

St. Johns RIVERKEEPER is a 501 (c) 3, nonprofit advocacy organization. Our mission is to be an independent voice that defends, advocates, and activates others to protect and restore the St. Johns River. Responses to this survey will be made public to our members and supporters.



## St. Johns RIVERKEEPER Candidate Survey November 2018

Responses to this survey will be posted on our website at [www.stjohnsriverkeeper.org](http://www.stjohnsriverkeeper.org) and shared with over 20,000 members, followers and supporters throughout the state of Florida.

### **Threats to the River's Health**

The health of the St. Johns River is threatened by many activities and problems, including:

- Pollution from excessive nutrients that cause toxic algal blooms, including fertilizers, stormwater runoff, municipal wastewater, septic tanks, sewage sludge (aka biosolids), industrial discharges, and agriculture;
- Fecal bacteria pollution from failing septic tanks, leaking sewage pipes, sanitary sewer overflows (SSO's), and animal waste;
- Over-pumping from the aquifer and reduced spring flows;
- Sedimentation from construction-site runoff that degrades water quality and the health of creeks and tributaries;
- Sea level rise that increases saltwater intrusion, water levels, and storm surge, and projects like dredging that will exacerbate these problems without mitigation;
- Loss of wetlands, springsheds, aquifer recharge areas, and other environmentally-sensitive lands due to rapid growth and development and lack of funding appropriated for acquisition;
- Elimination or weakening of environmental rules and regulations and lack of enforcement by state agencies for wastewater discharge and other permit violations.

### ***1. What do you consider to be the biggest threats to the health of the St. Johns River and its watershed and, if elected, what will you do to address these problems?***

Frankly, I feel that the level of apathy, spurred by lack of understanding, is our biggest enemy. That prevents widespread demand for political attention and budgetary priority needed to monitor and control the condition of our waters. When elected, I will file / co-sponsor bills to ensure "Amendment 1" funds are used appropriately, to conserve our lands and waters, including the SJR and regional impaired waters, and – importantly -- to condition those funds on such locally implemented measures as creating local revenue (to match) and new septic tank moratoriums within (X) feet of (channels leading to) impaired waters. This caveat pushes the conversation into public discourse where necessary information exchange, deliberation, and stakeholder decisions come into play; and as communities (to include local businesses and industries) develop a sense of ownership of the solutions, there will be more local transparency and accountability to ensure maximum effects of funds. This inherent stream of consideration will develop in our education system and create more aware, responsible citizens.

1

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## **Pollution**

Unfortunately, the St. Johns River and its tributaries are receiving too much nitrogen and phosphorous from failing septic tanks, stormwater runoff, fertilizers, wastewater treatment plants, industrial discharges, and sewage sludge.

Excessive nutrients feed uncontrolled algal blooms that deplete oxygen in the water needed by fish, reduce light that is essential to submerged aquatic vegetation (SAVs), and threaten the health of both humans and aquatic life by emitting toxins. Toxic algal blooms and pollution also hurt businesses (marinas, kayak outfitters, fishing guides, realtors, boat dealers, restaurants, hotels, etc.), cost jobs, reduce property values and our tax base, and diminish recreational opportunities.

Potential policy solutions include: Increase awareness about proper use and application of fertilizers, increase funding to remove failing septic tanks, implement septic tank inspection program, increase enforcement actions on utilities for frequent sewage spills and permit violations, and prohibiting use of sewage sludge near waterbodies

### ***2. What do you see as the most effective and necessary steps to protect the St. Johns from nutrient pollution and prevent algae blooms?***

In addition to my answer above, there must be better enforcement mandates in legislation. The Florida Department of Environmental Protection, Water Management Districts, Department of Health, and other agencies with a clear mission to protect and promote the public interest should never (again) be led or staffed by those with contrary objectives. I would love to see an extension of Fla. Stat. § 839.24, Penalty for failure to perform duty required of officer, apply to all public officials and employees charged with the public trust and confidence to protect our environment. (Currently, this criminal statute applies only to officers in the judicial system.) With this as a continuing deterrent, there may finally be sufficient counterforce against the cozy relationships district managers and agency officials have with corporations and contractors that benefit from (quickly) permitting unhealthy amounts of nutrients and toxins into our waters. The evidence to prosecute will be peer-reviewed science.

Outside of that measure, I believe the Florida Legislature has a role in returning much-needed home rule authority back to local government, so they can respectively manage threats to their environment; this will include control measures on (permitting) new septic tanks, fertilizer/herbicide/insecticide use, single-use/micro plastics and Styrofoam, recycle/compost management, smart growth plans, etc. I believe there is also more room for discussion on immediate and long-term environmental impacts of SJRWMD decisions such as Consumptive Use Permits, to include affected municipalities and other stakeholders.

Tallahassee can and should also ensure more integrity in a few critical processes like purpose-based trust funds, ready-availability of public records upon request, providing as much (comprehensible) real-time information online as possible, and other measures that will directly enable full transparency and effective accountability of whether/to what extent Florida and her water managers are complying with the spirit and intent of established law.

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## **Septic Tanks**

Thirty percent of the people in Florida rely on an estimated 2.6 million septic tanks for their wastewater disposal.

Thousands of these septic tanks are failing or malfunctioning, allowing bacteria, nitrogen, and other contaminants (pharmaceuticals, hormones, etc.) to leach into our waterways. While the 2017 Water Bill did provide programs and funding to remove some failing and poorly located septic tanks, more funding is needed and little is being done to curb the high volume of new septic tanks permits that are issued every day by county health departments. Developers of new subdivisions and single family homes are often not required or provided incentives to connect to existing water lines, or develop in areas where wastewater infrastructure already exists.

### ***3. Would you support more funding for septic tank remediation and/or policies that protect waterways and sensitive lands by placing more stringent permit requirements on new septic tanks?***

Absolutely. This is, in fact, a major reason I decided to run for a State office. Florida's Department of Environmental Protection, Department of Health, and its water management districts have been failing the public interest by deferring to the profit interests of developers, builders, and realtors. Each of those industries DO have a place in the preservation and SMART growth of our State's identity, but there must be procedural balance and integrity in how we get there. Septic tanks have been known for years to be causing eutrophication, and yet our policies remain pro-pollution. In Brevard County, the Commission responsibly enacted a temporary moratorium of new septic tanks, though it remains to be seen whether there will be critical follow-through (or if it was done to placate environmentalists). Every level of government entrusted to protect Florida's waters has a clear duty to do so effectively, efficiently, and economically. By continuing to allow new septic tanks that are certain to leach harmful nutrients into our already impaired waters, that are certain to require additional taxpayer funds to convert or replace, that is called dereliction of duty in my world.

### ***4. Would you support a septic tank inspection program and requirements to properly maintain and repair septic tanks, when necessary? If not, please explain your answer.***

From the State perspective: Perhaps, as a tiered approach to septic tanks that are affecting waters not-yet impaired by eutrophication. In areas that ARE known to be contributing to impaired waters, my position would be to presume harm and plan for upgrades / hooking up to an advanced wastewater treatment facility as soon as practicable. Therefore, I would not be in favor of using state money for inspection programs outside the property owner's existing duty to maintain/repair.

From the local government's perspective: I'd want the home rule authority necessary to enact effective ordinances and code enforcement measures to ensure that residents found to be leaking raw waste into the groundwater system are held accountable and/or given reasonable opportunity/assistance to correct things. In such endeavor, the State should assist with monitoring funds and delegation of such authority to local governments.

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## **Wetlands**

Since the early 1900's, Florida has lost nearly 44% of its original wetlands. Yet, thousands of acres of wetlands continue to be destroyed each year throughout the state. Wetlands are critical for water quality, fish and wildlife habitat, groundwater recharge, storm and flood protection, and filters for our waterways. A 2015 University of North Florida economic study of the Lower St. Johns River found that "wetlands result in almost \$3 billion dollars in savings for flood prevention or \$15,000 for each residence within the flood zone, and the wetlands provide an economic value for nutrient removal that exceeds \$400 million/year for Nitrogen and \$5.3 million /year for Phosphorous."

- 5. Which statement best describes your perceptions of our current wetland protections?**
- a. **Current rules and regulations are sufficient to adequately protect wetlands.**
  - b. **Current rules and regulations are not sufficient to adequately protect wetlands and need to be strengthened or improved.**
  - c. **Current rules and regulations are excessive and need to be curtailed.**
  - d. **Current rules and regulations are sufficient but are burdensome to businesses and need to be curtailed in order to stimulate job growth.**

## **Water Conservation and Supply**

The State of Florida is already reaching the sustainable limits of its predominant source of water, the Floridan Aquifer. Current water supply plans are looking to draw on surface water from our rivers and lakes in order to meet future demand. The St. Johns River Water Management District has developed plans to withdraw up to 160 million gallons of surface water a day from the St. Johns River. Removing millions of gallons a day from the flow of the river or its tributaries, such as Black Creek and the Ocklawaha River, will worsen existing pollution problems, increase salinity levels, and adversely impact the fisheries, wildlife, and submerged vegetation in and along the St. Johns. We are committed to preventing withdrawals and advocating for more sensible solutions, such as water conservation and the reuse of reclaimed water. Some of the proven conservation strategies include, tiered utility rates, incentives for the purchase of water-efficient plumbing fixtures and appliances, incentives for water-efficient landscaping and building practices, water audits, mobile irrigation labs, Consumptive Use Permit fees based on the quantity of water used, and building codes that require water-efficient fixtures and irrigation systems.

- 6. What will you do to demonstrate leadership on water conservation to ensure that proven reuse and conservation strategies are implemented and water is conserved and more efficiently utilized in Florida?**

To demonstrate leadership, I will take two important steps upon being elected to office:

- 1) Coordinate an all-call listening event for experts, advocates, and stakeholders, which may or may not coincide with a similar event focused on Florida's strategic plan for climate change. I will invite my colleagues in the State Legislature and agency heads, along with local government officials. We will get down to the ground truth of what is going on and what needs to happen if we want X, Y, Z in our collective future. These listening events are the best way

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forward for “politicians” to immunize themselves from the financial/political pressures of big-money interests, as they will be presented with clear and convincing evidence of the responsible way forward. Keep everything in the sunshine and let science and the voice of the People lead the way.

- 2) Ideally, the substance of the “ideal bill” will be worked out from such an event and I will work with my colleagues across the aisle (who genuinely love Florida) for successful outcomes in the next Legislative Session. It’s time we stop deferring to the controlling “party leadership” to hijack Florida’s future and take control of these critical matters ourselves. Opening the process to the public eye with full transparency and effective (political) accountability is the way forward.

**7. *Currently, Consumptive Use Permits (CUPs) do not include a fee based on the quantity of water used by the applicant. Would you support a fee on water withdrawn from the aquifer?***

Absolutely, yes. When I learned of this practice a couple years ago, I was shocked that it was not only happening but continuing to happen in these days of visible harm due to volume/flow issues and nutrient concentrations (especially regarding the springs).

### **Springs Protection**

Florida’s springs are unique and iconic natural treasures of our state, with a greater concentration of springs in Florida than in any other region of the world. More than 100 springs are located within the St. Johns River watershed providing approximately 30% of the flow. Unfortunately, many of our springs are in serious decline due to encroaching development, agricultural and urban runoff, groundwater pollution, failing septic tanks, and the reduction in levels of our underground aquifers.

As a result, many springs have experienced significant decreases in flow, water clarity, and fish biomass with alarming increases in nitrate levels and algal blooms. Silver Springs, a National Natural Landmark, is a perfect example of the tragic situation that is taking place. Discharge rates have declined from a historic average of about 824 cubic feet per second (cfs) to 465 cfs in 2017, which is a 43% reduction in flow since 1955. Fish biomass has decreased by 92%. Nitrates have increased from an average background level of less than 0.05 milligrams per liter (mg/l) to an average above 1 mg/l which represents about a 20- fold increase.

One of the major contributors to a decline in the health of Silver Springs is the existence of the Kirkpatrick Dam or Rodman Pool on the Ocklawaha River. The Dam has flooded more than 7,500 acres of forested wetlands, 16 miles of river and at least 20 springs. It also blocks passageway for migratory fish and manatees that historically wintered at Silver Springs.

**8. *What kinds of measures would you support to protect our springs and springsheds?***

I grew up a stone’s throw from Wekiwa Springs State Park, so this issue is personal to me. I understand that much of our “brilliant” development strategies have directly caused rippling harm and

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suppressed flows in our springs systems. In again hearing what I've learned thus far, I'd expect that the role of our State Legislature to be ensuring sufficient laws, policies, and codes are implemented to fix what we've damaged and to ensure such oversight never happens again. Much of our issues stem from being beholden or overly deferent to developers' profit interests, at the expense of such fragile ecosystems. It's time to turn the tide and restore balance between business and our collective interests in finding "paradise" once again. All decisions must be fully transparent and effectively accountable to the public interest, which goes back to my "Good Government" issue platform.

**9. Would you support breaching the Kirkpatrick Dam and restoring natural flow to the St. Johns, Ocklawaha, and Silver rivers? Why or why not?**

Yes. Dr Katie Tripp (running for FL House D25) explained this in a recent talk she gave last week: how the pressure built up by the dam is in effect suppressing (stopping?) the natural flow of our springs, with compound detriment. I do not believe this was an intended consequence, so I absolutely support corrective measures to restore flow.

**Resiliency**

It is estimated that 28% of Florida's total assets are located within the 100-year floodplain, or \$714 billion. Climate scientists are predicting slower, wetter and more intense storms, further increasing the risk to low-lying communities in the state. When widespread flooding occurs, water can infiltrate pipes causing sewer systems to back up and sewage to be discharged into nearby streets and waterways. Over 28 million gallons of wastewater spilled across Florida in the wake of Hurricane Irma. For septic tank users, rising groundwater levels prevent proper drainage, causing them to back up and overflow. Blooms that can be toxic to fish, wildlife, and humans can grow. Flood waters also often flush chemicals and contaminants from roads, parking lots and industrial and hazardous waste sites into surrounding neighborhoods and our river, creating additional health hazards.

**10. What policies or programs would you support that aim to protect our communities from rising waters?**

First, we have to stop permitting new development in such areas. They are an inherent waste to future funds – which may or may not even exist. To intentionally shift the burden onto our kids or grandkids so we can "build wherever we want to" is irresponsible. Smart growth, however, with sufficient upgrades and structural considerations, could be permitted after close, science-based analysis. While there should be clear guidance on this from the State, again, I believe that the local governments should have the proper authority to plan and implement necessary measures on this issue.

Regarding the protection of today's communities, it's simply a race against time. When funds are made available (as described above), all renovations and upgrades must meet these foreseeable requirements of resilient infrastructure – especially wastewater management systems. All local governments should develop a comprehensive risk assessment and mitigation plan while collaborating and cooperating with the State in doing the same. In addition to the scientists and engineers, the insurance industry, tourism, development, building/construction, real estate, and similar industries must be strategic partners in the way forward.

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## **Growth Management**

Growth management policies and programs that influence new development in order to promote sustainable communities and protect our environment have been cut or weakened in the last eight years. Incentives and requirements for redevelopment, green infrastructure, and low impact development are often not strong enough or do not exist in many communities. Unsustainable growth and the development of environmentally-sensitive regions of our state impacts water quality through wetland loss and stormwater runoff, makes us more vulnerable to storms and flooding, fragments wildlife corridors and destroys habitat, and requires costly new roads, infrastructure and services that some municipalities may not be able to adequately provide for its residents.

### ***11. Do you support growth management policies that promote, encourage, or require sustainable development practices? If so, please describe the type of policies that you think are necessary to better manage growth in our state and more effectively protect our waterways and natural resources.***

Yes! I have ideas, which I'll describe here, but my intent is to have a thorough look at the efforts and successes (or failures) of similarly situated cities, states, and nations. There's no reason to pay millions to reinvent the wheel when the answers are already here. That said, I believe that there can be a reasonable incentive program that rewards developers to go above and beyond (the increasing but yet insufficient) codes and requirements in order to make us safer and healthier as communities. We should start growing up (not out) – i.e., no more sprawl. We should prepare for hotter weather and more severe storms; perhaps explore hyperlocal and/or indoor farming to ensure our food supplies reach our communities in time. We must preserve critical lands that protect our interests on many levels and different ways (ex. naturally filtering our drinking water supply, natural shores protecting our structures, sufficient buffer area for maintaining good water conditions in quality and quantity, etc.). We must move people with public mass transit systems and provide incentives for electric vehicles and renewable energy. We must shift our cultural mindset in how we manage our trash – local composting facilities, local plastic deposit machines, etc. This goes back to how important it is we invest in Research and Development in our universities for such "green tech" to control human impact; and as it goes hand-in-hand with off-planet habitation, such investment should also reach (aero)space and health tech R&D. (This would lead to spin-off businesses, more tech jobs, etc.)

In the end, we must move toward a sustainable future where we depend on the sun, the tides, the rain, and the natural flow of our waters – minus the nastiness of human impact – to have safe, healthy, and thriving communities.

## **Conservation Land**

A huge majority – over 75 percent – of Florida voters approved the Water and Land Conservation Amendment to the Florida Constitution in November 2014. The title was clear: "Dedicates funds to acquire and restore Florida conservation and recreation lands." The amendment requires that 33 percent of the proceeds from the already existing real estate documentary-stamp taxes go for land acquisition. A judge ruled in June 2018 that the state legislature to date has failed to appropriately allocate these funds based on the voter intent and the language of the State Constitution.

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**12. Do you think the Florida Legislature has properly and sufficiently allocated funds from the real estate documentary-stamp tax for land acquisition? What expenses do you think are appropriate for the use of these dedicated funds and what type of land conservation projects do you think should be prioritized by the state?**

The FL Legislature has been a big failure, which is I'm running for State office. Recent allocations are still a fraction of what the State used to prioritize for these important issues. I believe that these funds should be spent on what it was originally purposed; and as it applies to restoration of impaired waters, it should maintain its standards if not increase them to not be simply granted away. I'm a believer in conditioning funds on the recipients' demonstration of "putting skin in the game" and increasing their own standards and measures of transparency and accountability. For example, funds should be cost-shared (outside of emergent circumstances) to increase the Return on Investment of these funds for all concerned. Local governments should have moratoriums or bans on permitting new but sub-par (<65% nitrogen filtration) septic systems within a certain distance from (channels to) impaired waters. And/or, that sufficient monitoring, noticing, and enforcement measures are in place to stop all other forms of pollution or practices harmful to our lands/waters.

In my opinion, I believe the State should prioritize projects by effects on human health, regional economies and the dire nature of the circumstances. For example, where regions depend greatly on tourism, property values, etc., the contributing factors of their situation should be considered accordingly.

Frankly, I'd love to see the State Attorney General file suit against polluters to help fund these projects that taxpayers are having to clean up due to their historic negligence or intentional disregard for established laws – regardless of various administrations' lackadaisical enforcement postures. If there's a duty to not pollute/cause harm, and you pollute/cause harm, you pay for damages. That's how it works; or should work. Paying off law enforcement should not shield you from liability.