AWWA UTILITY COUNCIL MEETING

August 26, 2010
Orlando, Florida

Prepared By:
Littlejohn, Mann & Associates
Tallahassee, FL
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Mason Dixon Poll
August 18, 2010
For Immediate Release:  
Contact: Ryan Banfill  
August 18, 2010  
(850) 222-1996

Voters Overwhelmingly Reject Proposed Federal Water Mandates That Lead to Higher Consumer Costs

~New Mason-Dixon poll shows Floridians do not approve of the EPA’s proposed costly new water regulations or politicians who support them~

TALLAHASSEE—Driven by concerns over paying higher bills, Florida voters are overwhelmingly opposed to new federal water regulations for the state that would cost the average household an additional $700 per year and resoundingly reject candidates who support the rate-increasing mandates. A new poll conducted by Mason-Dixon Polling & Research of 625 likely Florida voters shows that 61 percent of Floridians are against the water regulations if the regulations were to result in a $700 increase in their water bills.

“Floridians are deeply concerned about the economy and the impact it is having on their personal incomes,” said Brad Coker, managing director of Mason-Dixon Polling & Research. “It’s clear candidates who support these new water regulations risk the ire of 60 percent of Florida voters. The poll shows supporting these regulations is a loser for anyone trying to get elected or reelected.”

An economic study conducted by Carollo Engineers for the Florida Water Environment Association Utility Council shows wastewater utility rates in Florida would increase by an average of around $700 per household under proposed new federal water regulations.

“For most families, a $700 increase in their water bill is a lot of money,” said State Sen. Chris Smith, D-Oakland Park. “My fear is that, without programs in place to ensure our most vulnerable citizens can afford these utility bills, these costs could function as a regressive tax on water whose burden would fall most heavily on black, Hispanic and elderly households surviving on low and fixed incomes.”

The Mason-Dixon poll shows that the economic impact of the new stringent EPA regulations could shape voters’ approval of candidates who support these regulations. When considering the projected cost increase on consumers, nearly 60 percent of Floridians polled said they would be less likely to vote for a candidate who supports the new federal water mandates. Only 9 percent of Floridians would be more likely to vote a candidate who supports the mandates.
A lawsuit settlement between an environmental group and the federal government triggered the proposed new federal water mandates set to take effect in October – just days before the 2010 election.

In spite of the fact that Florida is a national leader in aggressively enforcing water quality standards to protect our streams, lakes, rivers and estuaries, Florida is currently the only state in the nation to face these strict federal water mandates.

“I have seen firsthand the struggles families and small businesses are facing,” said State Rep. Trudi Williams, R-Fort Myers. “With a million Floridians out of work, homes sitting in foreclosure and employers struggling to get back on their feet, I’m concerned these increased costs will choke our state’s economic recovery.”

Mason-Dixon Poll Questions and Results:

QUESTION: Would you support or oppose enacting stricter EPA water quality regulations in Florida if it resulted in a $700 increase in your annual water bill?

<table>
<thead>
<tr>
<th>STATE</th>
<th>MEN</th>
<th>WOMEN</th>
<th>DEM</th>
<th>REP</th>
<th>IND</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUPPORT</td>
<td>23%</td>
<td>21%</td>
<td>24%</td>
<td>30%</td>
<td>14%</td>
</tr>
<tr>
<td>OPPOSE</td>
<td>61%</td>
<td>64%</td>
<td>59%</td>
<td>51%</td>
<td>74%</td>
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<tr>
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<td>16%</td>
<td>15%</td>
<td>17%</td>
<td>19%</td>
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By Region

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<tr>
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<td>17%</td>
<td>16%</td>
<td>15%</td>
</tr>
</tbody>
</table>

QUESTION: If a candidate supported enacting new water quality regulations that increased your annual water bill by $700, would that make you:

Much more likely to vote for them 3%
Somewhat more likely to vote for them 6%
Somewhat less likely to vote for them 19%
Much less likely to vote for them 40%
Or, would it have no effect on your vote 27%
Not Sure (NOT READ) 5%

Mason-Dixon Polling & Research, Inc. of Washington, D.C. conducted the poll from August 9 through August 11, 2010 on behalf of a broad coalition of concerned Floridians who oppose the unfair and unscientific federal numerical nutrient criteria. A total of 625 registered voters were interviewed statewide by telephone. All stated they vote regularly in state elections. The poll has a margin for error of plus or minus 4 percent.

###
HOW THE POLL WAS CONDUCTED

This poll was conducted by Mason-Dixon Polling & Research, Inc. of Washington, D.C. from August 9 through August 11, 2010. A total of 625 registered voters were interviewed statewide by telephone. All stated they vote regularly in state elections.

Those interviewed were selected by the random variation of the last four digits of telephone numbers. A cross-section of exchanges was utilized and quotas were assigned to reflect voter turn-out by county.

The margin for error, according to standards customarily used by statisticians, is no more than plus or minus 4 percentage points. This means that there is a 95 percent probability that the "true" figure would fall within that range if all voters were surveyed. The margin for error is higher for any subgroup, such as a gender or party grouping.
QUESTION: Would you support or oppose enacting stricter EPA water quality regulations in Florida if it resulted in a $700 increase in your annual water bill?

<table>
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<td>30%</td>
<td>14%</td>
<td>28%</td>
</tr>
<tr>
<td>OPPOSE</td>
<td>61%</td>
<td>64%</td>
<td>59%</td>
<td>51%</td>
<td>74%</td>
<td>55%</td>
</tr>
<tr>
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<td>12%</td>
<td>17%</td>
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</tr>
<tr>
<td>OPPOSE</td>
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<td>67%</td>
<td>59%</td>
<td>62%</td>
<td>64%</td>
<td>57%</td>
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<tr>
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- Much more likely to vote for them 3%
- Somewhat more likely to vote for them 6%
- Somewhat less likely to vote for them 19%
- Much less likely to vote for them 40%
- Or, would it have no effect on your vote 27%
- Not Sure (NOT READ) 5%
**DEMOGRAPHICS:**

**PARTY REGISTRATION:**

<table>
<thead>
<tr>
<th>Party</th>
<th>Registration</th>
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</thead>
<tbody>
<tr>
<td>Democrat</td>
<td>276 (44%)</td>
</tr>
<tr>
<td>Republican</td>
<td>245 (39%)</td>
</tr>
<tr>
<td>Independent or Other</td>
<td>104 (17%)</td>
</tr>
</tbody>
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**AGE:**

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Registration</th>
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</thead>
<tbody>
<tr>
<td>18-34</td>
<td>85 (14%)</td>
</tr>
<tr>
<td>35-49</td>
<td>158 (25%)</td>
</tr>
<tr>
<td>50-64</td>
<td>176 (28%)</td>
</tr>
<tr>
<td>65+</td>
<td>204 (33%)</td>
</tr>
<tr>
<td>Refused</td>
<td>2 -</td>
</tr>
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</table>

**RACE/ETHNICITY:**

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Registration</th>
</tr>
</thead>
<tbody>
<tr>
<td>White/Caucasian</td>
<td>463 (74%)</td>
</tr>
<tr>
<td>Black/African American</td>
<td>77 (12%)</td>
</tr>
<tr>
<td>Hispanic or Cuban</td>
<td>74 (12%)</td>
</tr>
<tr>
<td>Other/Refused</td>
<td>11 (2%)</td>
</tr>
</tbody>
</table>

**SEX:**

<table>
<thead>
<tr>
<th>Gender</th>
<th>Registration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>303 (48%)</td>
</tr>
<tr>
<td>Female</td>
<td>322 (52%)</td>
</tr>
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</table>

**REGION:**

<table>
<thead>
<tr>
<th>Region</th>
<th>Registration</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Florida</td>
<td>120 (19%)</td>
</tr>
<tr>
<td>Central Florida</td>
<td>130 (21%)</td>
</tr>
<tr>
<td>Tampa Bay</td>
<td>115 (18%)</td>
</tr>
<tr>
<td>Southwest Florida</td>
<td>70 (11%)</td>
</tr>
<tr>
<td>Southeast Florida</td>
<td>190 (30%)</td>
</tr>
</tbody>
</table>
EPA Update
Greetings,

The U.S. Environmental Protection Agency (EPA) has extended the deadlines for the proposed establishment of numeric nutrient criteria for Florida’s estuarine and coastal waters (statewide), inland waters in South Florida (including canals), and downstream protection values for estuaries by ten months. This decision, which was made by mutual agreement between EPA and the parties involved in the Consent Decree, will allow EPA to send the data and methods used to develop numeric nutrient criteria for Florida’s coastal waters to a Science Advisory Board for an independent public peer review. Both the letter to the Department as well as the Joint Notice to the Court are posted to the Department’s website at http://www.dep.state.fl.us/water/wqssp/nutrients/federal.htm.

The Department initiated development of numeric nutrient criteria for estuaries earlier this year and conducted public meetings around the state in February and March to discuss the development of numeric nutrient criteria for estuarine and coastal systems. As a result of these public meetings and subsequent analyses, the Department is preparing reports on numeric nutrient criteria development in these estuarine and coastal systems. Draft reports will be posted in the next few weeks to the Department’s website at http://www.dep.state.fl.us/water/wqssp/nutrients/estuarine.htm. The PowerPoint presentations from the earlier public meetings have already been posted to this website.

The Department will be conducting four public meetings to discuss these estuarine and coastal system numeric nutrient criteria reports as follows:

DATE AND TIME: Tuesday, August 24, 2010, 9:00 a.m.  
PLACE: Florida Department of Environmental Protection, Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399  
AREA TO BE COVERED: Perdido Bay to Apalachee Bay

DATE AND TIME: Thursday, August 26, 2010, 9:00 a.m.  
PLACE: South Florida Water Management District Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406  
AREA TO BE COVERED: Rookery Bay to St. Lucie River Estuary

DATE AND TIME: Tuesday, August 31, 2010, 1:00 p.m. and Wednesday, September 1, 2010, 9:00 a.m.  
PLACE: Guana-Tolomato-Matanzas Research Reserve Auditorium, 505 Guana River Road, Ponte Vedra Beach, Florida 32082  
AREA TO BE COVERED: Indian River Lagoon to St. Marys River Estuary

DATE AND TIME: Thursday, September 2, 2010, 9:00 a.m. and Friday, September 3, 2010, 9:00 a.m.  
PLACE: Tampa Bay Regional Planning Council Conference Room, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida 33782  
AREA TO BE COVERED: Suwannee River Estuary to Caloosahatchee River/Charlotte Harbor  
(NOTE: The morning of September 2nd will be dedicated to numeric nutrient criteria discussions of the Tampa Bay, Sarasota Bay, and Charlotte Harbor National Estuarine Program areas)

Most of the meetings can be expected to run until mid-afternoon or later with the exception of the September 1st and 3rd meetings, which will be limited to the morning. To ensure constructive
dialogue during the meetings, we strongly encourage you to review the reports once they are posted to the Department's website as discussed above. All of the meetings are open to the public, and we welcome any feedback you may have on the documents.

The Department has also established a Marine Numeric Nutrient Criteria Technical Advisory Committee (MTAC) to assist in our efforts to derive Florida's marine numeric nutrient criteria. This TAC is separate and distinct from a previous TAC established for nutrient criteria development for freshwater systems (lakes, streams, and canals). The first meeting of the MTAC, which is open to the public, is scheduled as follows:

DATE AND TIME: Wednesday, September 15, 2010, 9:00 a.m.
PLACE: Florida Department of Environmental Protection, Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399

Please let me know if you have any questions.

Eric Shaw
Environmental Manager
Standards & Assessments Section
Florida Department of Environmental Protection
2600 Blair Stone Road, MS 6511
Tallahassee, FL 32399-2400
Phone: (850) 245-8429
Email: Eric.Shaw@dep.state.fl.us
Greetings,

As a follow up to an email sent out earlier this week regarding the U.S. Environmental Protection Agency’s (EPA) recently published notice of supplemental data availability (NODA) and request for comment regarding the development of numeric nutrient criteria for Florida’s inland flowing waters and lakes, we have posted the following information to an FTP site at http://publicfiles.dep.state.fl.us/dear/labs/sas/August310NODA/:

1. Data files for the data EPA used to calculate the stream criteria described in the NODA (zip file).
2. GIS Shapefiles for the revised nutrient regions described in the NODA (zip file).
3. Excel spreadsheet merging EPA’s text data files with re-creation of criteria calculations (this is a FDEP work product and was not included with EPA’s NODA). Important note: this is a large (43 MB) file.

These are not small files. Please let me know if you have any problems accessing the files.

Eric Shaw
Environmental Manager
Standards & Assessments Section
Florida Department of Environmental Protection
2600 Blair Stone Road, MS 6511
Tallahassee, FL 32399-2400
Phone: (850) 245-8429
Email: Eric.Shaw@dep.state.fl.us
DC “Fly-In” Recap
Florida Fly-In Schedule

Tuesday, July 27, 2010

10:30 am  USDA
Staci Braswell – FL Farm Bureau
Mary Hartney – FFAA
Steve Lezman – Tropicana
Mike Milicevic – FL Farm Bureau
Tom Hebert - Bayardridge
Bill Herz - TFI

10:30 am  Congressman Young (Matthew Dickerson) – 2407 Rayburn
Rosemary O’Brien – CF Industries - Leader
Tammy Perdue – AIF
David Childs – Hopping Green & Sams
Stan Posey – Potash Corp
Rep. Trudi Williams
Mike Markey – Gulf Power
Stefan Katzaras – CF Industries

10:45 am  Congressman Ron Klein – 313 Cannon
Frank Matthews – Leader
Adam Diamond – CF Industries
Adam Basford – FFB
Rep. & Mrs. Leonard Bembry
Rep. Debbie Boyd
Tom Miller – PBC
Paul Steinbrecher – JEA
Kathy Mathers – TFI
Sarah Monke – TFI

11:00 am  Congressman Bilirakis (Monica Richter) – 1124 Longworth
Laura Donaldson – Manson Law Group - Leader
Clark Mica – The Fertilizer Institute
Luke Langford – FFB
Eileen Stuart – Mosaic
P.G. Para – JEA
Tanya Portillo – FEPCG
Mike Williams – Potash Corp
11:30 am  Congressmen Lincoln Diaz-Balart — 2244 Rayburn
David Childs — Hopping Green & Sams — Leader
Rosemary O'Brien — CF Industries
Tammy Perdue — AIF
Stan Posey — Potash Corp
Rep. Trudi Williams
Staci Braswell — FL Farm Bureau
Mary Hartney — FAAA
Steve Lezman — Tropicana
Mike Milicevic — FL Farm Bureau
Stefan Katzaras — CF Industries
Gary Williams — Potash Corp

1:00 pm  Congressman Alan Boyd (Staff will take to member) — 1227 Longworth
Gary Williams — FL Rural Water Assn — Leader
Rep. & Mrs. Leonard Bembry
Rep. Debbie Boyd
Michael Williams — Potash Corp
Adam Basford — FFB
Staci Braswell — FL Farm Bureau
Mary Hartney — FAAA
Kathy Mathers — TFI
Sarah Monke — TFI

1:00 pm  Congressmen Ander Crenshaw — 440 Cannon
Paul Steinbrecher — JEA — Leader
Rosemary O'Brien — CF Industries
David Childs - Hopping Green & Sams
Laura Donaldson — Manson Law Group
P.G. Para — JEA
Stan Posey — JEA

1:30 pm  Congressmen Bill Posey — 132 Cannon
Rep. Trudi Williams — Leader
Frank Matthews — Hopping Green & Sams
Clark Mica — The Fertilizer Institute
Luke Langford — FFB
Tammy Perdue — AIF
Tanya Portillo — FEPCG
Stefan Katzaras — CF Industries

1:30 pm  Congressmen Jeff Miller (Staff TBD) — 2439 Rayburn
Mike Markey — Gulf Power — Leader
Mike Milicevic — FFB
Eileen Stuart — Mosaic
Congressman Mario Diaz-Balart (Lauren Robitaille) – 328 Cannon
Frank Matthews – Leader
Tanya Portillo - FEPCG
Adam Basford – FFB
Rep. Trudi Williams
Stefan Katzaras – CF Industries

Congressman Vern Buchanan – 218 Cannon
Steve Lezman – Tropicana

Congressman Kendrick Meek (Hassan Christian) – 1039 Longworth
Staci Braswell – FFB
P.G. Para – JEA
Rep. Debbie Boyd
Sarah Monke – TFI

Congressman Alcee Hastings (Ian Wolf) – 2353 Rayburn
Rosemary O’Brien - Leader
Gary Williams – Fl Rural Water
Rep. and Mrs. Leonard Bembry
Michael Williams - Potash
Laura Donaldson – Manson Law Group

Congressman Tom Rooney (Hannah Walker) – 1529 Longworth
Mike Milicevic – FFB - Leader
Mary Hartney – FFAA
Clark Mica - TFI

Congressman Ted Deutch – 2241 Rayburn
David Childs – Leader
Luke Langford – FFB
Tom Miller – PBC
Tammy Perdue – AIF

Congressman Connie Mack (Matt Satterly) – 115 Cannon
Gary Williams – FL Rural Water Assn – Leader
Mike Williams – Potash Corp
Rep. Trudi Williams
Stefan Katzaras – CF Industries

Congresswoman Ros-Lehtinen – 2470 Rayburn
Rosemary O’Brien – CF Industries - Leader
Laura Donaldson – Manson Law Group
Steve Lezman – Tropicana
Mike Markey – Gulf Power
Tanya Portillo - FEPCG
Eileen Stuart - Mosaic
3:30 pm  Congresswoman Corrine Brown – 2336 Rayburn  
Paul Steinbrecher – JEA - Leader  
Rosemary O'Brien – CF Industries  
Rep. & Mrs. Leonard Bembry  
Rep. Debbie Boyd  
Laura Donaldson – Manson Law Group  
Luke Langford – FFB  
P.G. Para – JEA  
Kathy Mathers – TFI  
Sarah Monke – TFI

3:30 pm  Senator George LeMieux – 356 Russell  
Frank Matthews - Leader  
Adam Basford - FFB  
Mike Markey – Gulf Power  
Tom Miller – PBC  
Tammy Perdue – AIF  
Stan Posey – Potash Corp  
Rep. Trudi Williams  
Stefan Katzaras – CF Industries  
Clark Mica - TFI

4:00 pm  Congresswoman Ginny Brown-Waite – 414 Cannon  
David Childs - Leader  
Mike Milievic - FFB  
Tanya Portillo – FEPCG  
Eileen Stuart - Mosaic  
Gary Williams – FL Rural Water Assn  
Mike Williams – Potash Corp

5:00 pm  Senator Bill Nelson – 716 Hart  
Frank Matthews - Leader  
Adam Diamond – CF Industries  
Rep. & Mrs. Leonard Bembry  
Rep. Debbie Boyd  
Staci Braswell – FFB  
Laura Donaldson – Manson Law Group  
Mary Hartney – FFAA  
Luke Langford – FFB  
Steve Lezman – Tropicana  
Mike Markey – Gulf Power  
Tom Miller - PBC  
Rosemary O'Brien – CF Industries  
P.G. Para – JEA  
Tammy Perdue – AIF  
Stan Posey – Potash Corp.  
Paul Steinbrecher – JEA  
Rep. Trudi Williams  
Kathy Mathers – TFI  
Sarah Monke – TFI
Wednesday, July 28, 2010

8:45 am    Congressman Adam Putnam – 402 Cannon (meeting room)

11:00 am   Congresswoman Debbie Wasserman-Schultz – 118 Cannon

Laura Donaldson – Leader
Florida Fly-In
Schedule by Attendee

Adam Basford – Florida Farm Bureau, Gainesville
10:45 am – Congressman Klein – 313 Cannon
1:00 pm – Congressman Boyd (Staff will take to member) – 1227 Longworth
2:00 pm – Congressman Mario Diaz-Balart (Lauren Robitaille) – 328 Cannon
3:30 pm – Senator LeMieux – 356 Russell

Leonard Bembry – Florida State Representative District 10, Madison
10:45 am – Congressman Klein – 313 Cannon
1:00 pm – Congressman Boyd (Staff will take to member) – 1227 Longworth
2:00 pm – Congressman Alcee Hastings (Ian Wolf) – 2353 Rayburn
3:30 pm – Congresswoman Brown – 2336 Rayburn
5:00 pm – Senator Nelson – 716 Hart

Susan Bembry – Spouse, Madison
10:45 am – Congressman Klein – 313 Cannon
1:00 pm – Congressman Boyd (Staff will take to member) – 1227 Longworth
3:30 pm – Congresswoman Brown – 2336 Rayburn
5:00 pm – Senator Nelson – 716 Hart

Debbie Boyd – Florida State Representative District 11, High Springs
10:45 am – Congressman Klein – 313 Cannon
1:00 pm – Congressman Boyd (Staff will take to member) – 1227 Longworth
2:00 pm – Congressman Kendrick Meek (Hassan Christian) – 1039 Longworth
3:30 pm – Congresswoman Brown – 2336 Rayburn
5:00 pm – Senator Nelson – 716 Hart

Staci Braswell – Florida Farm Bureau, Gainesville
10:30 am – USDA
11:30 am – Congressman Lincoln Diaz-Balart - 2244 Rayburn
1:00 pm – Congressman Alan Boyd (Staff will take to member) – 1227 Longworth
2:30 pm – Congressman Meek (Hassan Christian) – 1039 Longworth \(\text{(Leader)}\)
5:00 pm – Senator Nelson – 716 Hart

David Childs – Hopping Green & Sams, Tallahassee
10:30 am – Congressman Young (Matthew Dickerson) – 2407 Rayburn
11:30 am – Congressman Lincoln Diaz-Balart - 2244 Rayburn \(\text{(Leader)}\)
1:00 pm – Congressman Crenshaw – 440 Cannon
2:30 pm – Congressman Deutch – 2241 Rayburn \(\text{(Leader)}\)
4:00 pm – Congresswoman Brown-Waite – 414 Cannon \(\text{(Leader)}\)

Adam Diamond – CF Industries (703) 965-8672
10:45 am – Congressman Klein – 313 Cannon
2:00 pm – Congressman Mario Diaz-Balart (Lauren Robitaille) – 328 Cannon
5:00 pm – Senator Nelson – 716 Hart
Laura Donaldson – Manson Law Group, Tampa
11:00 am – Congressman Billirakis (Monica Richter) – 1124 Longworth (Leader)
1:00 pm – Congressman Crenshaw – 440 Cannon
2:00 pm – Congressman Alcee Hastings (Ian Wolf) – 2353 Rayburn
3:00 pm – Congresswoman Ros-Lehtinen – 2470 Rayburn
3:30 pm – Congresswoman Brown – 2336 Rayburn
5:00 pm – Senator Nelson – 716 Hart

Mary Hartney – Florida Fertilizer & Agrichemical Association, Winter Haven
10:30 am – USDA
11:30 am - Congressman Lincoln Diaz-Balart - 2244 Rayburn
1:00 pm – Congressman Alan Boyd (Staff will take to member) – 1227 Longworth
2:30 pm – Congressman Rooney (Hannah Walker) – 1529 Longworth
5:00 pm – Senator Nelson – 716 Hart

Stefan Katzaras – CF Industries
10:30 am – Congressman Young (Matthew Dickerson) – 2407 Rayburn
11:30 am - Congressman Lincoln Diaz-Balart - 2244 Rayburn
1:30 pm – Congressman Posey – 132 Cannon
2:00 pm – Congressman Mario Diaz-Balart (Laureen Robitaille) – 328 Cannon
3:00 pm – Congressman Mack (Matt Satterly) – 115 Cannon
3:30 pm – Senator LeMieux – 356 Russell
5:00 pm – Senator Nelson – 716 Hart

Luke Langford – Florida Farm Bureau, Gainesville
11:00 am – Congressman Billirakis (Monica Richter) – 1124 Longworth
1:30 pm – Congressman Posey – 132 Cannon
2:30 pm – Congressman Deutch – 2241 Rayburn
3:30 pm – Congresswoman Brown – 2336 Rayburn
5:00 pm – Senator Nelson – 716 Hart

Steve Lezman – PepsiCo/Tropicana, Bradenton
10:30 am – USDA
11:30 am - Congressman Lincoln Diaz-Balart - 2244 Rayburn
2:00 pm – Congressman Vern Buchanan – 218 Cannon (Leader)
3:00 pm – Congresswoman Ros-Lehtinen – 2470 Rayburn
5:00 pm – Senator Nelson – 716 Hart

Mike Markey – Gulf Power Company, Pensacola
10:30 am – Congressman Young (Matthew Dickerson) – 2407 Rayburn
1:30 pm – Congressman Miller (Staff TBD) – 2439 Rayburn (Leader)
3:00 pm – Congresswoman Ros-Lehtinen – 2470 Rayburn
3:30 pm – Senator LeMieux – 356 Russell
5:00 pm – Senator Nelson – 716 Hart

Kathy Mathers – The Fertilizer Institute
10:45 am – Congressman Klein – 313 Cannon
1:00 pm – Congressman Boyd (Staff will take to member) – 1227 Longworth
3:30 pm – Congresswoman Brown – 2336 Rayburn
5:00 pm – Senator Nelson – 716 Hart
Frank Matthews – Hopping Green & Sams, Tallahassee
10:45 am – Congressman Klein – 313 Cannon (Leader)
1:30 pm – Congressman Posey – 132 Cannon
2:00 pm – Congressman Mario Diaz-Balart (Lauren Robitaille) – 328 Cannon (Leader)
3:30 pm – Senator LeMieux – 356 Russell (Leader)
5:00 pm – Senator Nelson – 716 Hart (Leader)

Clark Mica – The Fertilizer Institute, Washington, DC
11:00 am – Congressman Bilirakis (Monica Richter) – 1124 Longworth
1:30 pm – Congressman Posey – 132 Cannon
2:30 pm – Congressman Rooney (Hannah Walker) – 1529 Longworth
3:30 pm – Senator George LeMieux – 356 Russell

Mike Milicevic – Florida Farm Bureau
10:30 am – USDA
11:30 am - Congressman Lincoln Diaz-Balart - 2244 Rayburn
1:30 pm – Congressman Miller (Staff TBD) – 2439 Rayburn
2:30 pm – Congressman Rooney (Hannah Walker) – 1529 Longworth (Leader)
4:00 pm – Congresswoman Brown-Waite – 414 Cannon

Tom Miller – Palm Beach County Water Utilities, West Palm Beach
10:45 am – Congressman Klein – 313 Cannon
2:30 pm – Congressman Deutch – 2241 Rayburn
3:30 pm – Senator LeMieux – 356 Russell
5:00 pm – Senator Nelson – 716 Hart

Sarah Monke – The Fertilizer Institute
10:45 am – Congressman Klein – 313 Cannon
1:00 pm – Congressman Boyd (Staff will take to member) – 1227 Longworth
2:00 pm – Congressman Kendrick Meek (Hassan Christian) – 1039 Longworth
3:30 pm – Congresswoman Brown – 2336 Rayburn
5:00 pm – Senator Nelson – 716 Hart

10:30 am – Congressman Young (Matthew Dickerson) – 2407 Rayburn (Leader)
11:30 am - Congressman Lincoln Diaz-Balart - 2244 Rayburn
1:00 pm – Congressman Crenshaw – 440 Cannon
2:00 pm – Congressman Alcee Hastings (Ian Wolf) – 2353 Rayburn (Leader)
3:00 pm – Congresswoman Ros-Lehtinen – 2470 Rayburn (Leader)
3:30 pm – Congresswoman Brown – 2336 Rayburn
5:00 pm – Senator Nelson – 716 Hart

P.G. Para – JEA, Jacksonville
11:00 am – Congressman Bilirakis (Monica Richter) – 1124 Longworth
1:00 pm – Congressman Crenshaw – 440 Cannon
2:00 pm – Congressman Kendrick Meek (Hassan Christian) – 1039 Longworth
3:30 pm – Congresswoman Brown – 2336 Rayburn
5:00 pm – Senator Nelson – 716 Hart
Tammy Perdue – Associated Industries of Florida, Tallahassee
10:30 am – Congressman Young (Matthew Dickerson) – 2407 Rayburn
11:30 am - Congressman Lincoln Diaz-Balart - 2244 Rayburn
1:30 pm – Congressman Posey – 132 Cannon
2:30 pm – Congressman Deutch – 2241 Rayburn
3:30 pm – Senator LeMieux – 356 Russell
5:00 pm – Senator Nelson – 716 Hart

Tanya Portillo – Florida Electric Power Coordinating Group, Tampa
11:00 am – Congressman Bilirakis (Monica Richter) – 1124 Longworth
1:30 pm – Congressman Posey – 132 Cannon
2:00 pm – Congressman Mario Diaz-Balart (Lauren Robitaille) – 328 Cannon
3:00 pm – Congresswoman Ros-Lehtinen – 2470 Rayburn
4:00 pm – Congresswoman Brown-Waite – 414 Cannon

Stan Posey – Potash Corp, White Springs
10:30 am – Congressman Young (Matthew Dickerson) – 2407 Rayburn
11:30 am - Congressman Lincoln Diaz-Balart - 2244 Rayburn
1:00 pm – Congressman Crenshaw – 440 Cannon
3:30 pm – Senator LeMieux – 356 Russell
5:00 pm – Senator Nelson – 716 Hart

Paul Steinbrecher – JEA, Jacksonville
10:45 am – Congressman Klein – 313 Cannon
1:00 pm – Congressman Crenshaw – 440 Cannon (Leader)
3:30 pm – Congresswoman Brown – 2336 Rayburn (Leader)
5:00 pm – Senator Nelson – 716 Hart

Eileen Stuart – Mosaic Company, Fishhawk/Lithia
11:00 am – Congressman Bilirakis (Monica Richter) – 1124 Longworth
1:30 pm – Congressman Miller (Staff TBD) – 2439 Rayburn
3:00 pm – Congresswoman Ros-Lehtinen – 2470 Rayburn
4:00 pm – Congresswoman Brown-Waite – 414 Cannon

Gary Williams – Florida Rural Water Association, Tallahassee
11:30 am - Congressman Lincoln Diaz-Balart - 2244 Rayburn
1:00 pm – Congressman Boyd (Staff will take to member) – 1227 Longworth (Leader)
2:00 pm – Congressman Alcee Hastings (Ian Wolfe) – 2353 Rayburn
3:00 pm – Congressman Mack (Matt Satterly) – 115 Cannon (Leader)
4:00 pm – Congresswoman Brown-Waite – 414 Cannon

Michael Williams – Potash Corp, White Springs
11:00 am – Congressman Bilirakis (Monica Richter) – 1124 Longworth
1:00 pm – Congressman Boyd (Staff will take to member) – 1227 Longworth
3:00 pm – Congressman Mack (Matt Satterly) – 115 Cannon
4:00 pm – Congresswoman Brown-Waite – 414 Cannon
Trudi Williams – Florida State Representative District 75, Fort Myers
10:30 am – Congressman Young (Matthew Dickerson) – 2407 Rayburn
11:30 am - Congressman Lincoln Diaz-Balart - 2244 Rayburn
1:30 pm – Congressman Posey – 132 Cannon (Leader)
2:00 pm – Congressman Mario Diaz-Balart (Lauren Robitaille) – 328 Cannon
3:00 pm – Congressman Mack (Matt Satterly) – 115 Cannon
3:30 pm – Senator LeMieux – 356 Russell
5:00 pm – Senator Nelson – 716 Hart
NNC Letter to EPA from Florida’s Congressional Delegation
August 2, 2010

The Honorable Lisa Jackson  
Administrator  
United States Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Administrator Jackson,

As you know, the Environmental Protection Agency (EPA) has issued a proposed rule establishing federal numeric nutrient criteria for Florida water bodies. In accordance with a consent decree EPA entered into with several litigants, EPA committed to issue a final rule for Florida lakes and streams by October 2010 and for Florida canals, coastal waters, and estuaries by August 2012.

EPA’s numeric nutrient criteria rulemaking will impact all Florida citizens, local governments, and vital sectors of Florida’s economy, including agriculture. It is thus imperative that EPA ensure that its federal criteria are based on sound scientific rationale; necessary to protect the applicable designated uses of Florida waters; and reflective of the range of natural variability associated with state waters.

To that end, we applaud EPA’s decision to delay finalization of criteria for Florida’s canals, coastal waters, and estuaries to August 2012 to allow EPA’s Science Advisory Board (SAB) to conduct a peer review of EPA’s data and methodologies for deriving criteria for these waters. It is our expectation that the SAB’s peer review will consider the appropriateness of the numerical limits proposed for canals, estuaries, and coastal waters and analyze whether the proposed criteria are sufficiently based on or correlated with cause and effect relationships between nutrients and biological responses in these Florida waters. Also, because a peer review process is only meaningful if the agency is prepared to be responsive to the comments of independent experts, we expect that EPA will modify its rulemaking in accordance with the SAB’s analysis and recommendations.

In addition to reviewing the proposed criteria for Florida’s canals, estuaries, and coastal waters, we strongly urge that EPA extend the scope of its SAB peer review to include examination of the proposed numeric nutrient criteria and underlying derivation methodologies for Florida’s rivers, streams, and lakes. We believe that the SAB peer review process is important, and it should apply to all of the criteria to be imposed in Florida, not just criteria for canals, coastal waters, and estuaries. We strongly urge that EPA delay requirements to implement its proposed streams and lakes criteria until the peer review concludes, and EPA should adjust its rulemaking in accordance with the peer review analysis and recommendations.
Lastly, we strongly urge that EPA provide for an independent analysis to assess the economic impact of the proposed rule on Florida and adjoining states. The assessments should consider economic information submitted by Florida governmental entities and the public in EPA’s rulemaking process; compare the proposed rule to current law in Florida; and account for the potential need to retrofit pollutant reduction measures taken in response to TMDLs and estuary programs for nutrients in Florida.

Again, EPA’s unprecedented nutrient criteria rulemaking appears poised to impose substantial regulatory and economic consequences on Floridians. We ask that prior to deciding whether to implement numeric nutrient criteria, you ensure that all aspects of EPA’s rulemaking are based on a sound scientific rationale and that the costs and potential unintended consequences associated with the rule are well understood.

Sincerely,

ADAM H. PUTNAM
Member of Congress

TOM ROONEY
Member of Congress

GEORGE LEMIEUX
United States Senator

JEFF MILLER
Member of Congress

ALLEN BOYD
Member of Congress

CARRINE BROWN
Member of Congress

ANDER CRENSHAW
Member of Congress

GINNY BROWN-WAITE
Member of Congress

CLIFF STEARNS
Member of Congress

JOHN L. MICA
Member of Congress

GUS M. BILIRAKIS
Member of Congress

C.W. BILL YOUNG
Member of Congress
Congressman Adam Putnam’s NNC Press Release & Floor Remarks
PUTNAM LEADS CALL FOR SCIENTIFIC REVIEW OF FLORIDA WATER RULES (08-02-10)


Contact: Keith Rupp, Communications Director, (863) 534-3530

August 2, 2010

WASHINGTON - Congressman Adam Putnam and 20 other bipartisan members of Florida's congressional delegation today sent a letter to the U.S. Environmental Protection Agency (EPA), strongly urging the agency to broaden the independent scientific review of its planned nutrient rules for Florida's waters. The delegation is asking that the review consider all Florida waters and that the EPA consider the economic impact of the new rules on Florida and adjoining states.

"We all want the cleanest possible waters for Florida," said Putnam, who organized the delegation letter. "But it was lawyers in a courtroom, not scientists in a lab, who set the standard and timeline on what will be a costly endeavor that has not been backed up by sound science."

EPA had announced it will delay finalization of criteria for Florida's canals, coastal waters, and estuaries to August 2012 to allow EPA's Science Advisory Board (SAB) to conduct a peer review of EPA's data and methodologies for deriving criteria for these waters.

The signers of letter called on EPA to go further: "...We strongly urge that EPA extend the scope of its SAB peer review to include examination of the proposed numeric nutrient criteria and underlying derivation methodologies for Florida's rivers, streams, and lakes.

"... We strongly urge that EPA provide for an independent analysis to assess the economic impact of the proposed rule on Florida and adjoining states," the letter states. "The assessments should consider economic information submitted by Florida governmental entities and the public in EPA's rulemaking process; compare the proposed rule to current law in Florida; and account for the potential need to retrofit pollutant reduction measures taken in response to TMDLs (Total Maximum Daily Loads) and estuary programs for nutrients in Florida.

"Again, EPA's unprecedented nutrient criteria rulemaking appears poised to impose substantial regulatory and economic consequences on Floridians. We ask that prior to deciding whether to implement numeric nutrient criteria, you ensure that all aspects of EPA's rulemaking are based on a sound scientific rationale and that the costs and potential unintended consequences associated with the rule are well understood."

Critics of the EPA's rules, include Florida's Department of Environmental Protection, which has told the agency, "EPA proposed criteria do not reflect a true relationship between nutrient enrichment and the biological health of Florida's surface waters."

"EPA should conduct a full scientific review of this proposed rule for all Florida waters," said Putnam. "And it should modify its rulemaking in accordance with SAB's analysis so that Floridians
can continue to enjoy clean water, protected by a standard that is achievable and supported by the best available science."

Since 2001, Putnam has represented Florida's 12th Congressional District, which includes most of Polk County and portions of Hillsborough and Osceola counties.

The members of Florida's Congressional delegation signing the letter are:

Rep. Adam H. Putnam
Rep. Tom Rooney
Sen. George Lemieux
Rep. Jeff Miller
Rep. Allen Boyd
Rep. Corrine Brown
Rep. Ander Crenshaw
Rep. Ginny Brown-Waite
Rep. Cliff Stearns
Rep. John L. Mica
Rep. Gus M. Bilirakis
Rep. C.W. BILL Young
Rep. Vern Buchanan
Rep. Connie Mack
Rep. Bill Posey
Rep. Ileana Ros-Lehtinen
Rep. Lincoln Diaz-Balart
Rep. Ron Klein
Rep. Suzanne M. Kosmas
Rep. Mario Diaz-Balart
Rep. Alcee Hastings
July 30, 2010

Extension of Remarks

On October 15th, the EPA will finalize the first phase of an unprecedented statewide water quality regulation which will have significant impacts on Florida’s economy. While these regulations only apply to Florida, it could have a regional impact if our state’s taxpayers are held accountable for the quality of water flowing from neighboring states. My colleagues should take note of this as these regulations are likely to arrive in your states and districts soon without your input and without a debate on this floor.

Last year, the Obama administration and the EPA entered into a legally binding agreement with environmental activists seeking to impose stringent numeric nutrient criteria for water bodies in the state of Florida. It was lawyers in a courtroom and not scientists in a lab who set the standard and timeline on what will be a costly endeavor that has not been backed up by science.

These regulations could not come at a worse time as they pose a significant threat to Florida’s already weakened economy. A joint Florida Department of Agriculture and Consumer Services and University of Florida study indicates these regulations could cost Florida over 14,500 jobs and $902 million to $1.6 billion annually, with additional indirect economic impacts to the state of over $1 billion annually.

Even worse, there is significant debate in the environmental community as to whether these federal regulations will even benefit the environment. The comments expressed by the state and local agencies charged with protecting Florida’s waters raise serious concerns about the methodology EPA used to develop these regulations. Our state Department of Environmental Protection says that “compliance will force an investment of billions of dollars without environmental benefit.” The scientists at DEP further claim that “EPA proposed criteria do not reflect a true relationship between nutrient enrichment and the biological health of Florida’s surface waters.”

The South Florida Water Management District – the lead state agency charged with the restoration of the Everglades – calls the current proposed implementation timeline “unrealistic” and that the proposed methodology has real potential to disrupt Everglades restoration.
It is also questionable as to whether the technology even exists for our local governments and private industries to meet the standards proposed by EPA. Even if it does, the costs imposed will flow to the consumer in the form of higher utility bills.

But despite all the legitimate science based concerns, EPA marches forward bound by a consent decree they did not have to sign in the first place. When members of the Florida delegation met with EPA administrator Lisa Jackson, she promised to review the rigor of their science. The problem is, she did not have the flexibility in time to review their own science without getting permission from the ones who sued them. Will this be the EPA’s standard business practice for water quality regulations in the future?

When Congress passed the Clean Water Act, its intent was to create a collaborative approach with the federal government partnering with the states to clean our nation’s waters. It was not intended to promote a heavy handed Washington-knows-best agenda.

Of course Floridians want cleaner water – which is why our state has invested millions collecting data on the effects of nutrients. Over the past three decades, Floridians have successfully committed to substantial reductions in phosphorous levels through an EPA-approved Total Maximum Daily Load (TMDL) program. We are seeing the positive results of these programs in water bodies across the state.

I was pleased to learn that EPA would submit the part of its proposed rule which would apply to estuaries, coastal waters, and flowing waters in South Florida to their internal Science Advisory Board. When EPA made this announcement in June, their own press release quoted the assistant administrator for EPA’s Office of Water as saying:

“An independent scientific peer review by the SAB will ensure that the best available science is our guide in developing clean water standards for Florida’s coast.”

Shouldn’t the best available science be afforded to North and Central Florida as well?

Florida is one the most diverse states in terms of its aquatic ecosystems, from the rare coastal dune lakes in the panhandle to the mangroves, swamps, and spring fed lakes and rivers throughout central Florida. An SAB review of only South Florida waters ignores this diversity in the rest of the state.

I urge EPA to conduct a full SAB review of this proposed rule for all Florida waters and to modify its rulemaking in accordance with SAB’s analysis so that Floridians can continue to enjoy clean water, protected by a standard that is achievable and supported by the best available science.
Congressional Delegation Members who have not signed on to EPA Letter
Congressional Delegation Members who have not signed the last EPA Letter
(As of August 9, 2010)

Senator Bill Nelson
Congresswoman Kathy Castor
(Represents Hillsborough, Manatee and Pinellas Counties)
  • Sam Bell

Congressman Ted Deutch
(Represents Broward and Palm Beach Counties)
  • Barney Bishop

Congressman Alan Grayson
(Represents Lake, Marion, Orange and Osceola Counties)

Congressman Kendrick Meek
(Represents Broward and Miami-Dade Counties)
  • Senator Chris Smith

Congresswoman Debbie Wasserman-Schultz
(Represents Broward and Miami-Dade Counties)
  • Senator Nan Rich
DEP Letter to EPA
August 10, 2010

Ms. Danielle Salvaterra
United States Environmental Protection Agency
Office of Water
Mailcode: 4305T
1200 Pennysylvania Avenue, NW.
Washington, DC 20460

Dear Ms. Salvaterra,

The Florida Department of Environmental Protection, (Department), has begun our review of the supplemental notice of data availability and a request for public comment related to the Environmental Protection Agency's (EPA) January 26, 2010, notice of proposed rulemaking, proposing numeric nutrient for lakes and flowing waters within the State of Florida. After our initial review, we have concluded that we need more information in order to prepare meaningful comments. We respectfully ask that you provide the following information or answer the following questions so that a proper review of the notice can be conducted.

1. Nutrient Watershed Regions: The notice of data availability proposed using the same nutrient watershed regions for total nitrogen (TN) and total phosphorus (TP). The reasoning behind the delineation of the regions for TP is fairly clear. The reasoning for TN is not apparent. The notice states that EPA decided to use the same TP regions for TN because "differences in the resulting TN criteria based on these stream classification schemes were minor and the approaches were comparable." The Docket does not contain any information to help the Department and the public understand this statement and subsequently review the application of nutrient watershed regions to TN. Please provide the technical reasoning behind this statement and the supporting analysis so the State can properly comment.

2. Stream Criteria: EPA is requesting comment on two potential approaches to deriving stream criteria, but neither approach contains information regarding what final criteria would be derived by the procedures. Specifically, the proposed criteria contained in the notice of data availability do not contain the required averaging period (duration) or the allowable frequency of exceedance.

"More Protection, Less Process"

www.dep.state.fl.us
(frequency). [See Florida Public Interest Research Group Citizen Lobby, Inc., Save our Suwannee, Inc., et al. v. EPA, et al., 386 F.3d 1070 (11th Cir. 2004).] The Division has looked over the compilation of the data and may be able to make presumptions regarding the duration component, but cannot draw any conclusions regarding frequency. Please provide the duration and frequency associated with the proposed concentrations produced by these methods so that the Florida citizenry can be fully informed when preparing comments.

3. Downstream Protection of Lakes: The EPA is considering the use of the BATHTUB model for deriving criteria for the protection of downstream lakes. The Division supports EPA’s movement towards a modeling approach, but more clarification is needed to fully understand how to comment on the application of BATHTUB or WASP for this purpose. Would the model be used to assure attainment of lake Chlorophyll a, or would it also be used to ensure attainment of TP and TN criteria? How would the criteria associated with the model output be expressed?

The Department may realize that more information is needed as we continue our review, but this represents the greatest need at this time. We will ensure that all additional information provided to the Department by EPA is made available to the public. As you know, the September 2nd deadline for submitting comments is only weeks away, so a timely response would be greatly appreciated by all.

Sincerely,

Drew Bartlett, Assistant Director
Division of Environmental Assessment and Restoration

DB/ad
Economic Study of NNC Impact
ENTRIX is pleased to submit this proposed scope of work to help evaluate the potential economic impacts of the proposed FDEP and EPA numeric nutrient criteria (NNC). The goal of the project is to help the regulated community develop economically sound statewide estimates of the direct and indirect impacts of the NNC. The direct costs include the expenditures by the regulated community to meet the requirements stated in the NNC (or any proposed changes in the NNC). The indirect costs are the long-term impacts on total employment, income, and taxes throughout Florida. As a result of this project, the participants will be provided with reports that can be shared with the public, regulators, and stakeholders to inform the debate on the effects of implementing the proposed NNC. In addition, the project participants will have a simple tool that can help evaluate the impact of any proposed changes in the NNC on both direct and indirect economic costs.

The project will be implemented in two phases. Phase 1 collects data about the direct and indirect costs associated with the FDEP/EPA NNC that are scheduled to be adopted by the EPA in October 2010. Phase 2 will cover NNC for downstream estuary protection, canals, estuaries, coastal bodies of water, and South Florida. These criteria are scheduled to be proposed in November 2011 and adopted in August 2012. ENTRIX will work closely with the Florida Water Quality Coalition to identify affected Coalition members and develop a flexible schedule for implementing Phase 2 relative to the FDEP/EPA actions and schedule for the NNC. Each phase will include two tasks. One task will estimate direct costs; the other will estimate indirect costs. The details for the phases and tasks are described below.
Phase 1 - NNC to be approved in October 2010

Task 1. Estimate Statewide Direct Compliance Costs

ENTRIX will use two approaches for estimating statewide direct compliance costs. First, a number of industry groups representing the regulated community have agreed to participate in developing a database of compliance cost estimates. Many of these participants have already developed compliance cost estimates individually; however, these estimates vary in methodology, treatment of uncertainty, and the types of costs that are included.

ENTRIX will compile the existing cost estimates from the project participants using a standardized template that will allow the various cost estimates to be aggregated. The data collected with the template will strike a reasonable balance between the needs of a rigorous economic analysis and the ability of the participants to quickly and easily collect the necessary information. The budget assumes that participants will be able to provide some information about the costs of using alternative technologies and processes to meet different standards and the likelihood of variances, site-specific alternative criteria, and UAAs. ENTRIX will also collect information from coalition members who have not compiled cost estimates. These estimates will be compiled using the same template. Depending on the range of the costs and uncertainty from these estimates, the results may be tabulated separately from other estimated described above. Depending on the range of estimates this group

Second, other groups throughout the state that are not participating in this project may have submitted cost estimates in their comments to the EPA. ENTRIX will work with the Florida Water Quality Coalition to identify a master list of these groups and review their comments for cost information. This information will be entered into the database, but there will not be any follow-up with the specific groups to enter data into a template. The budget assumes that 80 hours of staff time will be needed to review the comments and incorporate them into the database.

The immediate goal will be to inform the public debate on the NNC by providing participants with defensible estimates of the total compliance costs for proposed October 2010 criteria. In addition, the task will build a preliminary strategic analysis tool to conduct "what-if" analysis and evaluate the total cost of alternative NNC standards. The level of effort in developing this tool during Phase 1 vs. waiting until Phase 2 will depend on the number of participating members affected by the 2010 NNC.

The deliverables for this task include a database of compliance costs and the preliminary spreadsheet tool that can summarize the potential impact of changes in the criteria on total costs. In addition, we will write a technical memorandum that summarizes the methods and results of the data collection efforts and prepare a brief two to four page executive summary of the results that can be distributed to the public and elected officials. Where appropriate, some of that time could be used to help participants collect any additional information required by the template.

We anticipate completing the analysis within six weeks of authorization to proceed. The proposed budget for this task is $12,000.
Task 2. Estimate the Statewide Indirect Economic Impacts

Imposing the NNC may affect opportunities for long-term economic development within Florida. For example, an increase in residential water bills may limit future housing development or prolong the current recession in this industry. Economic impact assessments are a standard economic tool for estimating the impact of regulatory policies on jobs, income, and state and local taxes. Under this task, ENTRIX will conduct a statewide economic impact of the current NNC proposed by FDEP and the EPA and scheduled to be approved in October 2010. The data needed for the impact analysis will be collected as part the template in Task 1. The assessment will include both short-term effects (which may be positive due to spending on compliance) and long-term effects. The deliverable for this task is a technical memorandum summarizing the results of the economic impact assessment. In addition, we will prepare a two to four page executive summary that can be distributed to the public and regulators.

We anticipate completing the analysis within six weeks of authorization to proceed. The proposed budget for this task is $10,000.

Phase 2— Update Results Based on NNC to be Approved in 2011

Task 3- Update of Direct Compliance Costs

The EPA has postponed the proposed implementation of the downstream estuary protection values and canal criteria, and may postpone other sections of the NNC. As the schedule and scope of EPA's actions become: clear, ENTRIX will work with the study participants who were not able to participate in Phase 1 to integrate their compliance costs into the database and spreadsheet tool. In addition, ENTRIX will include compliance costs from up to five other (e.g. non-participating) regulated industries that are affected by these new NNC. The deliverable for this task will be an updated database and spreadsheet tool. The schedule for Task 3 will be determined in consultation with the Chamber. The proposed budget for this task is $8,000.

Task 4- Update of Statewide Indirect Economic Costs

The NNC currently scheduled for proposal in November 2011 may also have a significant impact on statewide economic costs. Therefore, after the Task 3 is completed, ENTRIX will update the results of the preliminary statewide economic costs. Based on the new information from new participants and the potentially changed economic conditions, ENTRIX will provide more comprehensive estimates of the impact on jobs, income, and taxes throughout Florida. The deliverable for this task will be an update of the report prepared under Task 2. This task will be completed within four weeks of Task 3 at a cost of $5,000.
The proposed budget for both Phases is $35,000, which we propose to conduct on a lump-sum basis, using the terms and conditions of your existing contract with ENTRIX. ENTRIX will bill on a monthly, based on the percent of the task that have been completed.

This project will provide the participants with valuable information about the economic impacts of the NNC and provide highly defensible information for on-going policy discussions. I look forward to working with you to revise and finalize the scope to meet the needs of the participants.
Hi Cathy,

I realized I did not reply to all so I am resending my response.

Good Afternoon Cathy,
Your email raises two good issues, which I address below.

1) ENTRIX’s number one asset is our reputation for doing sound scientific and economic research. We’ve worked for industry as well as state and federal agencies. We are able to meet the diverse needs of these clients and avoid being labeled as pro-industry or pro-government by doing rigorous, defensible work and letting the numbers fall where they may. Anyone who reads the report that we produce will not be able to attack its’ economic merits. We will use well accepted approaches for estimating the costs and quite frankly I believe these approaches will be more readily accepted than the approach used by the EPA in their cost-benefit analysis.

2) We will be easily able to provide economic impacts by industry. However, by groups (seniors, economically disadvantaged etc.) will be a challenge with existing models and data. I believe that we can provide some rough calculations of what the impacts would be to determine whether a more complete analysis will be valuable.

I hope this answers your questions. Please let me know if you need any additional information.

Thanks,
Doug

Doug MacNair, Ph.D.
ENTRIX
Vice President
Practice Leader – Natural Resource Economics

3141 John Humphries Wynd., Suite 265, Raleigh, NC 27612
DIRECT: 919.239.8901 • MAIN: 919.239.8900 • CELL: 919.357.2203 • FAX: 919.239.8913
From: Cathleen C. Vogel [mailto:catpg@aol.com]
Sent: Monday, August 09, 2010 3:58 PM
To: Doug MacNair
Cc: chuck@littlejohnmann.com; doug@littlejohnmann.com; keynacory@paconsultants.com
Subject: EPA NUMERIC NUTRIENT CRITERIA - ECONOMIC IMPACT STUDY, FL

Hi Dr. MacNair,
I am very pleased to report that leading industries and business interests in Florida had a very positive meeting today on the next steps that need to be taken with respect to the state's reaction to the EPA's proposed numeric nutrient criteria water quality regulations. Participants in the meeting generally agreed that a high priority is to conduct as quickly as possible the macro economic study that we have been engaging in with ENTRIX. Several concepts and concerns were articulated in the course of our discussion:

1) Insofar as ENTRIX does represent several regulated interests in the state of Florida that have expressed concerns about the EPA's proposed criteria, will this create a perceived conflict of interest wherein those in support of the very restrictive EPA regulations will have a soapbox to claim that the economic analysis is biased.

2) Also, there was interest expressed in the potential for the study to hone in on some of the economic impacts that might most resonate with political constituencies such as labor, key industry sectors - aerospace, agriculture, etc., senior citizens, minority and economically disadvantaged populations.

I cautioned that these expressed views are a bit opposed...we do not want your study to be interpreted as biased in favor of any industries or political constituencies, but we also want to inform and educate the very same on the economic impacts that they may be facing.

Can you share your thoughts on these concepts. I am sure that you and your professional staff must deal with these matters all the time in the course of your research and analyses. And, insofar as economics is, in my way of thinking, quite a scientific undertaking, I suspect you have a very reasoned reaction to both of these positions. Thank you for sharing your advice,

Cathy
Cathleen C. Vogel
The Catalina Group, Inc.
5759 John Anderson Highway
Flagler Beach, Florida 32136
(239) 565-1429 cell
(386) 673-8924 Office
catpg@aol.com
Hello FWQC board members,

As you know, we have been soliciting pledges to fund the macro economic study on the impacts to Florida's economy from EPA NNC. I have forwarded to you and members of the FWQC the proposal from ENTRIX which was originated by Chuck Littlejohn. ENTRIX can get underway quickly, but they will not initiate the study until they have a signed agreement with the entity that will fund it, which appears to be the Florida Water Quality Coalition.

As reported, the total cost of the study is $35,000. Phase 1, at a cost of $22,000 will focus on the economic impacts of the upcoming inland waters regulations. Phase 2, will update that to reflect the eventual coastal waters regulation costs. To date, we have a commitment from south Florida interests to fund Phase 2. We also have a number of pledges from our members and interested stakeholders to fund approximately $9,500 (I say approximately, because I am awaiting feedback from several members on what their exact pledges will be). To date: firm pledges are $5000 - FL Land Council; $1000 - Mosaic, $500 - FL Pest Management; $500 - Marine Industries; $500 - FL Fertilizer and Agrichemical Assoc, also I have commitments from the Cattlemens' Assoc., Gulf Citrus, AFCD, the AIF Foundation, and I am assuming that you all will support a financial commitment from the FWQC.

I have advised Dr. Doug MacNair to forward to me ENTRIX's standard agreement forms, so that we can be prepared to execute a services contract. Ray, as president of the Coalition, you would be the appropriate person to sign the agreement, as we did with the Ron Sachs Communications campaign this past spring.

Board members, I need you to decide if you want to execute the agreement before we have total pledges in hand. Let me know how you want to proceed, and as soon as I get the agreement forms from ENTRIX, I will forward them on to you for review. Thanks,

Cathy

Cathleen C. Vogel
The Catalina Group, Inc.
5759 John Anderson Highway
Flagler Beach, Florida 32136
(239) 565-1429 cell
(386) 673-8924 Office
catpg@aol.com
Fund for NNC Economic Study
Fund for NNC Economic Study

1. COMMITTED PLEDGES

- **Florida Land Council** $5000
- **Mosaic** $1000  Check is in hand
- **Southeast Milk** $1000
- **Fl Pulp & Paper** $1000
- **Florida Water Quality** $1000
- **Fl Fertilizer** $500
- **Fl Pest Mgmt** $500
- **Fl Marine Industries** $500
- **Manson Law Firm** $500

2. COMMITTED TO PLEDGE - AMOUNT UNCERTAIN

- **Fl Cattlemen**
- **Gulf Citrus**
- **AIF Foundation**
- **AFCD**
- **Manufacturers**

3. EXPRESSED AN INTEREST IN PLEDGING AND WILL GET BACK AS SOON AS POSSIBLE

- **FL Citrus Processors**
Political Activities
until November 2010
Questions to Ask at
Public Meetings with
Florida Congressional Delegation
1. What are you doing to stop the EPA from imposing regulations on Florida that will increase our water bills?

2. Many Floridians simply do not have the resources to pay the increased costs of the EPA’s new regulations. Does the government have a plan in place to assist those that can no longer afford their water bills?

3. With the current state of Florida’s economy, do you really believe it’s the right time to impose new regulations that will cost Florida’s families an additional $700 per year?

4. You have stated that your top priority is creating jobs. Do you agree that the EPA’s regulations contradict this goal because they will increase the cost of running businesses in Florida?

5. Do you agree that right now it is more important to concentrate on getting Floridians back to work than putting stricter standards on our waterways?

6. A survey of nine Florida water utilities estimated that a household’s sewer rates would increase by $62 per month, or more than $700 per year if the EPA’s standards are imposed on Florida. Do you agree that $700 is a lot to ask of Floridians who are already struggling to make ends meet?

7. I cannot afford the increased costs of these new regulations and I know my fellow Floridians cannot afford these higher costs either. What are you doing to protect us from the higher costs that will result from the EPA’s new regulations?

8. The Secretary of the Florida Department of Environmental Protection and the Commissioner of the Florida Department of Agriculture and Consumer Services are both on record questioning whether the standards proposed by the EPA are attainable or will even achieve environmental benefits. Have you questioned the EPA about the science used in creating the new water regulations for Florida?

9. Florida’s unemployment rate is over 10% and businesses are struggling to keep their doors open. Do you really believe it’s the right time to impose new regulations on Florida that will cost families an additional $700 per year?

10. Why is the EPA trying to impose new standards when Florida is a national leader in water quality?
Revised Handout for Floridians for a Prosperous Future
PROTECT A PROSPEROUS FUTURE FOR FLORIDA:
STOP THE EPA WATER TAX

NEW EPA WATER REGULATIONS THREATEN FLORIDA'S ECONOMIC RECOVERY.

- While the President and the Congress have said job creation is their No. 1 priority, the EPA is taking Florida in the wrong direction.
- New water regulations being forced on Florida by EPA are projected to cost the state tens of billions of dollars.
- The costs incurred by the EPA rules will impede our state's economic recovery, force Florida businesses to cut jobs, and increase the price of utilities, food and other necessities for Florida employers, families and consumers.
- In the agriculture industry alone, Florida can expect to lose 14,545 full-time, part-time and seasonal jobs.²

EPA RULES CARRY BILLIONS OF DOLLARS IN COSTS THAT FLORIDA CAN'T AFFORD.

- All Floridians want to protect their state's waters, but our state cannot afford to do so in a way that will handcuff our economy and torpedo job creation.
- The new EPA rules will force Florida municipal wastewater treatment facilities to spend up to $50.7 billion in capital costs for additional treatment facilities, as well as up to $1.3 billion per year in additional operating costs.²
- Considering interest paid on bonds required to implement the improvements, the state's wastewater utilities are facing up to a $98.7 billion price tag over the next 30 years.²
- These costs will fall squarely on Florida taxpayers, employers and consumers.
HIGHER COSTS WILL ACT AS A REGRESSIVE TAX ON STRUGGLING HOUSEHOLDS.

For the average Florida household, the new EPA rules will require utility bill increases of up to $726 a year.¹

In some communities, however, these costs will be even higher.

In Jacksonville, the projected utility increase will cost $815 a year per household, and in Hollywood households, the EPA rules will raise utility costs by $995 a year.²

These areas have significant populations surviving on low and fixed incomes.

Such utility increases represent a regressive tax whose burden will fall hardest on the families who can least afford it.

LITIGATION, NOT SCIENCE, IS DRIVING THE EPA’S NEW WATER REGULATIONS FOR FLORIDA.

As it stands, Florida would be the only state singled out by the EPA with these strict deadlines and stern federal oversight – despite the fact that Florida has been a national leader in enforcing aggressive water quality standards to protect our streams, lakes, rivers and estuaries.

Florida’s current practices are more effective than the new regulations being proposed by the EPA because the current policies are based on scientific evaluations of the state’s vast, varied and unique ecosystems.

Florida’s Department of Environmental Protection (FDEP) and Department of Agriculture and Consumer Services (FDACS) are both on record questioning whether the standards proposed by EPA are attainable or will even achieve environmental benefits.

FLORIDA NEEDS CONGRESS TO STAND UP FOR SUNSHINE STATE FAMILIES, EMPLOYERS AND CONSUMERS.

In April 2010, even EPA’s own Science Advisory Board expressed serious concerns that EPA’s methods for developing nutrient standards are scientifically flawed.³

The federal government cannot ask struggling Florida families to pay money they don’t have to obey new EPA water rules – particularly not when the EPA’s Science Advisory Board, FDEP and FDACS have all expressed doubt that the regulations will actually achieve their stated environmental benefits.

Congress should require EPA to submit its rules and their underlying methodologies to the agency’s Science Advisory Board to determine if they are based on sound science and are truly necessary for protecting Florida waters.

Congress should also require an independent analysis to assess the economic impact of the proposed rules on Florida and the adjoining states to create a true cost analysis of the rules’ benefits and costs.

Finally, Congress should delay implementation of the EPA rules until after such analysis can be completed.

SOURCES:
¹ FDACS, Apr. 27, 2010
² Carroll Engineers, Nov. 18, 2009
³ Eastern Water Law and Policy Reporter, July 2010

Sponsored by Floridians for a Prosperous Future. For more information, contact FloridiansforProsperousFuture@gmail.com
Utility Bill Insert
New Environmental Protection Agency Rules Could Soon Raise Your Water Bill

Palm Beach County Water Utilities Department would like to inform you of new water regulations being proposed by the United States Environmental Protection Agency (EPA). ¹ ²

An estimated $300,000,000 upgrade to the Palm Beach County Water Utilities Department's waste water facility and processes may be required to meet these new regulations.

Investments to achieve these proposed standards could result in a $50 to $100 increase on your water bill each month.³

Many government and scientific agencies, including the Florida Department of Environmental Protection and the EPA's Science Advisory Board, have expressed concerns that these proposed regulations are not supported scientifically. ⁴ In addition, the proposed rules are expected to cause serious economic harm to our state while having uncertain environmental benefit. ⁵

Palm Beach County Water Utilities Department fully supports initiatives that protect our environment. While we want our customers to enjoy superior water quality, we also believe that new environmental regulations must be supported by the best available science and be achievable at a practical cost.

The Palm Beach County Water Utilities Department encourages our customers to learn more about this potential regulation by going to http://water.epa.gov. The EPA's Assistant Administrator of Water, Peter Silva, can be contacted at silva.peter@epa.gov. ⁶
1 EPA has proposed water quality standards in the State of Florida that would set a series of numeric limits on the amount of phosphorus and nitrogen pollution, also known as "nutrient" that would be allowed in Florida's lakes, rivers, streams, springs and canals. This proposed action seeks to improve water quality, protect public health, aquatic life and the long term recreational uses of Florida's waters, which are a critical part of the State's economy. The proposed standards comply with the terms of a January 2009 EPA determination under the Clean Water Act that numeric nutrient standards are needed in Florida and an August 2009 consent decree between EPA and the Florida Wildlife Federation. http://www.epa.gov/waterscience/standards/rules/florida/

2 Florida Department of Environmental Protection:
http://www.dep.state.fl.us/water/wqssp/nutrients/faq.htm

3 Carollo Engineers: TECHNOLOGIES TO MEET NUMERIC NUTRIENT CRITERIA AT FLORIDA'S DOMESTIC WATER RECLAMATION FACILITIES, November 18, 2009 (prepared for the Florida Water Environment Association Utility Council):

4 Florida Department of Environmental Protection:
http://www.dep.state.fl.us/water/wqssp/nutrients/federal.htm


6 U.S. Environmental Protection Agency
Office of Water (4101M)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
Economic Consequences for Floridians
EPA Numeric Nutrient Criteria Rulemaking
Economic Consequences for Floridians

**EPA**
- Total Projected Annual Cost for Compliance with Rivers, Streams, and Lakes Criteria: **$102-$130 Million**
- Total Projected Cost per Household for Compliance with Rivers, Streams, and Lakes Criteria: **$14.89/year**

**FDEP**
- Total Projected Capital Cost for Compliance with Rivers, Streams, and Lakes Criteria: **$61.6-$78.8 Billion**
- Total Projected Annual Cost for Compliance with Rivers, Streams, and Lakes Criteria: **$5.7-$8.4 Billion**
- Total Projected Cost per Household for Compliance with Rivers, Streams, and Lakes Criteria: **$657-$962/year**

**Domestic Wastewater Treatment Utilities**
- FDEP Total Utility Capital Cost for Compliance with Rivers, Streams, and Lakes Criteria: **$4.167 Billion**
- FDEP Total Operating Cost for Compliance with Rivers, Streams, and Lakes Criteria: **$185 Million**
- FWEA Cost for All Criteria over 30 Years: **$47.6-$98.7 Billion**
- FWEA Utility Bill Increase per Household: **$673-$726/year**

**Local Governments**
- Capital Cost for Compliance: **Over $75 Billion**

**Florida Citrus**
- Capital Cost for Compliance: **$325 Million**
- Annual Cost for Compliance: **Over $100 Million**

**Florida Dairy**
- Capital Cost for Compliance: **$222.8 Million**
- Annual Cost for Compliance: **$70.8 Million**

**Agricultural Industry**
- Total Initial Cost for Compliance: **$855 Million to $3.069 Billion**
- Total Annual Cost for Compliance: **$902 Million to $1.605 Billion**
- Annual Impact on Florida’s Economy: **-$1.148 Billion**
- Loss of Full-Time and Part-Time Jobs: **-14,545**

**Florida Sugar Cane**
- Capital Cost for Compliance: **$150 Million**
- Annual Cost for Compliance: **$50 Million**

**Fertilizer Industry**
- Capital Cost for Compliance: **$1.35 Billion**
- Annual Cost for Compliance: **$40 Million**

**Phosphate Industry**
- Capital Cost for Compliance: **$1.6 Billion**
- Annual Cost for Compliance: **$59 Million**

**Florida Pulp & Paper Association Mills**
- Capital Cost for Compliance: **Over $288 Million**
- Annual Cost for Compliance: **$169 Million**

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1 EPA will finalize its proposed criteria for rivers, streams, springs, and lakes on October 15, 2010. EPA will then finalize criteria for Florida’s estuaries, canals, and coastal waters on August 15, 2012.

2 EPA cost projections assume that FDEP has already adopted numeric nutrient criteria. However, FDEP has NOT adopted numeric nutrient criteria. FDEP abandoned its nutrient criteria development when EPA settled its nutrient criteria litigation with environmental litigants. EPA’s and all other cost projections are from EPA’s public docket.
Southeast Florida Political Effort
August 7, 2010

Doug Mann  
Littlejohn, Mann & Associates  
Via email – Doug@littlejohnmann.com

Dear Doug,

Thank you for the opportunity to do business with you.

Here are some suggestions for a “grass roots lobbying” effort to generate calls and/or postcards to Rep. Wasserman-Shultz’s office. We suggest targeting those who are very active voters as they are most likely to take action. Further we suggest targeting voters that the Congresswoman and her staff are most likely to be moved by. In this case - Democrats. It may be easy to get some Republicans to call and bark at her office about rate increases and what the Congresswoman should do but I can tell you from experience as a Chief of Staff to a Congressman in Washington for 14 years (Wexler) that we are more responsive to people we consider supportive. It is just natural. When your friends call and say “I love Debbie…can she help us with _______ “ that is most effective.

Below are some mail and phone options.

**MAIL COMPONENT**

We suggest mailing to the following targeted universe.

Democratic voters who voted in presidential primary 2008 and primary 2008 and primary 2006

This is 13,167 pieces of mail.

The cost: $10,216 -- oversized full color piece (9 by 12), costs all inclusive including postage.

If we do the same piece with a tear off post card that is pre-addressed to the Representative it would cost $12,216

If we open up a business reply account so that we pay the postage for the postcards they send to her (you will get a higher return rate if you pay the postage) it will cost approximately an additional $2,500 with start up costs and minimums they charge and assuming a 10% return.
Live persuasion calls targeted to the 13,167 households -- 70 cents a connection (estimated at 7000 connects) – is $4,900

If we do live persuasion calls with “patch-throughs” where the caller can be connected immediately to the Congresswoman’s office that adds $2.00 per call and can be capped at any number. So if we capped it at 500 calls that would add an additional $1,000.

Automated “robocalls” targeted to 13,167 voters are 6 cents a contact -- $790.02

We would suggest running this program immediately after the Aug 24th primary because no candidates will be sending mail that week giving us the field to ourselves. Please call me if I can walk you through any of this. 561-246-0379.

All the best,

Eric Johnson

Johnson Campaigns, Inc.