

Water Quality Regulations Pertinent to Alachua County

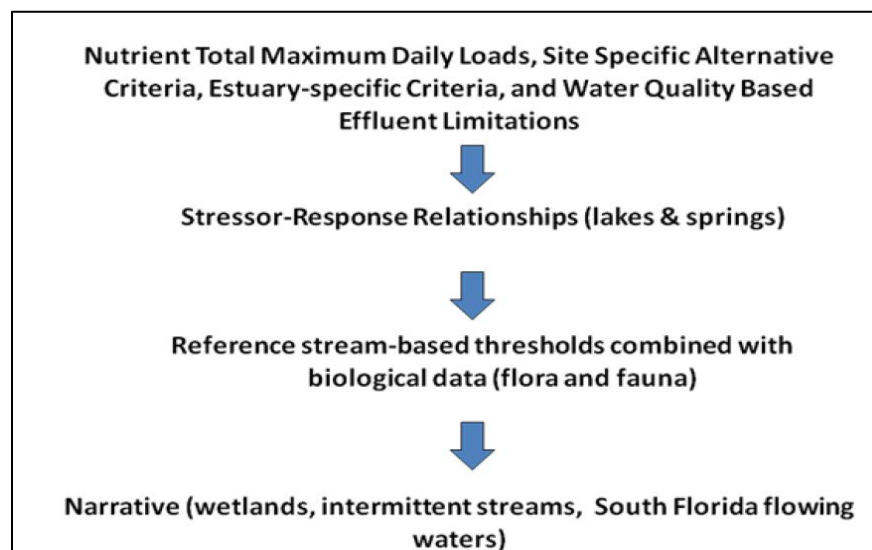
Federal Clean Water Act – all states required to establish:

Waterbody Designated Use - States establish designated uses for water resources F.A.C. Chapter 62-302 Surface Water Quality Standards <http://www.dep.state.fl.us/legal/rules/shared/62-302.pdf>

- Class I – Potable Water Supplies
- Class II – Shellfish Propagation or Harvesting
- Class III – Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife
- Class III-Limited – Fish Consumption; Recreation or Limited Recreation; and/or Propagation and Maintenance of a Limited Population of Fish and Wildlife
- Class IV – Agricultural Water Supplies
- Class V – Navigation, Utility and Industrial Use

Protective Criteria – Protective thresholds for various contaminants are established for each type of designated uses, for instance Dissolved Oxygen levels are established to protect fish habitat in Class III waters and toxic levels of heavy metals are established for Class I drinking water.

- Nutrient criteria use a “narrative” criteria that states “in no case shall nutrient concentrations of a body of water be altered so as to cause an imbalance in natural populations of flora or fauna”
- However this rule is now interpreted hierarchically using several “numeric criteria” approaches depending on waterbody type



Mitigation approach- Clean water act required states develop mitigating strategies if a waterbody became “impaired” and therefore no longer achieved its designated use. In 1999 the Florida legislature passed the Florida Watershed Restoration Act that established guidance for Total Maximum Daily Load (TMDL) and Basin Management Action Plan (BMAP) programs.

- **Total Maximum Daily Load (TMDL)** – determines the level of contaminants that can be added to a water body while still protecting it’s designated use.
- **Basin Management Action Plan (BMAP)** – It is the "blueprint" for restoring impaired waters by reducing pollutant loadings to meet the allowable loadings established in a Total Maximum Daily Load (TMDL).

National Pollution Discharge Elimination system

- **Phase I** – Point source discharge – regulates discharge from wastewater treatment plants, industry and some Confined Animal feeding Operations. Establishes specific acceptable discharge concentration or loads based on the water quality requirements of receiving water
- **Phase II** – Non-Point Source discharge – regulates “urban” areas ad defined under the US census. Requires six minimum control measures be defined by the permitted entity.
 - Public education and outreach
 - Public participation/involvement
 - Illicit discharge detection and elimination
 - Construction site runoff control
 - Post construction runoff control
 - Pollution prevention/good housekeeping

State

Environmental Resource Permit (ERP) - The Environmental Resource Permitting (ERP) program regulates activities involving the alteration of surface water flows. This includes new activities in uplands that generate stormwater runoff from upland construction, as well as dredging and filling in wetlands and other surface waters. Environmental Resource Permit applications are processed by either the Florid Department of Environmental Protection or one of the state's water management districts.

County

Alachua County Water Quality Code - Effective January 1, 2003

Prohibitions

- Prohibits discharge of any material into surface water, groundwater or stormwater systems that result in a:
 - A violation of the State of Florida's Surface Water Quality Standards in Chapter 62-302 FAC,
 - A violation of the State of Florida's Groundwater and Drinking Water Standards in Chapter 62-520 and 62-550 FAC, and/or
 - A violation of the State of Florida's Groundwater and Surface Water Cleanup Target Levels in Chapter 62- 777 FAC.

Site Remediation and Monitoring

- Authorizes the Alachua County Environmental Protection Department to order the cleanup, abatement, or monitoring and take other actions as needed to cleanup, abate or monitor pollutant discharges.

General Requirements

- General direct discharge to surface water and groundwater of wastewater from cleaning operations, waste management, equipment storage and maintenance and litter are prohibited.

Stormwater Management Systems

- Prohibits any person from discharging non-stormwater to a stormwater system, exceptions include approved discharges by the Florida Department of Environmental Protection or the Alachua County Environmental Protection Department.

Erosion and Sediment Control

- Requires use of best management practices (BMPs) for sedimentation and erosion control for all excavations. BMPs must provide equal or better protection than those currently compiled by the Florida Department of Environmental Protection.

Excavation and Filling

- Land excavation and/or filling activities, including dewatering, shall not have an adverse impact on surface water or groundwater quality.

Reimbursable Costs and Enforcement

- Should violations be found, code allows for reimbursement to the County of all investigative costs incurred by the County.
- Civil citations for noncompliance may be issued for violations.