

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In re:

OGC No(s) : 10-0615 – 10-0637
10-0639 – 10-0685

2010 AMENDMENTS TO THE VERIFIED
LIST OF IMPAIRED WATERS
FOR THE GROUP 1, 2 AND 5 BASINS.

**ORDER AMENDING VERIFIED LISTS OF IMPAIRED WATERS FOR GROUP
1, 2 AND 5 BASINS.**

Pursuant to Section 403.067(4), Fla. Stat., and Chapter 62-303, Florida Administrative Code (F.A.C.), the Department of Environmental Protection (Department) adopts amendments to the previously adopted verified list of impaired waters for the Group 1, 2 and 5 basins for which Total Maximum Daily Loads (TMDLs) shall be established. Changes are being made to the following areas within the Group 1 basins: Lake Okeechobee, Everglades West Coast, St. Marks-Ochlockonee River, Tampa Bay, Ocklawaha, and Suwannee. Amended Group 2 basins include: Apalachicola-Chipola, Tampa Bay Tributaries, Charlotte Harbor, Lower St. Johns River, and Middle St. Johns River. For the Group 5 basins, changes will be made to the Everglades, Indian River Lagoon, and Upper East Coast.

These changes will be submitted to the United States Environmental Protection Agency (EPA) as part of the Department's 2010 submission, pursuant to Section 303(d) of the federal Clean Water Act, and shall serve to further amend the federally approved Section 303(d) statewide list of Florida waters maintained by EPA ("303(d) List"). This Order amends the previously adopted Verified List for those Group 1, Group 2, and Group 5 basin waters that were previously adopted on May 19, 2009.

This order addresses necessary changes to Group 1, 2 and 5 assessments in response to EPA's review. These revisions include removing waters from a previously adopted verified list, removing waters from a list of waters that were delisted, and adding some waters to the Group 1 and Group 5 verified lists. These changes were made according to Chapter 62-303, F.A.C., and pursuant to Section 403.067(4), Fla. Stat. and will be submitted to EPA with the intent of amending Florida's 303(d) List.

Changes to assessments for waters within the Group 1, 2, and 5 basins are set forth in Exhibits 1, 2 and 3, attached hereto and incorporated herein. Exhibit 1 is entitled 2010 WATERS TO BE REMOVED FROM PREVIOUSLY ADOPTED DELIST LISTS. Exhibit 2 is entitled WATERS TO BE REMOVED FROM PREVIOUSLY ADOPTED VERIFIED LISTS and Exhibit 3 is entitled WATERS TO BE ADDED TO THE GROUP 1 AND 5 VERIFIED LISTS adopted on May 19, 2009.

Requests For Hearings

Persons whose substantial interests are affected by this order have a right to petition for an administrative hearing to contest this order pursuant to Sections 120.569 and 120.57, Fla. Stat. The Petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000, within 21 days of the date of receipt of this order. Failure to file a petition within 21 days of the date of receipt of this order constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Fla. Stat.

Extensions of Time

The Department may, for good cause shown, grant a request for an extension of time for filing a petition. Requests for extension of time must be filed with the Department prior to the applicable deadline. Such requests for extensions of time shall

contain a certificate that the moving party has consulted with all other parties, if any, concerning the extension and whether any other parties agree to the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Contesting The Listing Of A Water Segment

A person whose substantial interest has been affected by the Department's listing of a water segment on the list of amendments must file a petition as directed herein using OGC number listed for that particular water segment.

Contents of Petition for Hearing

The petition shall contain the following information: (a) the name, address, and telephone number of each petitioner; the Department's identification number (OGC number) for the water segment and the county in which the subject matter or activity is located; (b) a statement of how and when each petitioner received notice of this order; (c) a statement of how each petitioner's substantial interests are affected by this order; (d) a statement of the material facts disputed by petitioner, if any; (e) a statement of facts which petitioner contends warrant reversal or modification of this order; (f) a statement of which rules or statutes petitioner contends require reversal or modification of this order; (g) a statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to this order.

Intervention As Party to Proceedings

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject order have the right to petition to become a party to the proceeding. The petition must conform to the

requirements specified above and be filed (received) within 21 days of receipt of this order in the Department's Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Fla. Stat., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, F.A.C.

Mediation

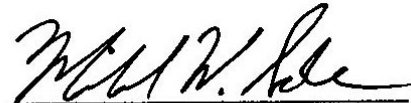
Mediation is not available.

Judicial Review

This order is final agency action unless a person who is substantially affected by the Department's proposed agency action timely requests a hearing under Sections 120.569 and 120.57, Fla. Stat. A party who is adversely affected by this order has the right to seek judicial review under Section 120.68, Fla. Stat., by filing a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of the General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this order is filed with the clerk of the Department.

DONE AND ORDERED this 15th day of January, 2010, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Michael W. Sole
Secretary

Marjorie Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

FILED ON THIS DATE PURSUANT TO § 120.52,
FLORIDA STATUTES, WITH THE DESIGNATED
DEPARTMENT CLERK, RECEIPT OF WHICH IS
HEREBY ACKNOWLEDGED.



Seal Crandall
CLERK



1/19/10
DATE

Exhibit 1

2010 WATERS TO BE REMOVED FROM PREVIOUSLY
ADOPTED DELIST LISTS

Waters Being Removed from Previously Adopted Delist lists - Basin Groups 1, 2, and 5

OGC Case Number	Basin Group	Planning Unit	WBID	Water Segment Name	Waterbody Type	Waterbody Class ¹	1998 303(d) Param. Of Concern	Parameters Assessed Using the Impaired Surface Waters Rule (IWR)	Dissolved Oxygen/Nutrient/Biology Pollutant of Concern	DO / Nutrient / Biology - TN, TP, BOD median Values (mg/L) ²	Concentration of Criterion or Threshold <u>Not</u> Met	Previous EPA Integrated Report Category † - Cycle 1 Assessment ⁴	Current EPA Integrated Report Category † - Cycle 2 Assessment ⁵	Current Integrated Category - Final Assessment	Current Assessment Status	Priority for TMDL Development ⁶	Planning Period (# of Exceedances/ # of Samples) ⁷	Verified Period (# of Exceedances/ # of Samples) ⁸	Comments	Action
10-0615	Group 1 - Everglades West Coast	Southwest Coast	8065	Southwest Coast Gulf 5	Coastal	3M		Bacteria (in shellfish)			Exceeds Shellfish Evaluation & Assessment Section (SEAS) thresholds	5	5	5	Impaired	Low	N/A	N/A	Listed on Cycle 1 Verified List based on change in shellfish harvesting classification (Downgraded from approved to conditional). Current classification effective as of September 28, 2004 Conditionally Approved, so therefore it remains on the Verified list as impaired. This WBID is meant to include shellfish downgrades for the Ten Thousand Islands shellfish harvesting area. Although this listing also appears on the delist, this is an error. It is not meant to be delisted and will be removed from the cycle 2 Delist list in Jan. 2010.	Remove from Group 1 Cycle 2 Delist List
10-0622	Group 1 - Ocklawaha	Orange Creek	2695	Little Hatchet Creek	Stream	3F		Dissolved Oxygen		TN = 0.27 (n=194), TP = 0.85 (n=191), BOD = 0.7 (n=48)	≥ 5.0 mg/L	5	4d	4d	No Causative Pollutant		44/181	42/176	DO met the verification threshold, but a causative pollutant could not be determined. It was initially thought to be due to natural conditions, but after further review category 4d was determined to be more appropriate. This waterbody will be included on the 303(d) list based on the cycle 1 assessment.	Remove from Group 1 Cycle 2 Delist List
10-0623	Group 1 - St. Marks / Ochlockonee River	Sopchoppy River	1248C	Ochlockonee Bay	Stream	2		Fecal Coliform (3)			median < 14 MPN/100mL	2	2	2	Not Impaired		9/102	6/54	Although the waterbody does not exceed the criterion of a median >14 MPN/100mL (62-303.370(4)), it does exceed the 43 MPN/100mL criterion; therefore the waterbody should not have been delisted for this element of the fecal coliform parameter and will remain on the 303(d) list. Some data were removed because it did not meet QA/QC requirements.	Remove from Group 1 Cycle 2 Delist List
10-0624	Group 1 - St. Marks / Ochlockonee River	St. Marks River	628	Black Creek	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN=0.604 (n=47), TP=0.0615 (n=28), BOD= 2 (n=40)	≥ 5.0 mg/L		4d	4d	No Causative Pollutant		26/55	12/46	DO met verification threshold of IWR, but a causative pollutant could not be determined. It was initially thought to be due to natural conditions, but after further review category 4d was determined to be more appropriate. This waterbody will be included on the 303(d) list.	Remove from Group 1 Cycle 2 Delist List
10-0625	Group 1 - St. Marks / Ochlockonee River	Lake Lafayette	756	Lake Lafayette Drain	Stream	3F	Fecal Coliform	Fecal Coliform			≥ 5.0 mg/L		4d	4d	No Causative Pollutant		3/23	1/16	FDEP drafted a TMDL in 2003 and EPA used this TMDL to help establish their TMDL on 10/31/2006. This waterbody was mistakenly adopted on the G2 Delist list based on only 1 of 16 samples exceeding the criterion; however that is insufficient to delist and EPA established a TMDL on 10/31/2006. It will remain on the 303(d) list pursuant to 62-303.300(2) and more data will be collected.	Remove from Group 1 Cycle 2 Delist List

Waters Being Removed from Previously Adopted Delist lists - Basin Groups 1, 2, and 5

10-0626	Group 1 - St. Marks / Ochlockonee River	Lake Jackson	809	Megginnis Arm Run	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN=0.4705 (n=30), TP=0.11(n=32), BOD= 2 (n=31)	≥ 5.0 mg/L		4d	4d	No Causative Pollutant		10/22	19/44	DO met verification threshold of IWR, but a causative pollutant could not be determined. It was initially thought to be due to natural conditions, but after further review category 4d was determined to be more appropriate. This waterbody will be included on the 303(d) list.	Remove from Group 1 Cycle 2 Delist List
10-0627	Group 1 - Suwannee	Upper Suwannee	3392	Roaring Creek	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN = 1.25 (n=15), TP = 0.54 (n=15), BOD = 2 (n=16)	≥ 5.0 mg/L	3c	4d	4d	No Causative Pollutant	Low	11/42	9/19	DO met verification threshold of IWR, but no causative pollutant could be identified. It was initially thought to be due to natural conditions, but after further review category 4d was determined to be more appropriate. This waterbody will be included on the 303(d) list.	Remove from Group 1 Cycle 2 Delist List
10-0628	Group 1 - Suwannee	Upper Suwannee	3401	Camp Branch	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN = 1.12 (n=44), TP = 1.1 (n=45), BOD = 0.3 (n=16)	≥ 5.0 mg/L	3c	4d	4d	No Causative Pollutant	Low	32/80	12/45	DO met verification threshold of IWR, but no causative pollutant could be identified. It was initially thought to be due to natural conditions, but after further review category 4d was determined to be more appropriate. This waterbody will be included on the 303(d) list.	Remove from Group 1 Cycle 2 Delist List
10-0629	Group 1 - Suwannee	Fenholloway	3473A	Fenholloway At Mouth	Estuary	3M	Nutrients	Nutrients (Chlorophyll-a)		TN = 2.39 (n=51), TP = 0.643 (n=51), BOD = 3.5 (n=18)	≤ 11 µg/L	3c	2	3c	Planning List		Insufficient data	1 ug/L (2006)	This WBID appeared on the Cycle 1 Delist and Verified list in error. Available chlorophyll data are below the nutrient impairment thresholds; however nutrients are the causative pollutant for the DO impairment therefore it cannot be delisted. There is also insufficient data to delist therefore it remains on the 1998 303(d) list in category 3c.	Remove from Group 1 Cycle 2 Verified List & Delist List
10-0630	Group 1 - Suwannee	Santa Fe River	3578	Fivemile Creek	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN = 1.75 (n=12), TP = 0.095 (n=12), BOD = 2 (n=14)	≥ 5.0 mg/L	3b	4d	4d	No Causative Pollutant		3/7	13/26	DO met verification threshold of IWR, however a causative pollutant could not be determined. It was initially thought to be due to natural conditions, but after further review category 4d was determined to be more appropriate. This waterbody will be included on the 303(d) list.	Remove from Group 1 Cycle 2 Delist List
10-0631	Group 1 - Suwannee	Santa Fe River	3641	Rocky Creek	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN = 1.31 (n=35), TP = 0.28 (n=39), BOD = 2 (n=17)	≥ 5.0 mg/L	3c	4d	4d	No Causative Pollutant	Low	13/17	19/26	DO met verification threshold of IWR, but no causative pollutant was identified. It was initially thought to be due to natural conditions, but after further review category 4d was determined to be more appropriate. Exploring geology to determine if elevated phosphorus is due to natural soil conditions. Landscape Development Intensity (LDI) index = 1.80, indicating that the watershed is predominantly natural (only approximately 6.65% of this WBID is comprised of anthropogenic land uses). This waterbody will be included on the 303(d) list.	Remove from Group 1 Cycle 2 Delist List

Waters Being Removed from Previously Adopted Delist lists - Basin Groups 1, 2, and 5

10-0632	Group 1 - Suwannee	Waccasassa River	3747	Little Waccasassa River	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN = 1.56 (n=11), TP = 0.072 (n=12), BOD = 2 (n=18)	≥ 5.0 mg/L	3c	4d	4d	No Causative Pollutant	Low	1/1	12/18	DO met verification threshold of IWR, but no causative pollutant could be identified. It was initially thought to be due to natural conditions, but after further review category 4d was determined to be more appropriate. Landscape Development Intensity (LDI) index = 1.52, indicating that the watershed is predominantly natural lands. This waterbody will be included on the 303(d) list.	Remove from Group 1 Cycle 2 Delist List
10-0634	Group 1 - Tampa Bay	Coastal Hillsborough Bay Tributary	1584A	Ybor City Drain	Estuary	3M	Biochemical Oxygen Demand	Dissolved Oxygen			N/A (see DO)		5	5	Impaired	High	N/A	N/A	In Cycle 1, this WBID was considered to be in the Group 2 basin, however it was later moved to the Group 1 basin. Delisting in Cycle 1 not approved by EPA because they did not agree that this waterbody was a stormwater system and not a waterbody of the State. DO is impaired, therefore this should be removed from the Group 2 Cycle 1 Delist list and added to the Group 1 Cycle 2 Verified list.	Remove from Group 2 Cycle 1 Delist List & add to Group 1 Cycle 2 Verified List
10-0635	Group 1 - Tampa Bay	Coastal Hillsborough Bay Tributary	1584A	Ybor City Drain	Estuary	3M	Chemical Oxygen Demand	Dissolved Oxygen			N/A (see DO)		5	5	Impaired	High	N/A	N/A	In Cycle 1, this WBID was considered to be in the Group 2 basin, however it was later moved to the Group 1 basin. Delisting in Cycle 1 not approved by EPA because they did not agree that this waterbody was a stormwater system and not a waterbody of the State. DO is impaired, therefore this should be removed from the Group 2 Cycle 1 Delist list and added to the Group 1 Cycle 2 Verified list.	Remove from Group 2 Cycle 1 Delist List & add to Group 1 Cycle 2 Verified List
10-0636	Group 2 - Apalachicola / Chipola River	Chattahoochee River/Lake Seminole	60	Lake Seminole	Lake	3F		Mercury (based on fish consumption advisory)			Exceeds DoH Threshold (> 0.3 mg/kg)	N/A	2	2	Not Impaired		N/A	Not Impaired	This WBID was mistakenly included on the cycle 2 Verified list and Delist list. It should not have been included on either list. It remains not impaired for this parameter.	Remove from Group 2 Cycle 2 Verified List & Delist List
10-0637	Group 2 - Charlotte Harbor	Charlotte Harbor Proper	2071	No. Prong Alligator Cr	Stream	1	Dissolved Oxygen	Dissolved Oxygen		TN = 0.64 (n=25), TP = 0.02 (n=25), BOD = 1.1 (n=24)	≥ 5.0 mg/L	3c	4d	4d	No Causative Pollutant		2/3	14/25	DO exceeds IWR threshold, but a causative pollutant is undetermined. It was initially thought to be due to natural conditions, but after further review category 4d was determined to be more appropriate. Land use Map indicates possibly over 25% urban-buildup and over 25% agriculture. The biology for this WBID is healthy with (Four SCI scores reported in 1995 Good, 1996 Excellent, 1998 Excellent, 2002 Excellent, and one biorecon in 2002 Healthy. Chl-a, TN, TP, and BOD values are low. It will be removed from the Cycle 2 Delist list.	Remove from Group 2 Cycle 2 Delist List

Waters Being Removed from Previously Adopted Delist lists - Basin Groups 1, 2, and 5

10-0642	Group 2 - Lower St. Johns River	North Mainstem Unit	2239	Strawberry Creek	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN = 1.115 (n=38), TP = 0.061 (n=38), BOD = 2 (n=36)	≥ 5.0 mg/L	4b	4d	4d	No Causative Pollutant		38/129	38/118	DO meets verification threshold and was initially determined to not be due to the discharge of pollutants and was placed in category 4c; however after further review category 4d was determined to be more appropriate. Therefore, this waterbody will remain on the 303(d) list. Based on Level 1 Land Use for 2004, anthropogenic land uses represented 77.29% of the watershed. 4B Cycle 1 assessment is equivalent to initial 4C Cycle 2 assessment. This assessment will be included on the 303(d) list and removed from the Cycle 2 Delist list.	Remove from Group 2 Cycle 2 Delist List
10-0644	Group 2 - Lower St. Johns River	Ortega River	2262A	East Cedar River (McCoys Creek)	Stream	3F	Copper	Copper			$Cu \leq e^{(0.8545[\ln H]-1.702)}$ µg/L	2	3c	3c	Planning List		3/4	2/4	Delisted in Cycle 1, however there was insufficient data to delist. Therefore this will be removed from the cycle 1 Delist list. (Cycle 1 comment: This segment is being delisted because there were sufficient data for making the planning list assessment. PP - 1/11 Not impaired; VP - 3/4 Insufficient data)	Remove from Group 2 Cycle 1 Delist List
10-0645	Group 2 - Lower St. Johns River	Ortega River	2262A	East Cedar River (McCoys Creek)	Stream	3F	Zinc	Zinc			$Zn \leq e^{(0.8473[\ln H]+0.884)}$ µg/l	2	3c	3c	Planning List		1/4	0/4	Delisted in Cycle 1, however there was insufficient data to delist. Therefore this will be removed from the cycle 1 Delist list. (Cycle 1 comment: This segment is being delisted because there were sufficient data for making the planning list assessment. PP - 1/11 Not impaired; VP - 1/4 Insufficient data)	Remove from Group 2 Cycle 1 Delist List
10-0646	Group 2 - Lower St. Johns River	Julington Creek	2351	Julington Creek	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN = 0.978 (n=93), TP = 0.084 (n=83), BOD = 2 (n=47)	≥ 5.0 mg/L	4b	4d	4d	No Causative Pollutant		70/257	44/181	Data exceed DO criterion; however, no causative pollutant could be identified. DO meets verification threshold and was initially determined to not be due to the discharge of pollutants and was placed in category 4c; however after further review category 4d was determined to be more appropriate. Therefore, this waterbody will be removed from the delist list and remain on the 303(d) list. 4B Cycle 1 assessment is equivalent to 4C Cycle 2 assessment. This assessment will be included on the 303(d) list.	Remove from Group 2 Cycle 2 Delist List
10-0647	Group 2 - Lower St. Johns River	Julington Creek	2351	Julington Creek	Stream	3F	Nutrients	Nutrients (Historic Chlorophyll-a)		TN = 0.978 (n=93), TP = 0.0839 (n=47)	≤ 11.253 µg/L	N/A	3b	3b	Insufficient data			2003 - 5.3253 µg/L; 2004 - 2.6521 µg/L; 2005 - 2.4786 µg/L; 2006 - 10.478 µg/L.	This W/BID meets the IWR requirements for delisting with annual averages for three consecutive years that do not exceed the listing threshold. However it cannot be delisted for nutrients because it is in category 4d for DO, and nutrients have not been definitively eliminated as contributing to the DO impairment. Assessment category will be 3b because biology or site-specific data are needed to validate non-impairment assessment.	Remove from Group 2 Cycle 2 Delist List

Waters Being Removed from Previously Adopted Delist lists - Basin Groups 1, 2, and 5

10-0648	Group 2 - Lower St. Johns River	Julington Creek	2356	Big Davis Creek	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN = 0.712 (n=76), TP = 0.086 (n=68), BOD = 2 (n=32)	≥ 5.0 mg/L	4b	4d	4d	No Causative Pollutant		21/128	29/115	DO meets verification threshold and was initially determined to not be due to the discharge of pollutants and was placed in category 4c; however after further review category 4d was determined to be more appropriate. Therefore, this waterbody will be removed from the delist list and remain on the 303(d) list. Based on Level 1 Land Use for 2004, anthropogenic land uses represented 10.88% of the watershed. Large area of wetlands, which have naturally low DO, feeds into the stream. 4B Cycle 1 assessment is equivalent to 4C Cycle 2 assessment. This assessment will be included on the 303(d) list.	Remove from Group 2 Cycle 2 Delist List
10-0649	Group 2 - Lower St. Johns River	Julington Creek	2356	Big Davis Creek	Stream	3F	Nutrients	Nutrients (Chlorophyll-a)		TN = 0.712 (n=76), TP = 0.086 (n=68)	≤ 20 µg/L	N/A	3b	3b	Insufficient data		2002 - 1.612 µg/L; 2003 - 1.186 µg/L; 2004 - 1.79 µg/L; 2005 - 1.284 µg/L; 2006 - 1.743 µg/L; 2007 - 10.50 µg/L		Annual averages did not exceed the 20 µg/L threshold for streams. Based on TN/TP ratios of 0.328 to 21.96 with a median of 8.3297 (n=68) over the verified period, Nitrogen is the limiting nutrient. This VBID meets the delisting threshold with annual averages for three consecutive years that do not exceed the threshold, however it is in category 4d for DO therefore nutrients cannot be delisted until it has been determined that they are not contributing to the DO impairment.	Remove from Group 2 Cycle 2 Delist List
10-0650	Group 2 - Lower St. Johns River	Sixmile Creek	2411	Sixmile Creek	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN = 1.032 (n=108), TP = 0.089 (n=114), BOD = 2 (n=98)	≥ 5.0 mg/L	4b	4d	4d	No Causative Pollutant		78/123	66/104	DO meets verification threshold and was initially determined to not be due to the discharge of pollutants and was placed in category 4c; however after further review category 4d was determined to be more appropriate. Therefore, this waterbody will remain on the 303(d) list. Based on Level 1 Land Use for 2004, anthropogenic land uses represented 9.43% of the watershed. 4B Cycle 1 assessment is equivalent to 4C Cycle 2 assessment. This assessment will be included on the 303(d) list.	Remove from Group 2 Cycle 2 Delist List
10-0651	Group 2 - Lower St. Johns River	Sixmile Creek	2411	Sixmile Creek	Stream	3F	Nutrients	Nutrients (Historic Chlorophyll-a)		TN = 1.03 (n=108), TP = 0.089 (n=114)	≤ 19.973 µg/L	N/A	3b	3b	Insufficient data		1996 - 14.43 µg/L, 1997 - 14.50 µg/L, 1998 - 16.15 µg/L, 1999 - 14.66 µg/L, 2000 - 7.934 µg/L, 2001 - 8.14 µg/L, 2002 - 4.061 µg/L, 2003 - 4.075 µg/L, 2004 - 10.93 µg/L, 2005 - 3.479 µg/L	2001 - 8.14 µg/L, 2002 - 4.061 µg/L, 2003 - 4.075 µg/L, 2004 - 10.93 µg/L, 2005 - 3.479 µg/L, 2006 - 11.17 µg/L	The historic minimum annual chlorophyll average of 13.315 µg/L was not exceeded by more than 50% for three consecutive years. Based on TN/TP ratios of 3.168 to 27.22 with a median of 11.321 (n=108) over the verified period, Nitrogen is the limiting nutrient. This VBID meets the delisting threshold with annual averages for three consecutive years that do not exceed the threshold, however it is in category 4d for DO therefore nutrients cannot be delisted until it has been determined that they are not contributing to the DO impairment. Assessment category will be 3b because biology or site-specific data are needed to validate non-impairment assessment.	Remove from Group 2 Cycle 2 Delist List

Waters Being Removed from Previously Adopted Delist lists - Basin Groups 1, 2, and 5

10-0653	Group 2 - Lower St. Johns River	Sixmile Creek	2460	Mill Creek	Stream	3F	Iron	Iron			≤ 1.0 mg/L	2	3c	3c	Planning List		0/0	8/22	Elevated iron concentrations potentially due to agricultural land use, based on analysis performed by FDEP Ground Water Protection Section. WBID will remain on Planning List until a more conclusive analysis can determine final assessment status. WBID was proposed for delisting in Cycle 1 based on administrative error, however it was not approved by EPA therefore it remains on the 303(d) list and will be removed from the Cycle 1 Delist list.	Remove from Group 2 Cycle 1 Delist List
10-0655	Group 2 - Lower St. Johns River	Crescent Lake	2630A	Little Haw Creek	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN = 1.376 (n=46), TP = 0.052 (n=48), BOD = 2 (n=14)	≥ 5.0 mg/L	4b	4d	4d	No Causative Pollutant		38/104	39/92	DO meets verification threshold and was initially determined to not be due to the discharge of pollutants and was placed in category 4c; however after further review category 4d was determined to be more appropriate. Therefore, this waterbody will be removed from the cycle 2 Delist list and remain on the 303(d) list. 4B Cycle 1 assessment is equivalent to initial 4C Cycle 2 assessment.	Remove from Group 2 Cycle 2 Delist List
10-0658	Group 2 - Middle St. Johns River	Lake Woodruff	2893Z	St. Johns River Below Lake Dexter (St. Johns River Above Lake George)	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN = 1.34 (n=160), TP = 0.074 (n=167), BOD = 2 (n=61)	≥ 5.0 mg/L	2	4d	4d	No Causative Pollutant		81/232	65/173	DO meets verification threshold and was initially determined to not be due to the discharge of pollutants and was placed in category 4c; however after further review category 4d was determined to be more appropriate. Therefore, this waterbody will be removed from the cycle 2 Delist list and remain on the 303(d) list. About 4% and 8% of the watershed are urban and agriculture land uses, respectively. The upland forest and wetlands account for about 46% and 30% of the total watershed area.	Remove from Group 2 Cycle 1 Delist List
10-0662	Group 2 - Middle St. Johns River	Wekiva River	2993	Lake Prevatt	Lake	3F	Nutrients	Nutrients (TSI)			N/A	2	3c	3c	Planning List		Annual means were 118 and 100 (1996-1997)	No data	Inappropriately proposed for delisting in cycle 1, therefore it will be removed from the cycle 1 delist list and remains on the 1998 303(d) Consent Decree List in category 3c.	Remove from Group 2 Cycle 1 Delist list
10-0680	Group 5 - Everglades	Everglades Agricultural Area	3263A	Holey Land	Stream	3F	Nutrients	Nutrients (Chlorophyll-a)		TN 2.306 (n=11), TP 0.031 (n=11), BOD - no data	≤ 20 µg/L	2	N/A	3c	Planning List			4.97 ug/L (2005)	This WBID was delisted based on administrative error and will be removed from the delist list. The annual average Chl-a values were below the IWR threshold of 20.0 µg/L in 2005 (4.97 µg/L), however a waterbody can only be delisted if there are three consecutive years of data below the threshold. Additionally, DO is impaired with total nitrogen identified as a causative pollutant. It remains on the 303(d) list in category 3c.	Remove from Group 5 Cycle 1 Delist List
10-0683	Group 5 - Indian River Lagoon	South Central Indian River Lagoon	3135	C-54 Canal	Estuary	3M		Iron			≤ 0.3 mg/L	4c	N/A	4c	TMDL Not Needed		51/98	30/60	Although iron data met the listing threshold in the Verified Period, a detailed data analysis indicated that elevated iron in this waterbody is a natural condition. This was mistakenly included on the cycle 2 Delist list. This parameter was not included on the cycle 1 Verified list or the 1998 303(d) list, therefore it does not need to be delisted.	Remove from Group 5 Cycle 1 Delist List

Waters Being Removed from Previously Adopted Delist lists - Basin Groups 1, 2, and 5

10-0684	Group 5 - Upper East Coast	Matanzas River	2493	Moultrie Creek	Stream	3M		Iron			≤ 0.3 mg/L	4c	N/A	4c	TMDL Not Needed		50/57	46/54	A document has been prepared that supports that elevated iron concentrations are a natural condition. Consequently, it has been assigned an EPA Integrated Report Category 4C. This was mistakenly included on the cycle 2 Delist list. It was not included on the cycle 1 Verified list or the 1998 303(d) list, therefore it does not need to be delisted.	Remove from Group 5 Cycle 1 Delist List
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¹ Florida's waterbody classifications are defined as:

- 1 - Potable water supplies
- 2 - Shellfish propagation or harvesting
- 3F - Recreation, propagation, and maintenance of a healthy, well-balanced population of fish and wildlife in fresh water
- 3M - Recreation, propagation, and maintenance of a healthy, well-balanced population of fish and wildlife in marine water
- 4 - Agricultural water supplies
- 5 - Navigation, utility, and industrial use

² n is equal to the number of samples. When samples are collected at the same location less than 4 days apart, the median of those results represents a single sample for the purpose of determining n.

⁴ The Cycle 1 assessment was done in 2004 and included data from that Verified Period (January 1, 1997 through June 30, 2004).

⁵ The Cycle 2 assessment is the current assessment and includes data from the Verified Period (January 1, 2002 through June 30, 2009).

¹ EPA's Integrated Report Category:

- 1 - Attains all designated uses
- 2 - Attains some designated uses and insufficient or no information or data are present to determine if remaining uses are attained
- 3A - No data and information are present to determine if any designated use is attained
- 3B - Some data and information are present but not enough to determine if any designated use is attained
- 3C - Enough data and information are present to determine that one or more designated uses may not be attained according to the Planning List methodology
- 4A - Impaired for one or more designated uses but does not require TMDL development because a TMDL has already been completed.
- 4B - Impaired for one or more designated uses but does not require TMDL development because the water will attain water quality standards due to existing or proposed measures as part of an approved Reasonable Assurance .
- 4C - Impaired for one or more criteria or designated uses but does not require TMDL development because impairment is not caused by a pollutant.
- 4D - The waterbody does not meet applicable criteria, but no pollutant can be identified; therefore a TMDL will not be developed at this time.
- 4E - Impaired, but recently completed or on-going restoration activities are underway to restore the designated uses of the waterbody.
- 5 - Water quality standards are not attained and a TMDL is required.

⁶ Where a parameter was identified as impaired, a priority of "medium" was assigned. Exceptions are waters where the impairment poses a threat to potable water or human health, which have been assigned a "high" priority, and fecal coliform impairments, which have been assigned a "low" priority. All other listings as of this cycle are prioritized based on the following: it is our intent that listings with a "High" priority be addressed within the next 5 years, listings with a "Medium" priority be addressed within 5-10 years as resources allow, and listings with a "Low" priority be addressed within the next 10 years.

⁸ **VP** - Verified Period Group 5 (January 1, 1999 through June 30, 2006), Group 1 (January 1, 2000 through June 30, 2007), Group 2 (January 1, 2001 through June 30, 2008)

* A statewide TMDL for mercury, that will address this waterbody, is scheduled to be completed in 2012.

N/A = Not Applicable, does not apply, or was not assessed in the previous cycle (i.e. it's a new WBID, waterbody type change, etc.).

The Group 5 assessments are based on IWR Run 29z_2.

The Group 1 assessments are based on IWR Run 32.

The Group 5 assessments are based on IWR Run 35.

Exhibit 2

WATERS TO BE REMOVED FROM PREVIOUSLY
ADOPTED VERIFIED LISTS

Waters Being Removed from Previously Adopted Verified lists - Basin Groups 1, 2, and 5

OGC Case Number	Basin Group	Planning Unit	WBID	Water Segment Name	Waterbody Type	Waterbody Class ¹	1998 303(d) Param. Of Concern	Parameters Assessed Using the Impaired Surface Waters Rule (IWR)	Dissolved Oxygen/Nutrient/Biology Pollutant of Concern	DO / Nutrient / Biology - TN, TP, BOD median Values (mg/L) ²	Concentration of Criterion or Threshold <u>Not</u> Met	Previous EPA Integrated Report Category † - Cycle 1 Assessment ⁴	Current EPA Integrated Report Category † - Cycle 2 Assessment ⁵	Current Integrated Category - Final Assessment	Current Assessment Status	Priority for TMDL Development ⁶	Planning Period (# of Exceedances/ # of Samples) ⁷	Verified Period (# of Exceedances/ # of Samples) ⁸	Comments	Action
10-0633	Group 1 - Tampa Bay	Hillsborough Bay	1558D	Hillsborough Bay Lower	Estuary	3M		Nutrients (Chlorophyll-a)		TN = 0.6 (n=440), TP = 0.22 (n=448), BOD = 1.5 (n=318)	≤ 15 µg/L	4c	4b	4b	Reasonable Assurance		N/A	2001 (17.25 ug/L) 2003(17.90 ug/L)	Annual average Chl-a values exceeded 15 ug/l (alternative threshold) in 2001 and 2003. Nitrogen is the limiting nutrient based on a median TN/TP ratio of 2.6 (440 values). However, the Department approved the Tampa Bay Reasonable Assurance Plan 2007 update to address segment's nutrient impairment. Category 4c in cycle 1 is equivalent to 4b in cycle 2. There is a federally approved nutrient TMDL for this waterbody-parameter.	Remove from Group 1 Cycle 2 Verified List
10-0639	Group 2 - Lower St. Johns River	North Mainstem Unit	2213B	St. Johns River Above Ioww	Estuary	3M		Iron			≤ 0.3 mg/L	5	4c	4c	TMDL Not Needed		49/98	42/73	This WBID is being delisted from the Cycle 1 verified list because elevated iron concentrations are due to natural conditions, based on analysis performed by FDEP Ground Water Protection Section.	Delist from Group 2 Cycle 1 Verified List Section.
10-0640	Group 2 - Lower St. Johns River	North Mainstem Unit	2213E	St. Johns River Above Warren Bridge	Estuary	3M		Iron			≤ 0.3 mg/L	5	4c	4c	TMDL Not Needed		172/262	194/281	This WBID is being delisted from the Cycle 1 verified list because elevated iron concentrations are due to natural conditions, based on analysis performed by FDEP Ground Water Protection Section.	Delist from Group 2 Cycle 1 Verified List Section.
10-0641	Group 2 - Lower St. Johns River	Trout River	2228	Moncrief Creek	Estuary	3M	Fecal Coliform	Fecal Coliform			≤ 400 Counts / 100 mL	5	4a	4a	TMDL Complete		64/97	74/128	Although the data for this WBID meet the verification threshold in Cycle 2, it is being delisted from the Cycle 1 verified list as well as the 1998 303(d) List, because a TMDL was established by DEP 10/12/2006.	Delist from Group 2 Cycle 1 Verified List
10-0643	Group 2 - Lower St. Johns River	Ortega River	2262	Cedar River	Stream	3F	Dissolved Oxygen	Dissolved Oxygen		TN = 0.771 (n=57), TP = 0.096 (n=58), BOD = 2 (n=30)	≥ 5.0 mg/L	5	4a	4a	TMDL Complete		95/250	74/172	Even though data exceed DO criterion, this WBID is being delisted from the Cycle 1 verified list as well as the 1998 303(d) List because a TMDL was adopted by DEP in 2006 as well as approved by EPA.	Delist from Group 2 Cycle 1 Verified List
10-0652	Group 2 - Lower St. Johns River	Black Creek	2423	Mill Log Creek	Stream	3F		Iron			≤ 1.0 mg/L	5	4c	4c	TMDL Not Needed		31/142	22/113	This WBID is being delisted from the Cycle 1 verified list because elevated iron concentrations are due to natural conditions, based on analysis performed by FDEP Ground Water Protection Section.	Delist from Group 2 Cycle 1 Verified List Section.
10-0654	Group 2 - Lower St. Johns River	Crescent Lake	2606B	Crescent Lake	Lake	3F		Iron			≤ 1.0 mg/L	5	4c	4c	TMDL Not Needed		99/247	92/329	This WBID is being delisted from the Cycle 1 verified list because elevated iron concentrations are due to natural conditions, based on analysis performed by FDEP Ground Water Protection Section.	Delist from Group 2 Cycle 1 Verified List Section.

Waters Being Removed from Previously Adopted Verified lists - Basin Groups 1, 2, and 5

10-0656	Group 2 - Lower St. Johns River	Crescent Lake	2630B	Lake Disston	Lake	3F		Iron			≤ 1.0 mg/L	5	4c	4c	TMDL Not Needed		17/59	12/54	This WBID is being delisted from the Cycle 1 verified list because elevated iron concentrations due to natural conditions, based on analysis performed by FDEP Ground Water Protection Section.	Delist from Group 2 Cycle 1 Verified List
10-0657	Group 2 - Middle St. Johns River	Lake Woodruff	2893U	Lake Beresford	Lake	3F		Nutrients (TSI)			N/A	3c	3b	3c	Planning List		Insufficient data	Insufficient data	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0659	Group 2 - Middle St. Johns River	Lake Monroe	2951	Lake Marie	Lake	3F		Nutrients (TSI)			N/A	5	3c	3c	Planning List		No Data	No Data	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0660	Group 2 - Middle St. Johns River	Lake Jesup	2986D	Lake Alma	Lake	3F		Nutrients (TSI)			N/A	5	3c	3c	Planning List		Annual means were 49.7, 50.3, 51.8, 53.8 (1997-2000) and 64.5 (2005)	Insufficient data	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List

Waters Being Removed from Previously Adopted Verified lists - Basin Groups 1, 2, and 5

10-0661	Group 2 - Middle St. Johns River	Lake Jesup	2986E	Lake Searcy	Lake	3F	Nutrients (TSI)				N/A	5	3c	3c	Planning List		Insufficient data	Insufficient data	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0663	Group 2 - Middle St. Johns River	Lake Jesup	2997D	Lake Minnehaha	Lake	3F	Nutrients (TSI)				N/A	5	3c	3c	Planning List		Insufficient data	Insufficient data	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0664	Group 2 - Middle St. Johns River	Lake Jesup	2997L	Lake Winyah	Lake	3F	Nutrients (TSI)				TSI < 60	5	2	3c	Planning List		Annual means were 63.2, 59.3, 58.8, 57.3, 55.1, 61.9, 61.7, 48.4, 39.5, and 58.6 (1996-2005).	Annual mean TSI: 61.9 (2001), 61.7 (2002), 58.6 (2005), 58.3 (2006), and 54.3 (2007). No color data are available.	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0665	Group 2 - Middle St. Johns River	Lake Jesup	2997P	Lake Concord	Lake	3F	Nutrients (TSI)				TSI < 60	5	2	2	Not Impaired		Annual means were 59.8, 57.5, 50.5, 54.9, 59.3, 52.0, 54.1, 48.6, 41.0, and 55.0 (1996-2005).	Annual mean TSI: 52.0 (2001), 48.6 (2003), 55.0 (2005), 59.0 (2006), and 54.9 (2007). Color value is 10 (2001).	In 2001, the TSI mean exceeded the IWR threshold. However, the TSI for the next five consecutive years did not exceed the threshold. The water was listed for nutrient impairment in the 1st Cycle assessment. Data for the 2nd Cycle assessment meet the delisting threshold, therefore it will be delisted from the Cycle 1 Verified list.	Delist from Group 2 Cycle 1 Verified List

Waters Being Removed from Previously Adopted Verified lists - Basin Groups 1, 2, and 5

10-0666	Group 2 - Middle St. Johns River	Wekiva River	3002D	Starke Lake	Lake	3F	Nutrients (TSI)				N/A	5	3c	3c	Planning List		Annual means were 54 (1996), 58.1 (1997), 57.3 (1999), 53.7, 53.5, 56.2, 55.4, and 57.8 (2001-2005)	No data	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0667	Group 2 - Middle St. Johns River	Wekiva River	3002E	Lake Primavista	Lake	3F	Nutrients (TSI)				N/A	5	3c	3c	Planning List		Annual means were 60.1 (1996), 62.3 (1997), 61.3 (1999), 56.2, 54.5, 61.3, 61.5, and 61.5 (2001-2005)	No Data	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0668	Group 2 - Middle St. Johns River	Wekiva River	3002G	Lake Lotta	Lake	3F	Nutrients (TSI)				N/A	5	3c	3c	Planning List		Annual means were 57.2, 59.5, 55, 55.6 (1996-1999), 57.7, 55, 60.9, 60.6, and 61.8 (2001-2005).	No data	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0669	Group 2 - Middle St. Johns River	Wekiva River	3002N	Prairie Lake	Lake	3F	Nutrients (TSI)				N/A	5	3c	3c	Planning List		Annual means were 53.1 (1998), 46.3 (1999), 60.8 (2001) and 44 (2005).	No data	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List

Waters Being Removed from Previously Adopted Verified lists - Basin Groups 1, 2, and 5

10-0670	Group 2 - Middle St. Johns River	Econlockhatchee River	3030	Long Branch	Stream	3F	Nutrients	Nutrients (Chlorophyll-a)		TN = 0.779 (n=35), TP = 0.172 (n=40), BOD = 2.6 (n=21)	≤ 20 µg/L	2	3b	3c	Planning List		Chl-a annual mean 8.001 µg/L (2002).	Chl-a annual mean 8.0 µg/L (2002)	Mistakenly delisted in cycle 1. There was insufficient data to delist and no annual means could be calculated in cycle 2, therefore this waterbody will be removed from the cycle 1 delist list and remains on the Planning List in category 3c.	Remove from Group 2 Cycle 1 Delist list
10-0671	Group 2 - Tampa Bay Tributaries	Hillsborough River	1440D	Twin Lake - Open Water	Lake	3F		Nutrients (TSI)		TN = 1.32 (n = 2), TP = 0.02 (n = 2), No BOD data	N/A	5	3c	3c	Planning List		Insufficient Data	Planning List	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0672	Group 2 - Tampa Bay Tributaries	Hillsborough River	1451B	Keene Lake	Lake	3F		Nutrients (TSI)		No TN, TP, or BOD data	N/A	5	3c	3c	Planning List		Insufficient Data	Planning List	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0673	Group 2 - Tampa Bay Tributaries	Hillsborough River	1451T	Lake Hanna	Lake	3F		Nutrients (TSI)		No TN, TP, or BOD data	N/A	5	3c	3c	Planning List		No Data	Planning List	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List

Waters Being Removed from Previously Adopted Verified lists - Basin Groups 1, 2, and 5

10-0674	Group 2 - Tampa Bay Tributaries	Hillsborough River	1523C	Cedar Lake (East)	Lake	3F		Nutrients (TSI)		TN = 0.8 (n = 1), TP = 0.01 (n = 1), No BOD data	N/A	5	3c	3c	Planning List		Insufficient Data	Planning List	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0675	Group 2 - Tampa Bay Tributaries	Hillsborough River	1523D	Lake Eckles	Lake	3F		Nutrients (TSI)		TN = 0.88 (n = 101), TP = 0.66 (n = 100), No BOD data	N/A	5	3c	3c	Planning List		Insufficient Data	Planning List	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0676	Group 2 - Tampa Bay Tributaries	Hillsborough River	1547A	Lake Valrico	Lake	3F		Nutrients (TSI)		TN = 1.3 (n = 2), TP = 0.11 (n = 2), No BOD data	N/A	5	3c	3c	Planning List		Insufficient Data	Planning List	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0677	Group 2 - Tampa Bay Tributaries	Hillsborough River	1547C	Lake Weeks	Lake	3F		Nutrients (TSI)		TN = 0.88 (n = 101), TP = 0.66 (n = 100), No BOD data	N/A	5	3c	3c	Planning List		Insufficient Data	Planning List	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List

Waters Being Removed from Previously Adopted Verified lists - Basin Groups 1, 2, and 5

10-0678	Group 2 - Tampa Bay Tributaries	Hillsborough River	1553A	Lake Silver	Lake	3F		Nutrients (TSI)		TN = 0.91 (n = 1), TP = 0.02 (n = 1), No BOD data	N/A	5	3c	3c	Planning List		Insufficient Data	Planning List	This WBID is being delisted from the Cycle 1 Verified list based on a flaw in the original analysis. It was originally listed using LakeWatch data; however, LakeWatch data cannot be used for regulatory purposes and does not meet QA rule requirements, and upon exclusion of Lakewatch data, there is insufficient data to assess. This waterbody was mistakenly included on the 2009 Delist list, but given the potential impairment identified in cycle 1, water should remain on 1998 List in 3c until sufficient data are available.	Delist from Group 2 Cycle 1 Verified List
10-0681	Group 5 - Everglades	Everglades National Park	3289	E.N.P. Shark Slough	Stream	3F		Fecal Coliform		≤ 400 Counts / 100 mL	2	N/A	2	Not Impaired		1/62			This waterbody was listed as impaired for fecal coliform in Cycle 1 based on a flaw in the original analysis. It was incorrectly assessed as a Class II waterbody, when only a portion of the WBID is Class II. Once the data from the Class II portion was removed and apportioned to the nearby Class II waterbody, this WBID is not impaired. This parameter and iron were the only parameters determined to be affected by this change due to the data available from the re-assigned stations.	Delist from Group 5 Cycle 1 Verified List
10-0629	Group 1 - Suwannee	Fenholloway	3473A	Fenholloway At Mouth	Estuary	3M	Nutrients	Nutrients (Chlorophyll-a)		TN = 2.39 (n=51), TP = 0.643 (n=51), BOD = 3.5 (n=18)	≤ 11 µg/L	3c	2	3c	Planning List		Insufficient data	1 ug/L (2006)	This WBID appeared on the Cycle 1 Delist and Verified list in error. Available chlorophyll data are below the nutrient impairment thresholds; however nutrients are the causative pollutant for the DO impairment therefore it cannot be delisted. There is also insufficient data to delist therefore it remains on the 1998 303(d) list in category 3c.	Remove from Group 1 Cycle 2 Verified List & Delist List
10-0636	Group 2 - Apalachicola / Chipola River	Chattahoochee River/Lake Seminole	60	Lake Seminole	Lake	3F		Mercury (based on fish consumption advisory)		Exceeds DoH Threshold (> 0.3 mg/kg)	N/A	2	2	Not Impaired		N/A	Not Impaired		This WBID was mistakenly included on the cycle 2 Verified list and Delist list. It should not have been included on either list. It remains not impaired for this parameter.	Remove from Group 2 Cycle 2 Verified List & Delist List

¹ Florida's waterbody classifications are defined as:

- 1 - Potable water supplies
- 2 - Shellfish propagation or harvesting
- 3F - Recreation, propagation, and maintenance of a healthy, well-balanced population of fish and wildlife in fresh water
- 3M - Recreation, propagation, and maintenance of a healthy, well-balanced population of fish and wildlife in marine water
- 4 - Agricultural water supplies
- 5 - Navigation, utility, and industrial use

² n is equal to the number of samples. When samples are collected at the same location less than 4 days apart, the median of those results represents a single sample for the purpose of determining n.

⁴ The Cycle 1 assessment was done in 2004 and included data from that Verified Period (January 1, 1997 through June 30, 2004).

⁵ The Cycle 2 assessment is the current assessment and includes data from the Verified Period (January 1, 2002 through June 30, 2009).

[†] EPA's Integrated Report Category:

- 1 - Attains all designated uses
- 2 - Attains some designated uses and insufficient or no information or data are present to determine if remaining uses are attained
- 3A - No data and information are present to determine if any designated use is attained

Waters Being Removed from Previously Adopted Verified lists - Basin Groups 1, 2, and 5

3B - Some data and information are present but not enough to determine if any designated use is attained

3C - Enough data and information are present to determine that one or more designated uses may not be attained according to the Planning List methodology

4A - Impaired for one or more designated uses but does not require TMDL development because a TMDL has already been completed.

4B - Impaired for one or more designated uses but does not require TMDL development because the water will attain water quality standards due to existing or proposed measures as part of an approved Reasonable Assurance .

4C - Impaired for one or more criteria or designated uses but does not require TMDL development because impairment is not caused by a pollutant.

4D - The waterbody does not meet applicable criteria, but no pollutant can be identified; therefore a TMDL will not be developed at this time.

4E - Impaired, but recently completed or on-going restoration activities are underway to restore the designated uses of the waterbody.

5 - Water quality standards are not attained and a TMDL is required.

⁶ Where a parameter was identified as impaired, a priority of "medium" was assigned. Exceptions are waters where the impairment poses a threat to potable water or human health, which have been assigned a "high" priority, and fecal coliform impairments, which have been assigned a "low" priority. All other listings as of this cycle are prioritized based on the following: it is our intent that listings with a "High" priority be addressed within the next 5 years, listings with a "Medium" priority be addressed within 5-10 years as resources allow, and listings with a "Low" priority be addressed within the next 10 years.

⁸ **VP** - Verified Period Group 5 (January 1, 1999 through June 30, 2006), Group 1 (January 1, 2000 through June 30, 2007), Group 2 (January 1, 2001 through June 30, 2008)

^{*} A statewide TMDL for mercury, that will address this waterbody, is scheduled to be completed in 2012.

N/A = Not Applicable, does not apply, or was not assessed in the previous cycle (i.e. it's a new WBID, waterbody type change, etc.).

The Group 5 assessments are based on IWR Run 29z_2.

The Group 1 assessments are based on IWR Run 32.

The Group 5 assessments are based on IWR Run 35.

Exhibit 3

WATERS TO BE ADDED TO THE GROUP 1 AND 5 VERIFIED LISTS

Waters Being Added to the Basin Groups 1 or 5 Verified Lists

OGC Case Number	Basin Group	Planning Unit	WBID	Water Segment Name	Waterbody Type	Waterbody Class ¹	1998 303(d) Param. Of Concern	Parameters Assessed Using the Impaired Surface Waters Rule (IWR)	Dissolved Oxygen/Nutrient/Biology Pollutant of Concern	DO / Nutrient / Biology - TN, TP, BOD median Values (mg/L) ²	Concentration of Criterion or Threshold Not Met	Previous EPA Integrated Report Category † - Cycle 1 Assessment ⁴	Current EPA Integrated Report Category † - Cycle 2 Assessment ⁵	Current Integrated Category - Final Assessment	Current Assessment Status	Priority for TMDL Development ⁶	Planning Period (# of Exceedances/# of Samples) ⁷	Verified Period (# of Exceedances/# of Samples) ⁸	Comments	Action
10-0616	Group 1 - Lake Okeechobee	Lake Okeechobee	3212A	Lake Okeechobee	Lake	1		Iron			≤ 1.0 mg/L	4c	5	5	Impaired	Low	53/132	10/30	The Department's previous natural condition documentation was insufficient for EPA approval, therefore this will be assessed as impaired and added to the 303(d) list. A TMDL has been proposed by EPA on 2/23/2005.	Add to Group 1 Cycle 2 verified list
10-0617	Group 1 - Lake Okeechobee	Lake Okeechobee	3212C	Lake Okeechobee	Lake	1		Iron			≤ 1.0 mg/L	4c	5	5	Impaired	Low	29/93	14/25	The Department's previous natural condition documentation was insufficient for EPA approval, therefore this will be assessed as impaired and added to the 303(d) list. A TMDL has been proposed by EPA, 2/23/2005.	Add to Group 1 Cycle 2 verified list
10-0618	Group 1 - Lake Okeechobee	Lake Okeechobee	3212D	Lake Okeechobee	Lake	1	Iron	Iron			≤ 1.0 mg/L	3c	5	5	Impaired	Low	87/195	11/15	The Department's previous natural condition documentation was insufficient for EPA approval, therefore this will be assessed as impaired and added to the 303(d) list. A TMDL has been proposed by EPA, 2/23/2005.	Add to Group 1 Cycle 2 verified list
10-0619	Group 1 - Lake Okeechobee	Lake Okeechobee	3212E	Lake Okeechobee	Lake	1	Iron	Iron			≤ 1.0 mg/L	3c	5	5	Impaired	Low	90/100	30/30	The Department's previous natural condition documentation was insufficient for EPA approval, therefore this will be assessed as impaired and added to the 303(d) list. A TMDL has been proposed by EPA, 2/23/2005.	Add to Group 1 Cycle 2 verified list
10-0620	Group 1 - Lake Okeechobee	Lake Okeechobee	3212F	Lake Okeechobee	Lake	1		Iron			≤ 1.0 mg/L	4c	5	5	Impaired	Low	81/160	11/20	The Department's previous natural condition documentation was insufficient for EPA approval, therefore this will be assessed as impaired and added to the 303(d) list. A TMDL has been proposed by EPA, 2/23/2005.	Add to Group 1 Cycle 2 verified list
10-0621	Group 1 - Lake Okeechobee	Lake Okeechobee	3212H	Lake Okeechobee	Lake	1		Iron			≤ 1.0 mg/L	4c	5	5	Impaired	Low	41/101	9/22	The Department's previous natural condition documentation was insufficient for EPA approval, therefore this will be assessed as impaired and added to the 303(d) list. A TMDL has been proposed by EPA, 2/23/2005.	Add to Group 1 Cycle 2 verified list

Waters Being Added to the Basin Groups 1 or 5 Verified Lists

10-0634	Group 1 - Tampa Bay	Coastal Hillsborough Bay Tributary	1584A	Ybor City Drain	Estuary	3M	Biochemical Oxygen Demand	Dissolved Oxygen			N/A (see DO)	5	5	Impaired	High	N/A	N/A	In Cycle 1, this WBID was considered to be in the Group 2 basin, however it was later moved to the Group 1 basin. Delisting in Cycle 1 not approved by EPA because they did not agree that this waterbody was a stormwater system and not a waterbody of the State. DO is impaired, therefore this should be removed from the Group 2 Cycle 1 Delist list and added to the Group 1 Cycle 2 Verified list.	Remove from Group 2 Cycle 1 Delist List & add to Group 1 Cycle 2 Verified List	
10-0635	Group 1 - Tampa Bay	Coastal Hillsborough Bay Tributary	1584A	Ybor City Drain	Estuary	3M	Chemical Oxygen Demand	Dissolved Oxygen			N/A (see DO)	5	5	Impaired	High	N/A	N/A	In Cycle 1, this WBID was considered to be in the Group 2 basin, however it was later moved to the Group 1 basin. Delisting in Cycle 1 not approved by EPA because they did not agree that this waterbody was a stormwater system and not a waterbody of the State. DO is impaired, therefore this should be removed from the Group 2 Cycle 1 Delist list and added to the Group 1 Cycle 2 Verified list.	Remove from Group 2 Cycle 1 Delist List & add to Group 1 Cycle 2 Verified List	
10-0679	Group 5 - Everglades	Everglades Agricultural Area	3263A	Holey Land	Stream	3F		Dissolved Oxygen	Total Nitrogen	TN = 2.306 (n=11), TP = 0.031 (n=11), BOD = No data	≥ 5.0 mg/L	5	N/A	5	Impaired	Low	11/11	Impaired with total nitrogen identified as the causative pollutant. This was added to the cycle 1 verified list in Jan. 2010.	Add to Group 5 Cycle 1 verified list	
10-0682	Group 5 - Everglades	Everglades National Park	3289R	E.N.P. Shark Slough A	Stream	2	Iron	Iron			≤ 0.3 mg/L	5	N/A	5	Impaired	Medium	11/19	This will be added to the State Verified list and 303(d) list. It was incorrectly assessed as a Class III waterbody, when only a portion of the WBID is Class III. Once the WBID was corrected and the data were reassessed, this waterbody was impaired.	Add to Group 5 Cycle 1 verified list	
10-0685	Group 5 - Upper East Coast	Matanzas River	2535	Moses Creek	Stream	3F		Fecal Coliform			≤ 400 Counts / 100 mL	5	N/A	5	Impaired	Low	1/1	7/31	Impaired based on number of exceedances.	Add to Group 5 Cycle 1 verified list
10-0634	Group 1 - Tampa Bay	Coastal Hillsborough Bay Tributary	1584A	Ybor City Drain	Estuary	3M	Biochemical Oxygen Demand	Dissolved Oxygen			N/A (see DO)	5	5	Impaired	High	N/A	N/A	In Cycle 1, this WBID was considered to be in the Group 2 basin, however it was later moved to the Group 1 basin. Delisting in Cycle 1 not approved by EPA because they did not agree that this waterbody was a stormwater system and not a waterbody of the State. DO is impaired, therefore this should be removed from the Group 2 Cycle 1 Delist list and added to the Group 1 Cycle 2 Verified list.	Remove from Group 2 Cycle 1 Delist List & add to Group 1 Cycle 2 Verified List	

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¹ Florida's waterbody classifications are defined as:

- 1 - Potable water supplies
- 2 - Shellfish propagation or harvesting
- 3F - Recreation, propagation, and maintenance of a healthy, well-balanced population of fish and wildlife in fresh water
- 3M - Recreation, propagation, and maintenance of a healthy, well-balanced population of fish and wildlife in marine water
- 4 - Agricultural water supplies
- 5 - Navigation, utility, and industrial use

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