



Manatee-Sarasota Group Boca Sierra



Not blind opposition to progress, but opposition to blind progress

JULY/AUGUST 2019

SUMMERTIME SCHEDULING, 2019

Please note that the Manatee-Sarasota Group will not hold General meetings in the months of July and August of 2019. We will resume our General meeting schedule on Thursday, September 12, 2019 at 7:00 PM. Here's wishing you fun-filled summer.

TWO NEW IDEAS FOR OUR PUBLIC LANDS AT THE CELERY FIELDS

Barely had June 2019 begun when two new proposals involving the "Quads," our public parcels at the Celery Fields, came forward -- one from a County Commissioner, the other from a private foundation. The differences in their approaches are revealing.

The [Conservation Foundation of the Gulf Coast](#) an organization with whom your M-S Group frequently works, proposes to acquire land across from Tatum Ridge Elementary School to set aside for conservation. Currently there's a horse farm on it called "Graceland," (See the beautiful photograph of Graceland on page 5) but the property was recently previewed for yet another housing development -- 42 homes on quarter-acre sites along Palmer Boulevard.

Under this plan, the 24-acre Graceland parcel would receive a conservation easement barring development in perpetuity. It could be dedicated to equestrian uses benefiting the public: riding, hippotherapy, school visits, education, and more, according to Foundation President Christine Johnson,

who ticked off a host of nearby schools -- Tatum Ridge, Fruitville Elementary, McIntosh Middle, the Farm School, and more.

Rural Heritage Conservation Area - Proposed



The Quad Parcels

NW: Fire Station & School Bus Shelter
NE: Improved Bird & Wildlife Habitat
SE: "Celery Woods"
SW: History Museum & Archives

Wildlife Conservation Park

Big Cat Habitat Gulf Coast Sanctuary
Equestrian Center and Sanctuary
Wildlife Conservation Center
Passive Recreation

The Celery Fields & County Parks

Water Quality Protection & Storm Water Retention
Low Impact Recreation
Bird Habitat

ConservationFoundation.com 941.911.2700

The Foundation's vision goes beyond acquiring this parcel, however. Graceland, says Johnson, would be the easternmost parcel within a continuous area extending from the I-75 to Tatum Ridge Road: a 1,300-acre "rural heritage conservation area" comprising the Quad parcels, Audubon Nature Center, the Celery Fields and a 140-acre wildlife conservation park that includes Big Cat and out to Graceland.

As legend on the map shows, the Foundation sees our public lands serving beneficial public uses, such as an urban forest and wildlife habitat, a history center, and a school bus shelter. (Story continues on page 4)

Editor's Note: Printing high quality photos within the Group's budget constraints limits the acuity of our printed photos. For this article, "New Ideas" ,please go to this [website](#) to view better and beautiful detail.



Manatee Conservation Committee, July/Aug. 2019

The Manatee Conservation Committee normally meets at 1:30 every second Monday in the upstairs conference room of the library at 1301, 1st Ave W in Bradenton. The next meeting will be in November, 2019.

Please see the update for the committee on page 4. Contact Marsha Wikle if you'd like to receive an occasional email on issues we are following mw121150@gmail.com, 740-352-5021.

Sarasota Conservation Committee, July/Aug. 2019

Sarasota Conservation Committee meets on the third Tuesday of each month at 6:30 PM in the conference room at Lucky's Market, 3501S Tamiami Trail #430, Sarasota, FL 34239

Agenda Topics:

1) Proposed Super Hamlet at Fruitville and Verna Rd, rezone petition and comp plan amendment to increase density and provide county sewer lines. Old Miakka residents responded to this with the first Citizen Initiated Comprehensive Plan Amendment to remove Hamlet designation on the 6,000 +/- acre parcel and return it to Rural Heritage zoning. Planning Commission public hearing scheduled, June 20th at 6:00 pm, Sarasota Co. Admin building. 2) Update on Celery Fields and future plans for the Quad properties, See article **TWO NEW IDEAS** on page 1, 3) Update on Conservation Subdivision, petition to rezone, development in a flood plain, in Bolyn and Debrechen neighborhoods, 4) Update, Implementing of voter-passed Single Member Districts vs the redistricting action proposed by BoCC, 5) Update on the City code, master plan, citizen participation and the dubious benefit of developer incentives, 6) Petition: need an update to the flood plain mapping for Sarasota County, 7) Sarasota parks rezoning proposal, from Government use to Parks & Recreation. 8) Benderson/UTC, permit application/ Army Corp of Engineers, to develop their wetland mitigation site and conservation easement on DeSoto Road to high density development, and, 9) Hi Hat Ranch CPA to increase density 6 fold on 1000 acres on Fruitville Rd. For further information, Please Contact Gayle Reynolds at 941-587-9797.

SAY NO TO URBAN SPRAWL: WE NEED HELP

The undeveloped areas in the rural, east Sarasota County, are threatened from over development and urban sprawl. Your Manatee-Sarasota group is in the forefront of the battle to control this sprawl by defending and protecting the critical elements of our long range planning in the 2050 Plan. This campaign often pits David vs Goliath especially where funding is concerned, however, **we can prevail, but we need your support.** Please donate to our 2050 Fund. Send donations to M/S Group, Sierra Club, PO Box 3485, Sarasota, FL 34236-3485. Donations are not tax deductible. Please indicate on the checks Note Line, "2050 Support".

2019 Executive Committee

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Fundraising: Open

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Appointed Committees and Special Projects

Ready for 100 Co-Organizer: Lynn Nilssen,

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Executive Committee meetings are held

Boca Sierra Vol. XXIII Issue 4

This newsletter is published bi-monthly by the Manatee-Sarasota Group of the Florida Chapter of the Sierra Club. It informs members and interested individuals about local activities and national environmental issues. Members of the Sierra Club subscribe to Boca Sierra through their annual dues. Non-members may subscribe for a \$6 annual fee.

Outings:

July/August 2019



Sunday, June 30, Myakka Islands Pointe . Hike starting at 8:30 am in a new park, Myakka Islands Pointe at 1289 Campbell Street, Port Charlotte, FL, near the boundary of North Port and Port Charlotte. The habitat includes pine flatwoods, mangrove swamp and tidal salt marsh. There is plenty of shade to be had, but be sure to bring plenty of water, sunscreen, bug spray, comfortable shoes and a hat. We'll hike for a couple of hours. Text or call Linda (941)214-0171 to reserve your spot.

Saturday, July 13, Sleeping Turtles Preserve. Meet at Sleeping Turtles Preserve in Venice at 7:30 am for an easy walk along the Myakka River to check out flowers and wildlife. Wear sturdy shoes, bring water and insect repellent and a snack. You must reserve with Sally 941-484-4113.

Saturday, July 20, Morning Hike. We'll spend the morning hiking and learning about local habitats, fire ecology and hydrologic relationships somewhere in the greater Myakka ecosystem. Exact location depends on current conditions. Expect very wet conditions. Group size is limited. You must reserve with Bill Lewis 941-355-2156.

Saturday, August 10, Oscar Scherer State Park. Meet at Oscar Scherer State Park at 8 am for an easy walk next to South Creek around Lake Osprey and back. Must bring water, wear sturdy shoes, bring insect repellent and snack. You must reserve with Sally 941-484-4113.

Saturday, August 10, Morning Hike. We'll spend the morning hiking and learning about local habitats, fire ecology and hydrologic relationships somewhere in the greater Myakka ecosystem. Exact location depends on current conditions. Expect very wet conditions. Group size is limited. You must reserve with Bill Lewis 941-355-2156.

Note: A \$5 voluntary contribution made at each outing helps to support local advocacy by the Sarasota-Manatee Sierra Club.

UPDATE ON MANATEE CONSERVATION COMMITTEE

The conservation committees of the M-S Group work to protect the natural resources of their area, in our case Manatee County. While our county has a board of commissioners bent on approving all developments at all costs, we have a county preserve system to be proud of. Several preserves are visitor friendly and are crowded through the winter season. Others exist mostly to do just that – exist. In doing so they provide habitat for wildlife and allow our aquifer to recharge.

What Manatee County does not have is a dedicated fund to purchase new conservation land. The county commissioners, at the recommendation of the advisory committee for environmental lands, recently entered into a partnership with the Trust for Public Lands (TPL) to explore the possibility of a ballot referendum. This vote would indicate whether the voters of our county are willing to support either a bond or a property tax levy to collect funds for land acquisition. From now until late fall, TPL personnel will be interviewing voters. If the result is positive, a ballot referendum will appear on the 2020 general election ballot.

The Manatee Conservation Committee will continue to deal with local natural resource issues, but if we are headed to a ballot referendum, the main mission of the committee for the next year will be to support this effort by meeting with other local groups, tabling at public events, and helping provide a speakers' bureau. This is something we can do to find positive outlets for our collective energy. Manatee Conservation Committee meetings resumes in November. Join us! Marsha Wikle, Manatee Conservation Chair, mw121150@gmail.com

We Sierrans *Explore, Enjoy and Protect* our environment. Nevertheless, your local M-S Group needs new outings leaders to join us in our outings program. Rewarding and fun, at the same time you will be helping our members 'Explore' our beautiful environment. If you have some basic experience with hiking, kayaking, nature observation or walks please join us. It just takes a few hours of training and well worth the effort. Contact Marsha Wikle, Outings Chair at 740-352-5021 or mw121150@gmail.com

TWO NEW IDEAS, Continued from page 1

The second idea involving our public lands came on June 4, 2019 when Commissioner Charles Hines suggested selling the southwest public parcel (#2, 10 acres) to a developer of affordable housing.

Mr. Hines noted that developers of affordable housing have not been knocking down his door, but didn't articulate why. Perhaps, for example, the Board's willingness to tolerate developer overreach -- e.g. Siesta Promenade, LT Ranch, Waterside and more -- has dis-incentivized low-profit housing construction.



And, while affordable housing is indeed a goal that requires careful planning and policy incentives, Mr. Hines' fixing on public land that has been the subject of intense community interest as well as strong environmental concerns for two years seemed to lurch suddenly out of left field.

In fact all four Quad parcels were the subject last year of a 10-month citizen effort to recommend compatible public uses that would rule out private industry. [Sarasota Audubon has proposed an urban forest](#), others including Jono Miller have spoken of a history museum, a [multi-use community estate](#), and more. Commissioners Al Maio and Mike Moran have both gone on record favoring sale to private industrial profiteers, including to waste plant operator James Gabbert.

In January the Board recognized that the Quads constitute an [area of critical concern](#), and that no industrial development is possible on these parcels given the current narrow two-lane roads and levels of service. It ordered staff to reopen the Critical Area Plan, or CAP, for the area. This launched an in-depth, 11-month process examining all factors relating to potential uses of the public parcels -- roads, surrounding uses, trending demographic and environmental changes and much more. A [public workshop held as part of the CAP process on May 14](#) brought out some 300 residents -- not a single one of whom spoke in favor of industrial development or affordable housing.

A Planning Board decision approving the construction of affordable housing on parcel #2 as early as July 22 (*Sarasota News Leader*) will disrupt the methodical critical area planning now underway as well as fly in the face of community and environmentalists' long-held views.

Clearly two very different approaches are exemplified here: Taking the long view, the Foundation has discovered uses in keeping with the trends and surrounding human communities. It seeks to integrate lands for a lasting rural heritage and to conserve wildlife for future generations.

The Board conversely is invited to seize on a quick fix to motivate the private construction of less costly housing, without asking whether such an initiative would be compatible with a host of significant social, environmental, economic and infrastructural concerns at the Quads.

Article continued on Page 5

A MESSAGE FROM THE FRONT

Our battle to end the encroachment of Phosphate Mining in Manatee-Sarasota County as well as across the Sunshine State continues. Volunteerism is relatively inexpensive but is not free of cost. If you can see your way to help out, please mail a check to M/S Group, Sierra Club, P.O. Box 3485, Sarasota Florida, 34236-3485. On the check's note line write "Phosphate Fund". Donations are not tax-deductible. In this way you can help fight destructive mining practices as well as gyp-stack and slime pond formation. Thanks.

TWO NEW IDEAS, Continued from page 4

Another indicative difference concerns scope. The Foundation is looking wide and long term. The Board is looking at one 10-acre parcel as if it existed in a spatio-temporal vacuum. The history and future of the Quads cannot be left out of a plan -- which is why the county ordered the Critical Area Plan in January.



A credible CAP will form a faithful portrait of the entire Quads area -- so that Sarasota as a community can assess the future needs and benefits of its options in a meaningful public process.

A lot is riding on this. If our elected officials have insufficient information, their decision-making authority is compromised. But if they have that information and choose to ignore it, a different public response will be needed.

It's in our voting power to change the political landscape -- as dramatically as 246 species of birds have transformed the nature of a former industrial area. When good things happen -- like the Celery Fields -- they deserve prudent stewardship for all our citizens. If you wish to help follow the link below.

[The Conservation Foundation seeks donors to help realize its vision](#)

ALL HANDS ON DECK!

Sierra Club's Purpose is to Protect the Environment, through legal means, to Enjoy the Environment through Outings, and to Educate about the Environment through educational meetings. We need more help in our work to fulfill our triple purpose. Our Manatee/Sarasota Group has an Executive Committee, of 13 members. We currently do not have all of these positions filled.

Each person on the Excom has a charge: the commitment to the executive committee includes a two hour by-monthly evening meeting, the last Monday of the month and attendance at monthly General meetings (no Meetings in July/August)

Open Excom positions are: **Programs**, arranging for speakers presentations at the monthly General Meeting held at the Garden Club, the second Thursday of the month, Sept. thru, June, **Fundraising**, planning one or two events during the year to raise funds and also to promote member opportunities to gather with like minded people and make a difference!! **Outreach**, setting up tables at community events to distribute information and promote our Sierra Group information and activities. These happen about 4-5 times a year, and finally a **Newsletter Editor and Production** – editing and production via desktop publishing of our by-monthly newsletter, the BOCA.

Besides the Excom members, we need an **Assistant Treasurer and more outings leaders** and we need a **Hospitality Chair** to set up the refreshment table for the General meeting – attendees bring refreshments to share. Hospitality brings the table cloth, and utensils Call our Chair, Krista Lohr, or our Co-chair, Gerry Swormstedt or any other Excom member to find out more and to volunteer!!! (See Page 2 for the contact information).

Not a Member? See Membership Form on Page 8 Act now and become a member of the Sierra Club. By joining you'll support vital environmental advocacy, you'll receive three publications and gain access to local meetings, member-only adventures and other rewards. To join, go to [Join Sierra Club](#). Also consider joining a Sierra Club Meet-Up group! Join Meet-Up and receive information about meetings, outings and actions that you can take to support a clean environment. Visit the Meet-up website at: [Join Meetup](#).

CITY OF SARASOTA TAKES THREE POSITIVE STEPS

There are three bits of good news from the City!

First, on May 20, the City Commission voted unanimously to give final approval to a zoning amendment submitted by a local group, STOP!. The amendment process started when STOP! discovered that several large developments, such as the Embassy, the Echelon, and BOLD, had been built without any prior notice to the public. Neighbors found out about these developments when the bulldozers arrived even though the Code clearly required prior public notice months before. And, STOP! knew that other projects had been required to give notice. Upon investigation of 17 randomly selected projects, STOP! discovered that 9 projects not only did not give notice but also did not pay the site plan review fees of approximately \$25,000 apiece. And, though clear records are not available, it appears likely that some of these 9 developments did not even prepare site plans at all.

In 2018, STOP! presented the City Commission with these facts. After months of being stonewalled, STOP! hired local attorney Dan Lobeck to prepare an injunction. Upon receiving notice of the injunction, the City became responsive. The City Commission, on March 18, adopted an amendment requiring all developments to do what the Code already clearly requires; give public notice when it applies for the required site plan, actually prepare a site plan, and pay the fees for review of the site plan. And, on May 20, the City Commission approved the second, and final, reading of the amendment.

Our second piece of good news occurred on April 15, when the City Commission rejected a proposal to eliminate the bike lanes on Fruitville Road, from US 41 to US 301. The proposal was a safety hazard for bicyclists and pedestrians. Bike lanes obviously provide safety for cyclists. For the pedestrian, bike lanes not only buffer them from cars but bike lanes provide great safety for pedestrians by giving them 4' of safe space when they make the first, possibly impulsive, step to cross a road. Oncoming motorists can use the sight of a pedestrian entering the bike lane to see the pedestrian and react. For motorists, no bike lanes means that turning radii are shortened, thus making all right turns more difficult, particularly for buses and trucks. And, the elimination of the bike lane leaves no vehicle breakdown lane, which is critical in times of emergency evacuation. And, one of the proposals for Fruitville Road called for reducing the road from 5 lanes to 2 lanes on the western end, a proposal sure to cause massive congestion and resultant cut-thru traffic in nearby neighborhoods. Bicycle/Pedestrian Advocates, which fought the proposal, views the City Commission's decision as a major step forward for bicycle and pedestrian transportation.

Our third piece of good news is that, on June 17, the City Commission was scheduled to hear a proposal about one of STOP!'s basic concerns, allowing the public voice in downtown development approval. By "the public voice", STOP! not only means average citizens but it means the Planning Board and the City Commission. Currently, and unbelievably, most large downtown developments happen without any review or involvement, by citizens, the Planning Board or the Commission. Instead, developments are approved in a process known as "Administrative Approval" where the developer and a staff member meet behind closed doors, with no public record. This is flawed for several reasons. First, City staff are often part of a revolving door, where they work for the City now but will work for developers later. Second, like the Bible, the Constitution, and all of our laws, the City Zoning Code requires interpretation. As development applications such as the Walmart at Ringling Plaza, and the Women's Exchange have shown, City staff members are much more likely to interpret in the developer's interest, and against the public interest, than City Commissioners or Planning Board Members. Third, when I met with City staff concerning the Vue, at Gulfstream and US 41, senior staff told me that they feel it is illegal for them to make the suggestions that the Planning Board or the City Commission can make. Thus, by administrative approval, the City is using its weakest negotiators.

On June 17, the City Commission was scheduled to consider a zoning text amendment which would require all downtown large developments to be reviewed by the Planning Board, in a public hearing where citizens can testify. And, if the decision of the Planning Board is appealed, the Planning Board decision can be reviewed by the City Commission.

The June 17 meeting will happen after this article goes to press and before you read these words. So, we will present the results of the meeting in the next BOCA.

Article contributed by Mike Lasché, Co-Chair, Sarasota Conservation Committee.

SINGLE USE STRAWS RULING

In a statement released late Friday afternoon, Governor DeSantis vetoed House Bill 771, which included a moratorium on the local regulation of single-use plastic straws until 2024. Citing municipalities that have enacted ordinances prohibiting single-use plastic straws, the Governor stated in his veto letter that "these measures have not, as far as I can tell, frustrated any state policy or harmed the state's interest." He continues that "the State should simply allow local communities to address this issue through the political process."

Sierra Club Florida actively opposed all legislation seeking to preempt local regulation of plastic straws citing concerns that many marine animals mistake these and other plastic items for food, and that in a survey of beach cleanups by the Ocean Conservancy, straws came in as the seventh most common type of beach trash; coastal areas are the entry points for plastics to enter the ocean and tributaries.

The Sierra Club applauds Governor DeSantis' and will work to assure the legislature does not override Governor DeSantis' veto.

Posted by Deborah Foote, Sierra Club Government Affairs & Political Director

PUBLIC HEARING NEEDED ON UNIVERSITY TOWN CENTER MIXED USE PROJECT

According to file USACE SAJ-2002-8258 (SP-EWG), a project named "University Town Center Mixed Use" has been filed by Benderson Development for consideration by the United States Army Corps of Engineers (USACE). Located in north Sarasota County southwest of the intersection of North Cattlemen Road and Desoto Road, and, as stated in the USACE file, the proposal "would affect waters of the United States associated with Cooper Creek.". Benderson requested that the Army Corps of Engineers grant a vacation of a significant portion of the on-site wetlands mitigations actions established pursuant to USACE's permit SAJ-2002-8258 (IP-RGW).

The Manatee/Sarasota Group of the Sierra Club, requested that USACE deny this request. It is the opinion of the M-S Group of the Sierra Club, that Benderson obtained its rezoning by incorrectly interpreting the terms of its permit and presenting an incorrect view to the Sarasota County Board of County Commissioners (BoCC).

The tabulation (left) shows the extent of Benderson's proposed changes to the permitted mitigations. Pointing to the expiration of the construction period allowed in the above mentioned permit, a permit which was based on the above original areal extent of the mitigation areas, Benderson assured the Sarasota County Commissioners that the 404 permit was null and void. That was not the case, nor would it be *unless*

Areal Impacts of Proposed Changes

<i>Element</i>	<i>Originally Approved Acreage in Mitigation Area. (Acreage)</i>	<i>Proposed Change (Acreage)</i>	<i>Change in Area (Acreage)</i>
Wetlands Creation	6.81	4.52	-2.29
Wetlands Enhancements	19.19	7.75	-11.44
Upland Preservation	35.74	22.41	-13.33
Wetlands Preservation	3.74	3.74	0
Wildlife crossing	One	One	No Change
Wetland mitigation Bank Credit	One	One	No Change

USACE vacated it itself.

The conservation easement was intended to protect the acreages in perpetuity. The Southwest Florida Water Management District (SWFMD) was responsible for oversight of the easement. But, the board of SWFMD is largely comprised members sympathetic to developers and supporters of then-governor Rick Scott, whereas seats for scientists, environmentalists and citizens were left unfilled. Under SWFMD's rules, a conservation easement *in perpetuity* can be set aside with a simple majority vote of their board, the easement becomes nothing more than a marker to "Hold For Development", including the tax benefits that accrued from the easement.

Correction: In our newsletter for March/April we reported about Sarasota County's massive road expansion plan east of I-75. Regarding the article on County roads, there is a correction. The March/April article stated, "your Manatee-Sarasota Group Executive Committee voted to oppose the 6-laning and 4-laning of Clark Road, as well as to consider opposing North-South Roadway A." But, in fact, the Executive Committee of the Manatee-Sarasota Group, voted to oppose "using Sarasota County funds to re-align Lorraine Road and the widening of Clark Road to 6 lanes, from I-75 to Ibis St." Our apologies for the error.

HEARING NEEDED, article continued from previous page.

The site was replete with upland and wetland species, threatened and endangered, before Benderson was granted permits to unduly mitigate the majority of wetlands and the Cooper Creek wildlife corridor. The Manatee-Sarasota Group of the Sierra Club presented several viable alternatives to save wetlands on site. These alternatives avoided flooding the wildlife corridor. The alternatives were ignored by the developer and the Sarasota County Board of County Commissioners. In our June 7, 2019 letter to the USACE, we reminded them of our letter submitted to them in 2005 documenting our alternatives.

This parcel represents one of the last significant pieces of old, native habitat inside the urban services boundary of Sarasota. It protects the Cooper Creek watershed, which itself provides drinking water to Bradenton and Manatee County communities. It also serves as a functioning urban wildlife corridor.

The fact that Benderson's wildlife survey claims the site to be devoid of significant wildlife is probably inaccurate and likely incomplete. Vacation of the permit will lead to the demise of large populations of upland and wetland species that inhabited this parcel before Benderson was granted permits to overpave and impact the site. The USACE required that an appropriate agency take and monitor the site as a conservation easement *in perpetuity*. Benderson is not that agency. Benderson must be accountable to the public for its oversight of the conservation easement in development of the property. Based on a desire to obtain accurate wildlife and habitat inventories onsite, we are requesting that the USACE require an impartial, third party to conduct a wildlife survey and wetland viability studies on the site.

There is limited public awareness of development plans for this mitigation site and conservation easement, since we were told the site would be held in perpetuity. In our June 7, 2019 letter, we requested that the Corps conduct a public hearing on SAJ-2002-8258 (SP-EWG) before further consideration of Benderson's application. The M-S group requested that the USACE deny Benderson's application for vacation in its entirety.

Your MS Group is asking its members and other interested parties to email to the USACE' Edgar.W.Garcia@usace.army.mil supporting our Group's position demanding a public hearing on SAJ-2002-8258 (SP-EWG). We cannot allow the natural resources of our county to be overrun roughshod by the interests of Benderson.

More information available at: <http://www.saj.usace.army.mil/Missions/Regulatory/PublicNotices.aspx>

Help Sierra Save Money!

Want to help save local Sierra dollars, ease the burden on volunteers, conserve trees, and receive the newsletter faster and in color? Just follow the steps below to be switched from the paper copy mailing list to the electronic mailing list. A simple, two-step process:

Step1: Type the address below into your browser:

<http://lists.sierraclub.org/SCRIPTS/WA.EXE?SUBED1=FLORIDA-M-S-GROUP-NEWS&A=1>

Step 2: Click on "Subscribe/Unsubscribe."

INTERJECTION INTO FDEP-SARASOTA CO. UTILITIES CONSENT ORDER

On June 3, 2019, the Sierra Club Florida sent a letter to interject into the Florida Department of Environmental Protection (FDEP)-Sarasota County Utilities Consent Order relating to the failure of the county to stop the flow of polluted (inadequately treated) wastewater into local waters. The letter was in response to the consent order (settlement) sent to Sarasota County by FDEP that would have required Sarasota County to upgrade their failing wastewater treatment plants to Advanced Wastewater Treatment (AWT) standards. Sierra Club supports the FDEP consent order. But rather than agreeing to the upgrades to AWT, Sarasota County proposed to FDEP that they instead would connect additional onsite sewage treatment and disposal systems to existing county treatment resources (think septic tanks to central sewer conversions). Sierra Club opposes the County's proposal; the county's facilities cannot handle the current load, let alone any additional load, and the county's proposal does nothing to address the inadequately treated wastewater flowing from the existing non-AWT plants.

Here are some details:

- 1) The county has over-estimated the reduction in nitrogen loading if the onsite systems are brought to treatment using the existing facilities.
- 2) The county's estimate of the costs for upgrading the existing systems to AWT is not reliable; Sierra Club does not believe it to be a good faith effort.
- 3) The County is not in a position to take on more flows without addressing issues relevant to its treatment capacity and discharge nutrient concentrations.
- 4) Based on the county's own records, discharges of nitrogen from its treatment systems to Phillippi Creek have exceeded the expected amount of nitrogen discharged from onsite systems in the drainage region.
- 5) The application of the County's reclaimed water to irrigate lawns, landscapes, and golf courses is resulting in the addition of significant year-round nitrogen discharged to the environment.

Nitrogen levels in Sarasota's bays have been documented as increasing over the past 20 years. This increase has been accompanied by a documented decrease of seagrass coverage in recent years. Sarasota County's wastewater management system is in disarray. The Sierra Club concludes that the increase in nitrogen is in part due to Sarasota County's poor wastewater planning and misdirected public investments, resulting in illegal spills and discharges of nitrogen-rich wastewater to the waters of the State as well as to the irrigated landscapes (lawns, golf courses) that drain to county waters.

Upgrading to AWT is not rocket science and is not beyond imagination. In fact, the City of Sarasota's existing wastewater treatment plant presently exceeds AWT standards. Other local plants, prior to being downgraded by the county, were also at AWT standards. Thus, it is both possible and practical for Sarasota County to convert their wastewater treatment facilities to AWT. Sierra Club supports FDEP's consent order to require AWT standards be applied for the Bee Ridge and Central County Plants but also advocates for the upgrading of the Venice Gardens Wastewater Treatment Facility to AWT, given its high nitrogen levels, to mitigate for past, present, and future nutrient loads.

Want more details? The M-S group of the Sierra Club has on its [website](#) the full text of the June 3 letter addressed to Jon Iglehart, Director of the South District of FDEP.

ManateeSarasota Group
 Sierra Club
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