

A work in progress



SUN PHOTO BY GREG MARTIN

The slow-moving waters of Prairie Creek this spring form a reflection pool. Even though the creek's nutrient levels have declined, the Environmental Protection Agency has mandated reductions because oxygen levels are still inadequate for its class.

Improved Prairie Creek still triggers EPA limit

By **GREG MARTIN**

STAFF WRITER

PUNTA GORDA — Prairie Creek could serve as an example of what can be accomplished when citrus growers, ranchers and other watershed stakeholders work together with environmental regulators to reduce nutrient pollution.

The stakeholders implemented a plan with funding from the Southwest Florida Water Management District to reduce excessive mineral loads from

irrigation runoff, and wound up reducing nutrient levels in the bargain, according to Lisa Beever, executive director of the Charlotte Harbor National Estuary Program.

Despite those improvements, Prairie Creek now faces stricter pollution limits under Total Maximum Daily Loads set by the U.S. Environmental Protection Agency on March 20. The TMDLs mandate steep reductions in nitrogen, phosphorus and a "bio-chemical

demand for oxygen" measurement.

As the creek winds its way through a looming maze of rules associated with the implementation of the TMDLs, it likely will also serve to illustrate how Florida's water quality rules are rife with loopholes and subject to changes based on political whims, according to Linda Young, Director of the Clean Water Network of Florida.

Over the past few decades, Young has filed a number of

lawsuits over what she considers Florida's "systematic" effort to avoid protecting the state's waters. She cites as one example a pending DEP movement to ease the state's standard for the level of dissolved oxygen in such waters as Prairie Creek.

If that standard gets eased, industries will be allowed to discharge more nutrients, because the nutrients are limited to keep algae blooms from depleting oxygen levels, Young said.

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"It's extremely disheartening because nutrient pollution is our biggest pollution problem in Florida and to allow it to continue into the future is just a huge mistake," she said.

Beever declined to comment on the pitfalls of government regulation.

"I think the real story here with Prairie Creek is that it shows waters can

be improved, even in the context of more intensive land use, when parties work together in partnerships," she said.

She cited the pact between watershed property owners and the Southwest Florida Water Management District over Prairie, Shell and Joshua creeks in 2004. The pact was called the Reasonable Assurance Agreement.

The agreement called for citrus growers and ranchers to back-plug wells so they wouldn't

draw such poor quality water. Also, the growers dug retention ponds and ditches to recirculate their irrigation water. That kept the nutrient-laden water from seeping into the creeks.

The phosphorus and nitrogen levels declined significantly to the point Prairie Creek now meets state standards for nutrients, said Beever.

Prairie Creek saw its dissolved oxygen levels improve. But, the oxygen levels still fall short of the

state standard.

The NEP in February cited those improvements in a letter to the EPA recommending the agency adopt no new limits for nutrient pollution and oxygen levels.

"Prairie Creek is a real success story," Beever wrote in her letter to James Giattina, director of the water protection division at the EPA. "Although the Reasonable Assurance documentation addresses chloride, conductance and dissolved solids im-

pairments, the remedies seem to have reduced nutrient levels and improved dissolved oxygen."

The EPA, however, concluded dissolved oxygen level impairment should trigger the setting of a TMDL. The EPA's TMDL calls for the oxygen depletion rate to be reduced 65 percent, the phosphorus level 45 percent and the nitrogen level 78 percent.

To reduce pollution discharges into the creek, the state will likely require

a major discharge permit holder to upgrade discharge retention systems when the permit comes up for renewal, according to Dee Ann Miller, DEP spokeswoman.

Young was asked to comment on the cooperative effort to improve Prairie Creek.

"If they have done things that have actually reduced nutrients, that's fabulous and that's how it is supposed to be working," she said.

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"We had such a good year last year, there was no way I was going to miss it this year," Sparr said.

Denise Henry, another

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Mary Sparr. (Front row, left) Captain Alice Walker.

in Punta Gorda's 2nd annual Saturday prepare to practice. (Back row, left) Marilyn Akers, Amy Childress, Janice Teekell, (right) Marilyn Gault, Gerri Church and team