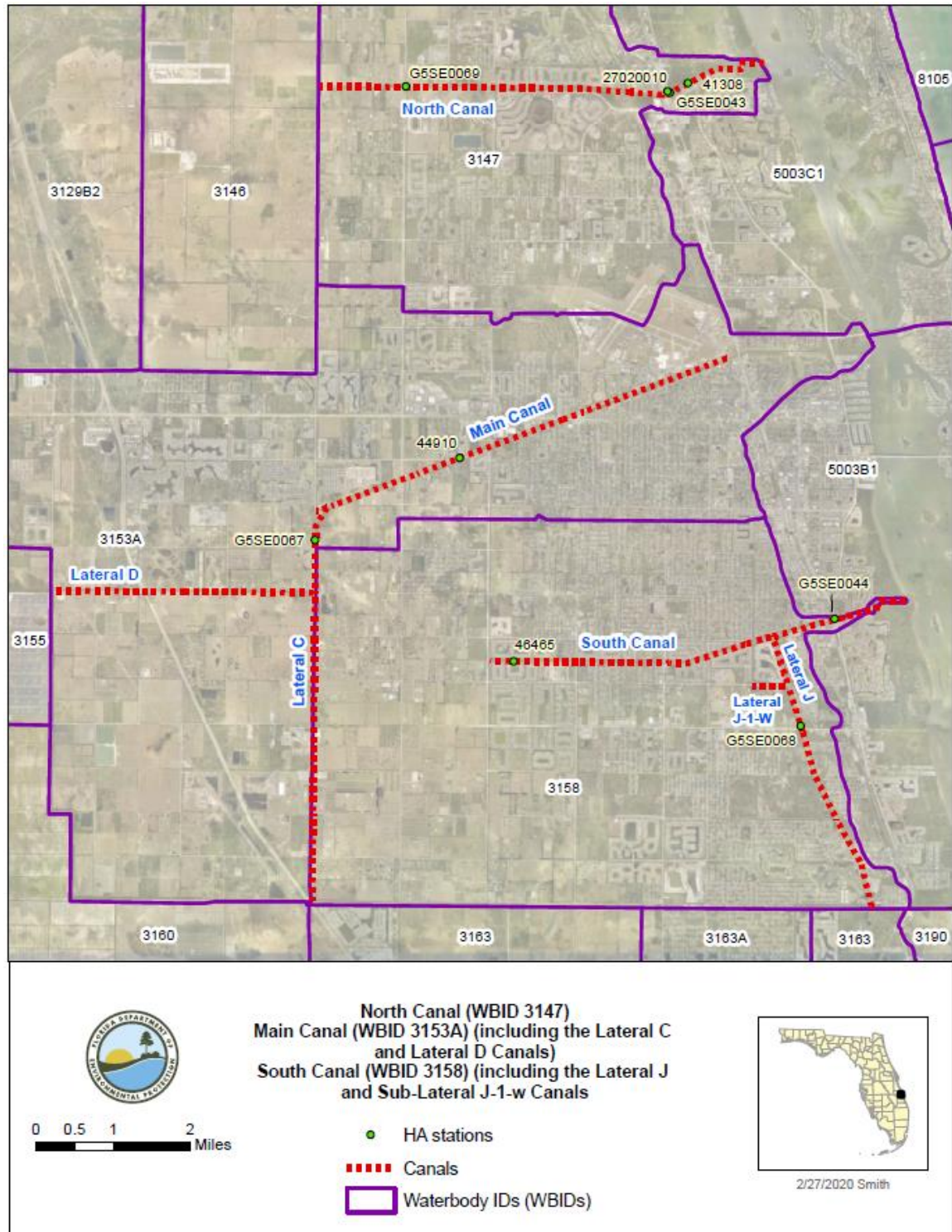
Sincerely,

Kevin J. O'Donnell

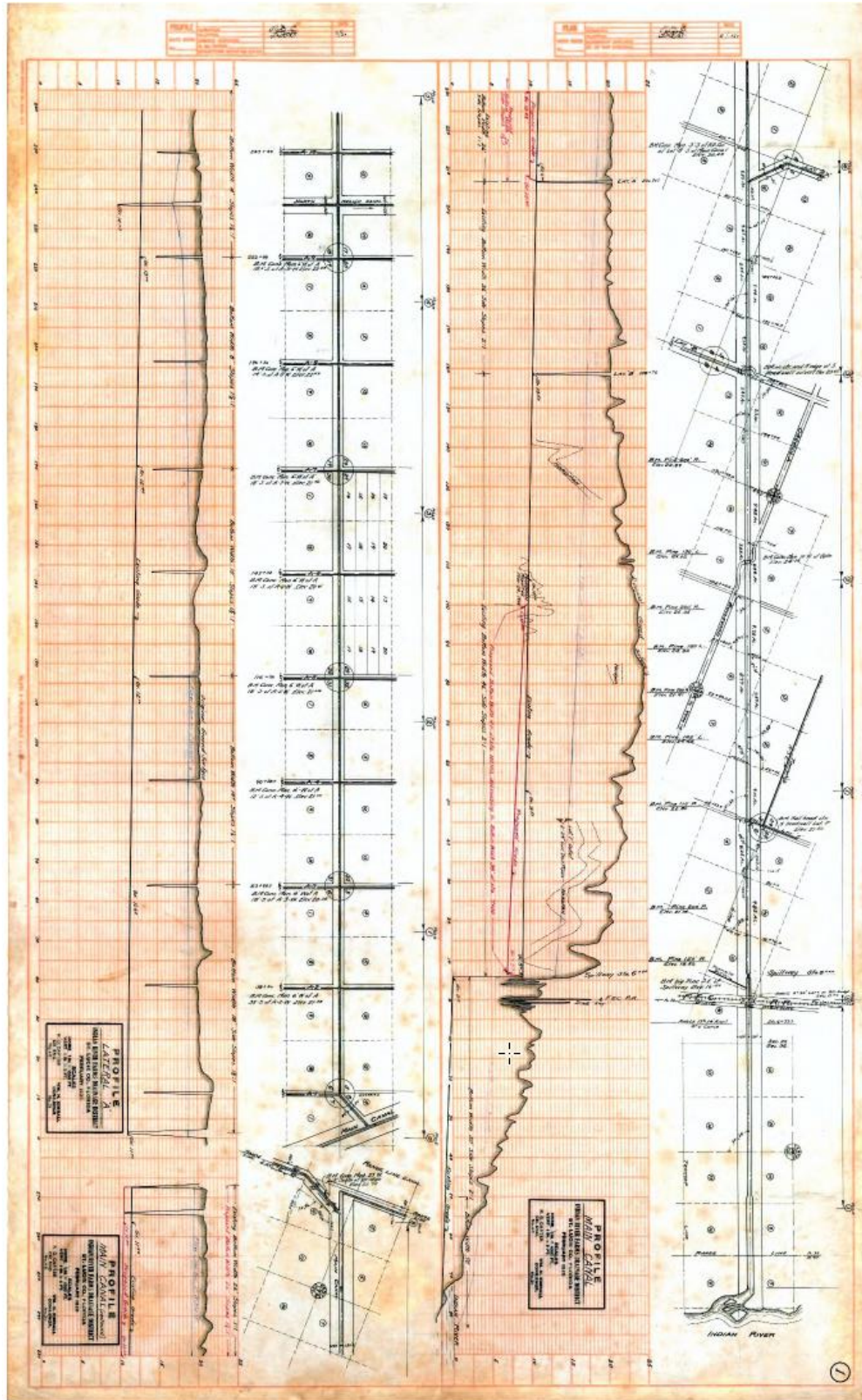
Kevin O'Donnell
Environmental Administrator
Watershed Assessment Section
Florida Department of Environmental Protection
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2600 Blair Stone Rd. MS 3560
Tallahassee, FL 32399-2400

cc: Vincent Burke
Marcy Frick
Arjuna Weragoda

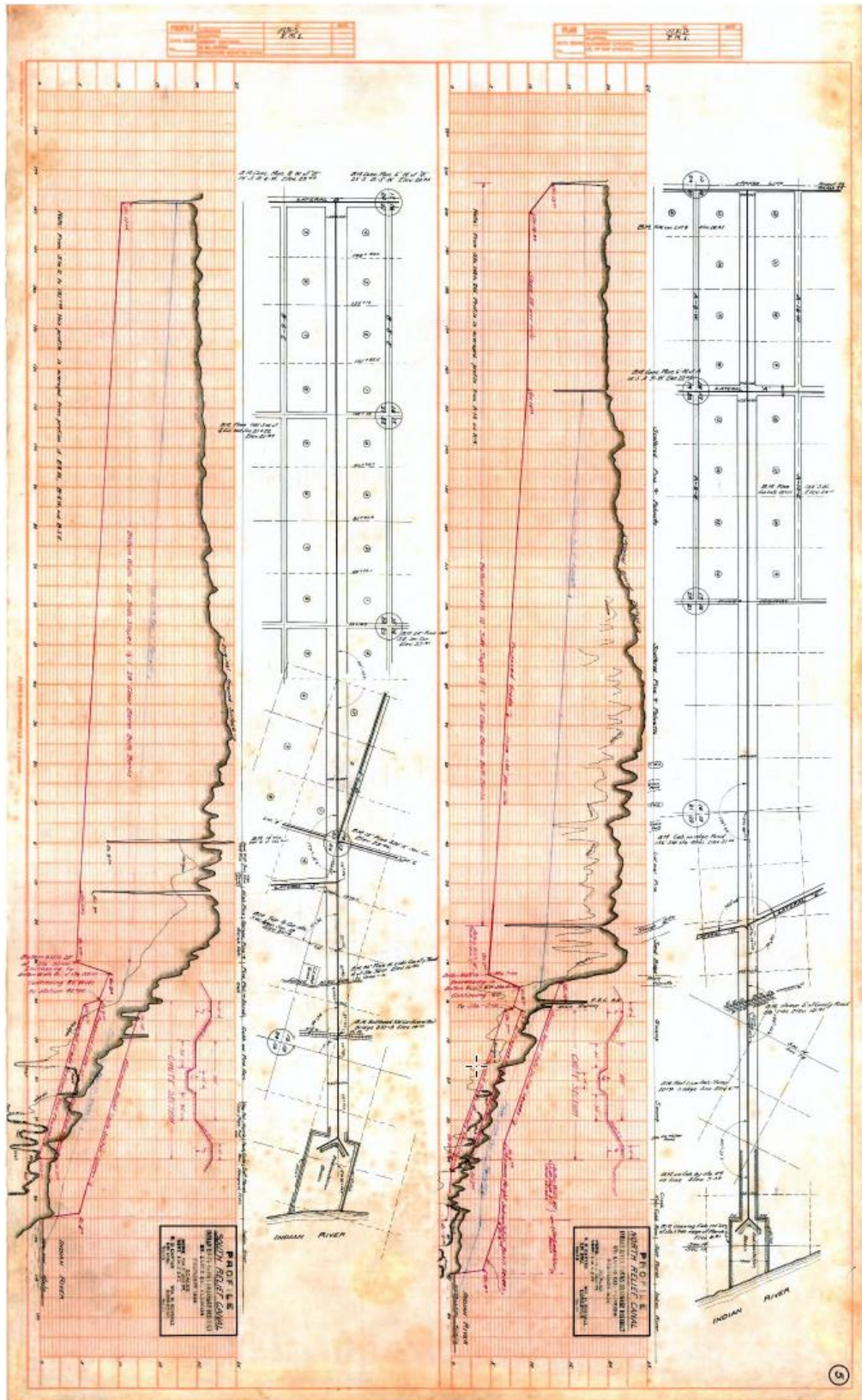
Attachment 1: Map of the segment identified for the stream exclusion.



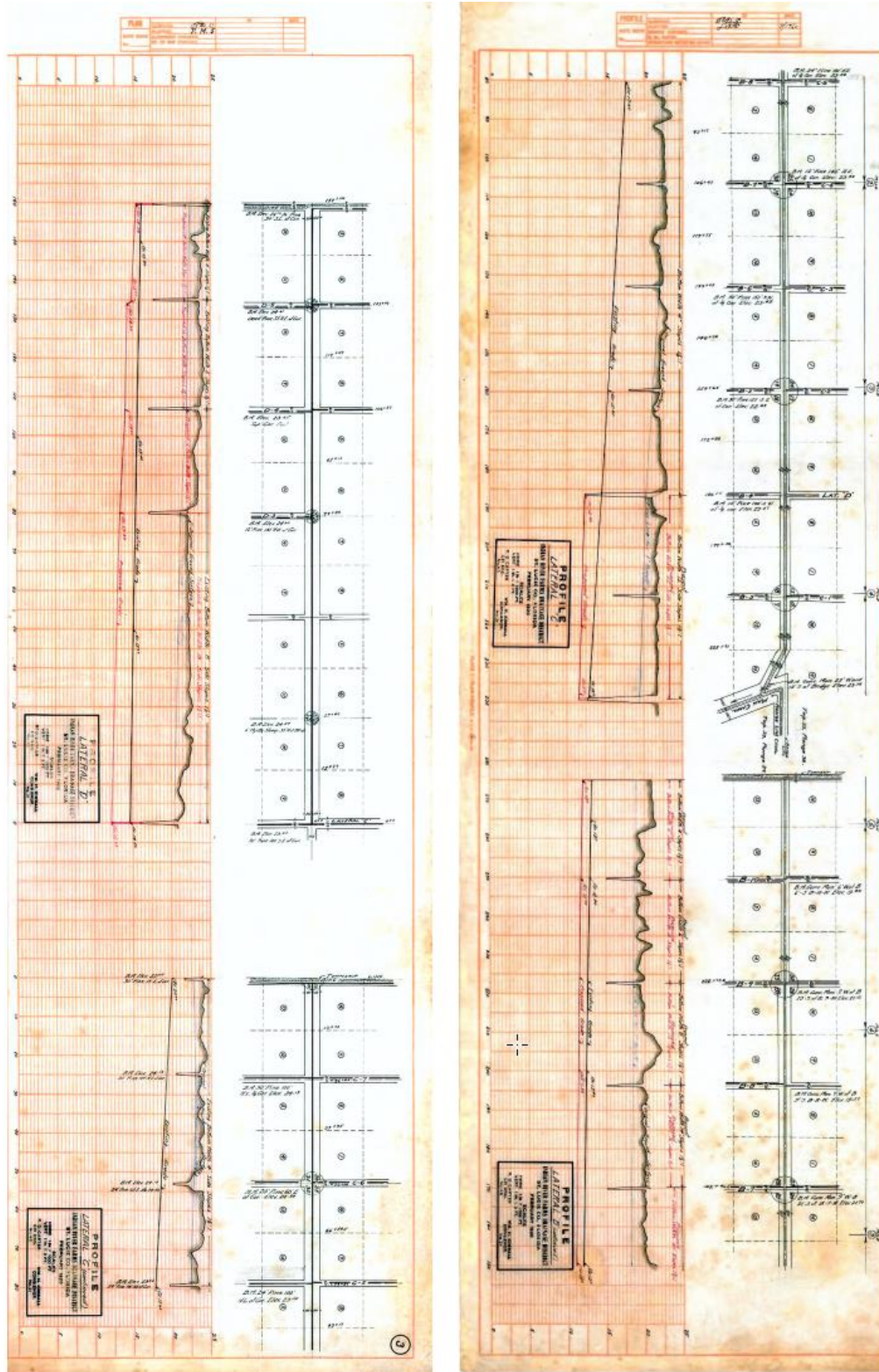
Attachment 2: Plan of Reclamation of the Main Canal



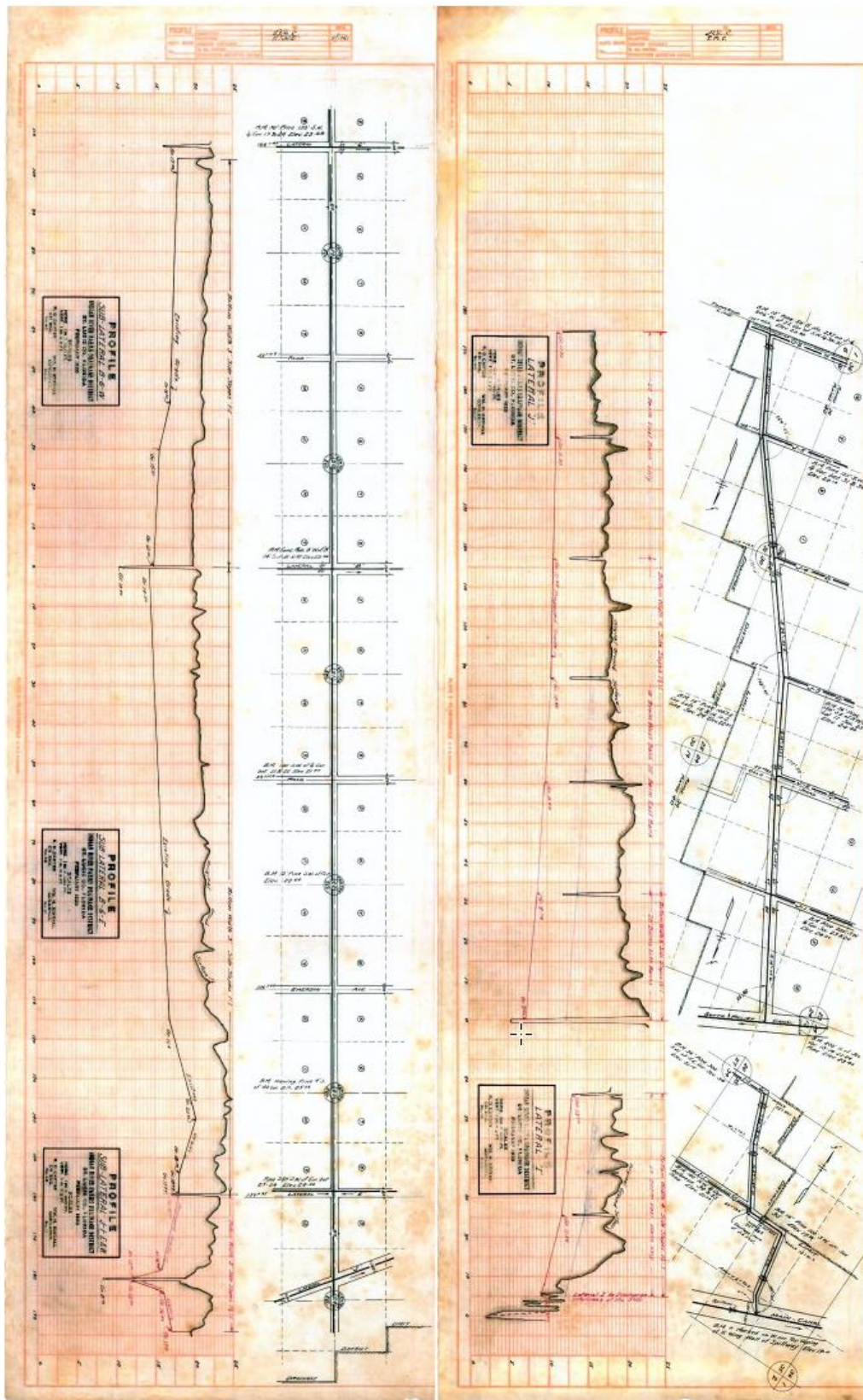
Attachment 3: Plan of Reclamation for the North Canal and South Canal



Attachment 4: Plan of Reclamation for the Lateral C and Lateral D Canals



Attachment 5: Plan of Reclamation for the Lateral J and Sub-Lateral J-1-w Canals



Attachment 6: Habitat Assessment Scores for WBIDs 3147, 3153A, and 3158

WBID	Waterbody Name	Station ID	Station Description	Date	Total HA Score	Result
3147	North Canal	21FLCEN 27020010	NORTH RELIEF CANAL AT U.S. HWY. 1 ECJ 10	11/5/2008	60	Marginal
3147	North Canal	21FLCEN 27020010	NORTH RELIEF CANAL AT U.S. HWY. 1 ECJ 10	3/25/2008	67	Marginal
3147	North Canal	21FLGW 41308	Z3-CN-6018 UNNAMED CANAL	2/21/2012	84	Suboptimal
3147	North Canal	21FLWPB G5SE0043	North Canal @US1	6/26/2017	62	Marginal
3147	North Canal	21FLWPB G5SE0043	North Canal @US1	10/31/2016	49	Marginal
3147	North Canal	21FLWPB G5SE0043	North Canal @US1	7/27/2016	49	Marginal
3147	North Canal	21FLWPB G5SE0069	Vero North Canal @ 66th Ave	2/5/2020	22	Poor
3153A	Main Canal	21FLGW 44910	Z3-CN-8006 Main canal	2/12/2014	60	Marginal
3153A	Main Canal	21FLWPB G5SE0067	Lateral C canal north of 8th St.	2/5/2020	33	Poor
3158	South Canal	21FLGW 46465	Z3-CN-9004 VERO CANAL	2/10/2015	72	Marginal
3158	South Canal	21FLWPB G5SE0044	South relief canal @ US1	7/27/2016	36	Poor
3158	South Canal	21FLWPB G5SE0068	Lateral J canal near Oslo Rd.	2/5/2020	22	Poor