Letter to the Media from 
Deputy Secretary Mimi Drew 
Regarding Florida’s Waterways

Recently, there has been a great deal of misinformation being distributed to Florida’s citizens regarding the Florida Department of Environmental Protection’s (DEP) recent actions to address water quality in the state. I would like to take this opportunity to clarify the DEP’s actions and explain what is really being considered. The DEP has no intention of reducing the water quality requirements of our rivers, lakes and streams. In fact, the effort under way is largely to address restoration of those waters that have been polluted and to identify what restoration efforts are needed.

All surface waters in the state are currently classified by one of five designated uses. By far the largest number of waters in the state falls into a broad, general category known as “Class III” waters. This includes drainage ditches, upland cut canals and other man-made features. The Class III designation brings with it the requirement to meet certain minimum water quality standards. In many cases, due to the manmade nature of the waters, such standards are not attainable and are unnecessary to support the practical use of those artificial waters. Conversely, waters, such as springs, require much more stringent protection than is currently required within our classification system to ensure that their fragile biological systems are protected.

This system, used over the past 30 years, has been successful in addressing regulatory actions needed to reduce pollutants, but does not effectively address watershed restoration projects. Much has changed over that time frame – science and technology have improved and our restoration efforts should as well.

Decisions on water quality standards have huge fiscal implications for the communities that will be asked to use tax dollars to restore water bodies. Therefore, it is critical that water bodies are classified in a way that reflects the actual purpose of the water body, whether it is a ditch, a stream, or a spring – to ensure that our critical waterways are protected and our tax dollars are well spent.

As such, in 2006 the Department established a technical advisory committee to review the range of waters in the state and make recommendations on how to more accurately characterize and protect them. Over the last year, the technical advisory group, which includes independent experts from local governments, other state agencies, industries and the U.S. Environmental Protection Agency, has been reviewing the effort and will be making recommendations to the Department of Environmental Protection.
It is important to note that DEP has not yet made a decision on whether to pursue, modify or reject the recommendations of this committee. Ultimately, any revisions to the current classification system would require additional public participation and formal rulemaking which would appear before the Environmental Regulation Commission for approval at an advertised public meeting. In addition, the federal Environmental Protection Agency would also need to authorize final approval.

The public’s involvement in this effort has been significant and I am thankful to those that have voiced their concerns and recommendations. We have been extremely proactive about this effort because of the significance that this policy has on addressing restoration of our rivers, lakes and streams.

As we move through this challenging discussion, I appreciate and encourage the comments that the public is providing – I just want those comments to be based on factual information.

Sincerely,

Mimi Drew
Deputy Secretary, Regulatory Programs and Energy
Florida Department of Environmental Protection