

Cleaner Rivers - On Paper

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Published: Dec 11, 2005

TAMPA - Governments label the Hillsborough and Palm rivers "impaired," a way of saying they aren't suitable for swimming or fishing.

That unflattering description could be lifted soon - but not because the rivers are getting cleaner. Instead, state environmental officials may reduce required levels of dissolved oxygen - one component of a healthy river - to a point some scientists view as bad for fish, crabs and bottom-dwelling critters.

In other words, the state lowers the bar, and the rivers no longer are considered polluted.

Some environmental groups say changing the rules is a way for the Florida Department of Environmental Protection to avoid setting pollution limits for the state's impaired waters, as required by the federal Clean Water Act. The limits are unpopular among polluters such as agriculture, paper mills and cities with sewage plants.

Tampa Bay Water wants Florida to change the oxygen standards as part of its effort to pull 13 million gallons a day from the upper Hillsborough River and Tampa Bypass Canal. The water would supply Hillsborough, Pasco and Pinellas counties.

To do that, the utility must add water below the dams to even the flow of the rivers. Life in the tidal reaches of the rivers depends upon this flow. The replacement water would come from Tampa's sewer plant at Hooker's Point.

The state is unlikely to issue a permit for dumping wastewater into a polluted river. But if the river isn't impaired, it's OK to add wastewater.

The dissolved oxygen standard is a 24-hour average of 5 milligrams per liter. It was adopted by the U.S. Environmental Protection Agency in the mid-1970s. Tampa Bay Water is proposing a range of 2.4 to 4.5 milligrams per liter.

Consultants hired for the \$186 million project say their studies show 5 milligrams per liter is too high for the lower Hillsborough River or other bodies of water where life depends upon tidal flow. They cite the Little Manatee River, which is relatively clean but rarely maintains levels of 4 to 5 milligrams per liter in its lower reaches.

"If the Little Manatee River doesn't have a 4 to 5 ... level, how can we expect the other rivers to achieve that?" said Philip Waller, vice president of MWH, Tampa Bay Water's engineering consultant.

Waller said the utility will give the sewer water extra treatment and add oxygen with mechanical aerators before it flows into the rivers.

County environmental officials are concerned about the proposed change. They cite a 1997 report by a study group that included regional water agencies and officials from Tampa and Hillsborough County. The report recommended a minimum oxygen level of 4 to 5 milligrams per liter in the Hillsborough River.

"I would say there are limited portions of the lower Hillsborough River where you would see dissolved oxygen below 4 milligrams per liter," said Gerold Morrison of the Hillsborough Environmental Protection Commission. "But there are major segments of the lower reaches of the river where there is no reason that the 4 to 5 milligrams per liter standards could not be met or are not being met now."

Tampa officials support the project. Mayor Pam Iorio said the city is trying to help neighboring cities and counties by sharing its treated wastewater.

Iorio points out that using the reclaimed sewer water means less pumping of ground water - an environmental plus.

"Obviously, I don't intend to do anything that will harm the environment," Iorio said. "I love the river; it's always been a focal point for me. But we need to be careful to draw conclusions before the technical analysis has begun."

Officials at the Florida Department of Environmental Protection say they are analyzing the data provided by Tampa Bay Water. If past actions are any guide, the DEP is likely to approve the plan.

The agency relaxed standards for the St. Johns River from a daily level of 4 to 5 milligrams per liter to an average of 4 to 5 milligrams per liter over a period of 30 days. That would allow levels on any given day to fall so low that fish could not tolerate it, so long as the monthly average hit the mark.

Big polluters signed off on the standard because it meant they could reduce their discharges 30 percent instead of 60 percent.

Those discharges include nutrients such as nitrogen and phosphorus, which have fueled noxious blue-green algae blooms in the St. Johns in recent years. The blooms consume dissolved oxygen.

The EPA approved the St. Johns standard then changed its position after a grass-roots group, St. Johns Riverkeeper, sued in federal court.

State environmental officials said they will resubmit the pollution limits for the St. Johns with the lower dissolved oxygen standards. The DEP is using the same argument as Tampa Bay Water: Every river is different, and some have naturally occurring dissolved oxygen levels that are lower than 5 milligrams per liter.

"In many cases, a less stringent dissolved oxygen level does not have any effect on a water body," DEP spokesman Anthony De Luise said. "It's very possible a dissolved oxygen level of 5 is not necessary to ensure a water body thrives."

Environmentalists say the DEP's action on the St. Johns is part of a pattern. Four years ago, the state created an impaired water rule that dropped hundreds of water bodies from the list. Environmentalists sued in state and federal court, forcing the EPA to overturn many provisions of the rule.

"This whole reclassification of water ... is sort of a variation on that theme," said Eric Huber, attorney for the Sierra Club. "We won't clean it up; we'll just change the definition of whether it's clean or not, so we don't have to do anything."

REPORTS

To view Tampa Bay Water's reports on alternative oxygen criteria, go to <ftp://ftp.dep.state.fl.us/pub/water/outgoing/ADOC Reports/>. Allow three to six minutes to download.