



**Marion County
Board of County Commissioners**

Office of the County Engineer

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May 2, 2025

Jessica Fetgatter
Environmental Consultant
Division of Environmental Assessment and Restoration – Water Quality Restoration Program
Florida Department of Environmental Protection

RE: Stakeholder Comments – Draft Silver Springs & Upper Silver River and Rainbow Springs Group & Rainbow River Basin Management Action Plan (BMAP)

Dear Ms. Fetgatter,

Marion County expresses its sincere appreciation to the Florida Department of Environmental Protection (DEP) for the time and effort dedicated to drafting the proposed BMAP language. We recognize that this rulemaking effort is both highly significant and exceptionally challenging.

Although we appreciate DEP's efforts, we have some reservations about certain aspects of the proposed BMAP. Our biggest concerns are in regards to the proposed timeline and the nutrient reduction burden placed on the County. The County supports the Department's initiative to improve the quality of the State's Outstanding Florida Springs (OFS), however, we would like to formally request an extension to the current timeline for nutrient load reductions outlined in the Silver Springs and Rainbow Springs BMAP and to urge a reassessment of the current reduction targets. After extensive review of our local conditions, progress data, and supporting research, it is evident that the proposed nutrient reduction goals are presently unattainable due to environmental, economic, technical, and logistical constraints.

Unattainable Reduction Targets

DEP estimates that total nitrogen load to groundwater in the basin exceeds 4.3 million pounds annually, while the TMDL target is 872,862 pounds. This necessitates a basin-wide reduction of over 3.1 million pounds. However, only 2.87 million pounds have been allocated in current plans—leaving a shortfall of approximately 270,000 pounds. Notably, this gap exists even before accounting for future growth, which will further increase nitrogen loading. The 2040 Future Growth Scenario 3 also inaccurately reports Marion County's nitrogen loading as 624,3 when the correct value appears to be 624,300 (Table 12, page 59).

Impractical Scope of Required Projects

In Marion County, 67% of the assigned nitrogen reduction comes from on-site sewage treatment and disposal systems (OSTDS), primarily septic tanks. The widespread use of OSTDS is the result of long-standing policies and standards established at the State level, and implemented by DEP and the Florida Department of Health (DOH). Although the State currently regulates OSTDS, the burden of nutrient loading has been transferred to the County as part of this BMAP. Unfortunately, there are more new septic tanks being built than there are currently being removed, necessitating the need to strengthen regulations to mandate connections to central sewer and construct enhanced nutrient-reducing OSTDS at the State level.

Transitioning to central sewer across the County was previously estimated to cost \$4 billion—a figure that has undoubtedly increased. Even with adequate funding, the County’s current capacity for design, permitting, and construction is severely limited. At present, our annual average investment in septic-to-sewer conversions is \$10 million—meaning it would take over 400 years at this rate to meet the target. This level of investment has already caused strain on the County’s resources.

Moreover, even a fully implemented septic conversion program would not allow the County to attain its nutrient reduction goal of 1,187,811 pounds per year. This reality is compounded by the under-regulation of significant contributors such as urban turfgrass fertilizer (UTF), which represents 32% of the County’s required reductions. The BMAP provides vague strategies for UTF load reductions—primarily education and ordinance enforcement. There are no enforceable performance standards for UTF reductions, and stormwater nutrient reductions are not clearly defined or quantified, with tools like NSILT (Nitrogen Source Inventory Loading Tool) failing to capture real urban runoff contributions. The BMAP documentation offers little actionable guidance for stormwater nutrient reductions. For these reasons, the BMAP weakens accountability and renders reduction calculations overly optimistic.

Inadequate BMP Coverage and Implementation Barriers for Agriculture

While Best Management Practices (BMPs) are heavily relied upon to achieve agricultural source reductions, their real-world impact is constrained by overstocking of livestock, limited land area, and voluntary compliance. In many cases, BMP adoption is not feasible due to high animal densities or land use constraints, rendering nutrient cycling through pasture grasses ineffective and increasing runoff risks.

Cost-Benefit and Feasibility Factors Are Ignored in Goal-Setting

Florida Statute 403.067 outlines clear criteria for establishing BMAP targets, including considerations for technological feasibility, cost-benefit analysis, reasonable implementation timeframes, and equity across stakeholders. Unfortunately, the current plan falls short in addressing these criteria, effectively placing disproportionate responsibility on local governments without providing a pathway for demonstrable compliance for certain sources like UTF. The BMAP, instead, is pushing overly ambitious reduction mandates onto local governments that cannot realistically comply.

Responsible Stakeholders

According to DEP, sports fields at public schools have been classified under the sports turfgrass fertilizer (STF) loading source and attributed to the County. However, Marion County Public Schools and the Marion County Board of County Commissioners are two distinct elected entities and should not be consolidated into a single "Marion County" designation. Nutrient reduction allocations should be assigned separately, with Public Schools recognized as an independent responsible entity.

Conclusion and Request

Given the data presented, we believe that the proposed goals are not achievable under the current framework and timeframe. Local governments and stakeholders need the flexibility to phase in reductions over a longer period, while focusing on realistic solutions, improved monitoring, and innovation in BMP effectiveness. We therefore respectfully request:

1. An **extension of the BMAP nutrient reduction timeline** to allow for more realistic implementation of projects.
2. A **reassessment of reduction targets and responsible stakeholders** that includes a reevaluation of source allocations and integration of enforceable, equitable performance standards for all stakeholders.
3. Additional **guidance and support** from DEP for stormwater management, UTF reductions, and BMP effectiveness verification.

Thank you for your consideration. We are committed to protecting Florida's natural resources and look forward to collaborating on realistic, science-driven solutions to improve water quality in our springsheds.

Sincerely,



Steven Cohoon, P.E.
County Engineer, Marion County

On behalf of Marion County Board of County Commissioners

Cc: Mounir Bouyounes, P.E., County Administrator, Marion County
Tracy Straub, P.E., Assistant County Administrator, Marion County
Angel Roussel, P.E., Assistant County Administrator, Marion County
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