

# 2011 NALMS e-Newsletter



**June 2011**

## **President's Message – Summer Mode**

OK, I know summer is here, and we are all trying to relax a bit – which is fine. So, I am trying to imagine which NALMS related things might still be accomplished while we are relaxing. It's difficult because I'd rather be relaxing than thinking. A couple of things have come to mind. As you may know by now, Sarah has moved on and Greg Arenz is filling her role on a temporary basis. This means that Greg is in charge of membership management, and he probably needs practice entering information about new members into the database. So if you can corner a new member, then we will be able to see whether or not Greg can handle the pressure of getting their details into the database. This would be a big help, and this will also give you a chance to win one of my carvings at Spokane. I am currently whittling a little, bright green darter for Bill Jones who was one of the winners last year.



Speaking of winning things, there are plans afoot to change the symposium photo contest to allow entry of electronic photos, and we are hoping also to supply a prize. The details will follow, but now is the time to get the shutters flapping. It would be good to see a large number of entries which will also increase our access to good photos for use in our publications. That's an easy NALMS thing to do while relaxing – right? – take some pictures? How hard can it be?

Finally, the newsletter is going back to monthly, and we need a continuous stream of interesting material to make the reading interesting. So...if you spot an alligator eating something really large or if you are working on an interesting lake-related project or if you read a good scientific paper (all while relaxing) then send a snippet to Steve, and he can get you into the newsletter. If absolutely nothing interesting ever happens to you – well then you are forgiven if you don't contribute - BUT – I've been talking to a few NALMS types, and they are interesting enough from my point of view.

OK, so I included an interesting photo of me that shows how to improvise if you forget your hat.

Bev Clark  
President - NALMS

# ***WITHIN NALMS***

## **Membership in Motion – Sarah Unz Greg Arenz**



There have been a few changes at the NALMS office in the past month. The friendly voice on the other end of the membership services line, Sarah Unz, has moved on. Please join me in wishing Sarah the best of luck in her future endeavors – she will definitely be missed here at the office.

I'd like to take this space and introduce myself. My name is Greg Arenz. I came to NALMS as an intern this past January, and Sarah has been showing me the

ropes for the past few months. I am a native to Madison, WI, and I am very happy to have found work in my home town. Having just graduated from the University of Wisconsin here in Madison, I am also excited to move on from my academic career to a professional career with NALMS. Thank you for all the warm welcomes I've received so far, and I look forward to working with you all in the future.

Currently we are gearing up for our June renewal period, and I plan on having notices out to all whose memberships are expiring soon. As always, we need all of our previous members to renew in order to turn our modest membership gains into true growth. We all know NALMS is the place for Lake Management information; do not let your membership lapse!

You can also help us reach our membership goals by reaching out to someone who doesn't know about NALMS. Help spread the word by sharing a copy of [the special electronic edition of LakeLine, "This is NALMS."](#) Or, please contact me at the NALMS office, and I will send out a hardcopy of a recent *LakeLine* or a *Your Lake and You* to any potential new member.

Finally, if you have changed jobs recently, moved, or opened new email account please keep the office updated of your contact information. We don't want you to miss out on any of our publications or special announcements. Please keep us informed!

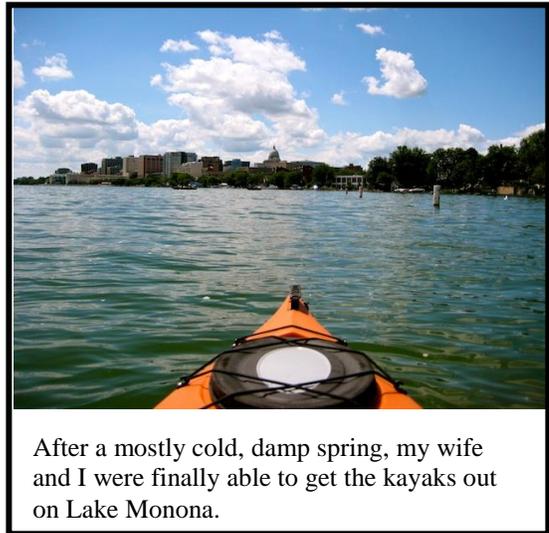
Be well,

Greg  
Membership Services Coordinator

## NALMS Office Notes

In the last issue of NALMS Notes, I talked about spring being a period of transition. I was more right than I thought! May marked the beginning of my 15th year with NALMS. In those 15 years, I have worked with nine different NALMS staffers, not including interns. A few weeks ago Number 9, Sarah Unz, left NALMS and Madison for new opportunities. I will miss seeing her every day in the office, but I'm happy for her, and Travis and I know that they did the right thing for their family.

In Sarah's place, we have Greg Arenz. Greg was the right person for NALMS at the right time, and we are lucky to have found him when we did. Greg started with NALMS earlier this year as an intern, and Sarah deserves all of the credit for bringing him in as an intern and doing such a great job of training him to take over for her. I think Sarah was the best co-worker I've had at NALMS, so Greg has some big shoes to fill!



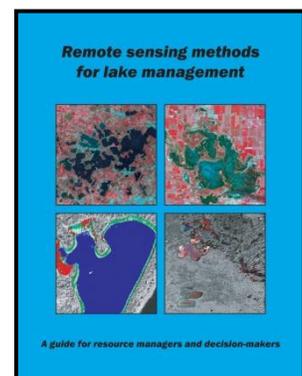
After a brief winter lull, we're getting into the thick of conference season here. Registration is now open for the upcoming NALMS symposium in Spokane, Washington; we're also accepting abstracts for the 8th National Monitoring Conference that NALMS is facilitating in Portland, Oregon (May 2012), and this morning I was meeting with the host committee for NALMS' 2012 symposium, which will be held here in Madison.

Enough talk, it's time to get out on a lake!

Philip Forsberg  
Program Manager

## Now Available from NALMS: Remote Sensing Methods for Lake Management

NALMS, in collaboration with the Universities of Nebraska, Wisconsin, Minnesota; Dartmouth College and the US EPA has developed a remote sensing manual which provides detailed explanations of the various remote sensing platforms currently in use. The manual discusses preferred applications, limitations, costs and other factors that will assist those who are considering the use of remote sensing to select the platform that best suits their data needs. For more information on the manual, including ordering information, please visit the NALMS website.



# ***UPCOMING CONFERENCES & EVENTS***

## **Register Now for NALMS' 31st International Symposium**

Registration is now open for NALMS 2011 in Spokane, Washington October 26 – 28. To register or learn more about this year's symposium, visit the conference website at <http://www.cvent.com/d/1dq6qc>.



## **Call for Papers for 8<sup>th</sup> National Water Quality Monitoring Council Conference**

The National Water Quality Monitoring Council's (NWQMC) *8th National Monitoring Conference – Water: One Resource – Shared Effort – Common Future* will be held in Portland, Oregon from April 30 - May 4, 2012.

This conference will focus on the many facets of water quality and quantity monitoring for improved understanding, protection, and restoration of our natural resources and communities. It is a centerpiece forum that generally attracts 500-800 water practitioners from all backgrounds, including federal, state, local, tribal, volunteer, academic, private, and other water stakeholders. Attendees exchange information about water monitoring, assessment, research, protection, restoration, and management; learn about new findings on the quality of the Nation's streams and rivers, groundwater, estuaries, lakes and wetlands; and develop new skills and professional networks. The conference includes presentations, panels, poster sessions, exhibits, hands-on interactive workshops and field trips, as well as time for after-hours meetings and networking.

For the first time, this biennial conference and River Network's National River Rally are coordinating an overlap day (May 4th) with mutually developed themes and presentations geared toward fostering improved collaboration between government and nonprofit groups working together for clean water.

For additional conference information or to submit an abstract go to:

<http://acwi.gov/monitoring/conference/2012/index.html>. All abstracts must be received no later than September 23, 2011. Please feel free to distribute this announcement to your colleagues.

2011 Everglades Non-Native Fish Round Up Saturday, June 25, 2011 Miccosukee Arches (SW 8th St & SW 172 Ave, Miami, FL)

## **The 18th Annual Secchi Dip-In Begins June 25**

This is an invitation to participate in this year's Secchi Dip-In, which runs from June 25 to July 17. This is the 18th year of the Dip-In, and the three week event in June and July demonstrates that volunteers can collect valuable water quality data. The Dip-In is a network of volunteer programs

and volunteers, that together gather and provides continent-wide (and world-wide) information on water quality.

If you are a coordinator of an aquatic monitoring program that measures transparency, pH, or temperature of surface waters, would you please urge your volunteers to participate? Probably never in recent history has our environmental efforts been more under greater attack by special interests. The Dip-In won't solve our environmental crisis, but it does provide reliable contemporary data on a continental scale on change in our waters to state and federal agencies and to researchers. We rely on existing programs because your volunteers are trained, providing assurance that the data are reliable. The Dip-In provides an event that coordinators of programs both large and small, can use to advertise their program and to explain to the public and to officials the importance of environmental monitoring.

**We have a New Website Address.** We now have a new website: <http://www.secchidipin.org>. Volunteers can retrieve and edit the data they have entered and coordinators can retrieve and edit data from any waterbody in their program. If you want to be designated as a coordinator, please register and then send me an email. Volunteers also have the ability to personalize their waterbody site by adding pictures. A satellite map and graphs of data for each waterbody is now available.

Bob Carlson Secchi Dip-In Coordinator, E-Mail: [rcarlson@kent.edu](mailto:rcarlson@kent.edu), Facebook Site: <http://www.facebook.com/secchidipin>.

### **Everglades Non-native Fish Round Up – June 25th**

The ECISMA (Everglades Cooperative Invasive Species Management Area) consider the health of our aquatic ecosystems to be paramount and because of this they are asking for your help. The Everglades ecosystem is home to at least 22 non-native freshwater fish species. All but one of these fish were introduced illegally as the result of releases of unwanted pets and food fish, or due to the flooding of aquaculture ponds. These non-native fish may be causing detrimental changes to our native fish communities, particularly as the number of new species continues to increase and known populations expand to new areas. In order to promote general awareness of invasive species and the threats they pose, ECISMA (a formal partnership of federal, state, and local government agencies, tribes, individuals, and various interested groups that manage invasive species within the Everglades ecosystem) is holding the second annual Everglades Non-Native Fish Round-Up.

The 2011 Everglades non-native fish round up is a one-day event in which anglers will be ridding our waters of harmful species, while providing valuable information about their distribution and abundance. Participants will be working towards a great cause while enjoying a little friendly competition. The Round Up will be open to all anglers (shore or boat) fishing in the Everglades area. Prizes will be awarded for largest fish, largest aggregate catch (weight), and will include a junior division. They will award a “Slam” prize to the angler that catches the greatest number of non-native species.

To register for the Round Up and for more information on ECISMA, visit [www.evergladescisma.org/roundup](http://www.evergladescisma.org/roundup).

### **Algal Taxonomy and Ecology Workshop – July 7-8**

Taught by Dr. Ann St. Amand of PhycoTech, Inc. with content contributions from Dr. Ken Wagner of Water Resource Services, LLC., this workshop, limited to only 12 people, will be in Saint Joseph, MI and participants will receive 1.6 CEUs.

The workshop is a two-day introduction to the taxonomy, identification, and ecology of algae. Lectures on methodology and each algal division are alternated with microscope sessions in which participants will view preserved and live specimens and receive hands-on training in identification.

No direct experience with is algae required, but the workshop targets participants with backgrounds in biology and scientific methods. All attendees will receive a manual that covers algal methods, identification, ecology, and control - prepared by the instructor and based on two decades of professional experience. The workshop will create a foundation for understanding algal taxonomy and provide intensive identification experience. Participants are encouraged to bring their own samples for aid in identification

## ***LAKE NEWS & INFORMATION***

### **Swim Beach App**

Need to find a beach near Lake Ontario where it's safe to swim? There's an app for that. The Lake Ontario Waterkeeper (a Toronto-based group dedicated to the health of the Lake Ontario watershed) has developed an application for the iPhone called the Swim Guide. Think of it as a comprehensive guide to all swimming areas in and around Lake Ontario. You can search for beaches closest to you and learn a little about the history of the area. Post your beach location to your Facebook or your Twitter. Get directions instantly as you head off on your weekend vacation



The new iPhone app allows users to quickly check the swimming safety levels at their favorite beaches.

### **Invasive Species on the Go**

Here are two recent stories about how Zebra/Quagga mussels are on the move.

Oregon - A state boat-decontamination crew discovered the first non-native zebra mussels in Oregon at the Ashland Port of Entry on Interstate 5 during a voluntary inspection of a boat previously passed as clean in California.

More than two dozen zebra mussels, which could invade Oregon waterways, were found on the motor of a 15-foot Boston Whaler whose owner stopped for a voluntary inspection at the port of entry.

New Mexico - Sumner Lake in southeastern New Mexico will be temporarily closed to boating after Quagga mussel larva were discovered in the lake. Sumner Lake State Park will still remain open. Sumner Lake is the first body of water in New Mexico to see Quagga mussels, although adjacent states have the mussels.

State parks officials will be out at all lakes across the state, spot checking boats for Zebra and Quagga mussels to prevent species from spreading.

## **Water Quality Innovation Challenge**

Open to any qualified monitoring organization or academic researcher in North America with innovative ideas for water monitoring and aquatic toxicity testing, the Water Quality Innovation Challenge will award two innovative organizations with 1-year use of a QwikLite Test System and up to 200 Test Cartridges at no charge. Relevant applications will include (but are not limited to): Volunteer water quality testing and monitoring (rivers, lakes, harbors, bays, coastal), effluent discharge testing biological endpoint tests, dilution tests, Toxicity Identification Evaluations (TIE), ballast water testing (system efficiency verification and discharge toxicity tests), industrial process assessments of complex mixtures, episode response (spills, leaks) effects mapping and determination, biological testing at remote field stations, and watershed assessments, correlation to index of biotic integrity.

Applications accepted May 1, 2011 through July 1, 2011. Award recipients will be announced August 1, 2011. To apply, go to <http://www.assurecontrols.com/2011-water-quality-innovation-challenge/>.

## **Residential Water Conservation is Working**

(by Bob Morgan)

While most of the news about water use is alarming, not all is bad. A recent study from the Water Research Foundation found a significant decline in residential water use<sup>1</sup>. According to the authors, the best estimate for decline in single-family household water use across the United States and Canada was 388 gallons per year over the last 30 years. The total decline for the period was 11, 678 gallons per year per household or roughly 13% of the average use of 84,387 gallons per year.

The study used data from a survey of 43 local utilities representing 22 states and two Canadian provinces. All of the participating utilities were publicly owned serving urban communities with populations of over 350,000 people. All of the utilities also used surface water (lakes and rivers) as their primary water source.

The authors attributed the decline in household water use to increased use of water-efficient appliances and a decrease in average family size over the 30-year period. Partially offsetting the decreases were increases because of increasing income. The study noted that the trend may not be sustained because there is a limit to how many water-efficient appliances can be installed, and the trend in decreasing family size has flattened out in the last few years.

For water utilities, the decrease in water use is a mixed blessing. On the positive side, this makes our water sources more sustainable and extends the life of our treatment facilities. However, on the negative side, the loss of 11,678 gallons per meter per year is a significant loss of revenue. With 11,678 gallons per home reduction in water use, a moderate-sized utility serving 100,000 homes would lose over a billion gallons in water sales per year. At a somewhat typical water price of \$2.65 per 1000 gallons, the annual loss of revenue is roughly 3 million dollars. Yet, all the pipes and facilities still have to be maintained and operated. So there is no such thing as a free lunch.

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<sup>1</sup> Rockaway, Thomas D., Paul A. Coomes, Joshua Rivard, and Barry Kornstein. 2011. Residential water use trends in North America. Journal of the American Water Works Association. Denver, CO. February 2011.

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### **NABS Changes their Name**

The annual North American Benthological Society (NABS) meeting was held in Providence, RI, in May. Members voted in favor of changing the name of NABS to The Society of Aquatic Science, with the Bulletin now called Freshwater Science. This took eight years to finally change their name: it was felt that Freshwater Science more accurately reflects the broad research disciplines now embraced by the society; there is a large international membership (nearly 25%), and the new name is easier for management, policy makers, and the public to understand.

### **Algal Turf Scrubbers**

An article published in the June issue of BioScience describes the early scale-up stage of a new biotechnology with environmental benefits and possible commercial potential. Algal turf scrubbers are field-sized, water-treatment systems that can extract excess nutrients from streams, canals, and lakes polluted by agricultural, domestic, and some industrial runoff. They use sunlight as their principal source of energy and simultaneously restore oxygen levels. The devices work by pulsing contaminated water across algae that are allowed to grow on screens. Algal turf scrubbers produce waste suitable for use as a nitrogen- and phosphorus-rich fertilizer. Some algal turf scrubbers can even operate in open water, thus minimizing loss of agricultural land to the systems.

The BioScience article, by Walter H. Adey of the Smithsonian Institution, Patrick C. Kangas of the University of Maryland, and Walter Mulbry of the US Department of Agriculture, notes that the need to clean wastewater and various types of runoff contaminated with nitrogen and phosphorus is immediate in many places where natural waters are polluted.

The article stresses that algal turf scrubbing is not likely to ever be profitable just as a way of making a fuel crop. Algal turf scrubbing could become common if the economic value of nutrient removal can be applied to the cost of building and running the units. That might depend on public policy that imposes a predictable cost on pollution of natural waters.

### **Lake News from Wisconsin**

With the election of a new governor and appointment of a “business-oriented” Secretary of Natural Resources, news from Wisconsin is generally bad news for our lakes.

Phosphorus: After long-time discussion about creation of a phosphorus index for Wisconsin waters and threats by the federal EPA to step in, Wisconsin last year passed a phosphorus index for the state waters. Once the new governor came in, implementation of this rule was put on hold for up to 2 years. Recently the Joint Finance Committee directed that the Wisconsin Department of Natural Resource complete, by the end of 2011, an “economic impact analysis” of the phosphorus index rule.

In related measures, the Joint Finance Committee voted to repeal and recreate the state rule on controlling nonpoint pollution (especially from agriculture), in place since 2002.

A bill is being circulated by two legislators to eliminate the ban on sales floor displays of fertilizers containing phosphorus. The bill misstates the current law on the sale of such fertilizers.

Shoreland Zoning: After multiple public hearings and over 70,000 public comments over 10 years, Wisconsin implemented the first revision of its shoreland zoning rules in 40 years. NR 115 declared itself as the “minimum” rule and allowed counties several years to modify their county shoreland zoning rules. The Joint Finance Committee voted to require the Wisconsin Department of Natural Resources to prepare an “economic impact analysis” of NR 115 by the end of 2011.

Drinking Water: The Wisconsin Assembly recently voted to prohibit the Wisconsin Department of Natural Resources from requiring that drinking water supplies be disinfected. The Wisconsin Senate has not yet voted on the Senate version of the bill.

### **Prozac Killing E. coli in the Great Lakes**

Scientists in Erie, Pennsylvania, have found that minute concentrations of fluoxetine, the active ingredient in Prozac, are killing off microbial populations in the Great Lakes.

Traces of antidepressants have been found in both drinking and recreational water supplies throughout the world, in quantities experts say are too dilute to affect humans but which have been found to damage the reproductive systems of mollusks and may even affect the brains of animals like fish.



The fluoxetine found in Lake Erie is at very low levels, about one nanogram per liter of water, and appear to not be at a level that would be harmful to humans. But scientists do suspect that fluoxetine combined with other chemicals could be having a cumulative effect on the lake's ecosystem. But what's puzzling is where the drug is coming from. Fluoxetine is thought to enter waterways after it passes through the body and is excreted in urine. And pill users who dispose of unused pills down the sink could be adding to the problem. Wastewater treatment plants generally don't filter out the chemical.

But near Presque Isle State Park in Lake Erie, where the water samples containing fluoxetine were found, there's no particular fallout. There is not a direct sewage outfall located anywhere near the beaches.

### **NY wants to ban Lake Ontario boat sewage dumping**

New York environmental regulators have asked the federal government to ban vessels from dumping on-board sewage into waters along its Lake Ontario shore. They want the Environmental Protection Agency to create a "no-discharge zone" running along 326 miles of shoreline from Youngstown in Niagara County to Cape Vincent in Jefferson County. If the federal agency agrees, boaters would have to use pump-out stations found at many marinas in the region

### **Largest U.S. Dam Removal to Begin June 1 in Washington**

The Elwha River on Washington's Olympic Peninsula once teemed with legendary salmon runs before two towering concrete dams were built about a century ago.

On June 1, nearly two decades after Congress called for full restoration of the river and its fish runs, federal workers turned off the generators at the 1913 dam powerhouse and set in motion the largest dam removal project in U.S. history.

Contractors will begin dismantling the dams this fall, a \$324.7 million project that will take about three years and will allow the 45-mile Elwha River to run free as it courses from the Olympic Mountains through old-growth forests into the Strait of Juan de Fuca.



The 105-foot Elwha Dam came on line in 1913, followed 14 years later by the 210-foot Glines Canyon Dam 8 miles upstream. For years, they provided electricity to a local pulp and paper mill and the growing city of Port Angeles. Electricity from the dams, enough to power about 1,700 homes, now feeds the regional power grid.

## **Algae Warnings Already Necessary in Grand Lake St. Marys**

Toxic blue-green algae have been found floating in Grand Lake St. Marys for the third time in as many years and about a month ahead of when the organisms appeared last summer.

The Ohio Environmental Protection Agency reported on May 30th that a species of blue-green algae called *planktothrix* is visible over most of the shallow 13,000-acre lake in western Ohio.

Officials posted signs at the lake's three beaches warning people to avoid swimming and wading and not to touch any algae scum or swallow any lake water. Similar warnings over the past two summers scared away lake visitors and scuttled the local tourism economy.



The Ohio Department of Natural Resources, which manages the lake as a state park, planned to start treating the center of the lake with an algae-starving chemical early next month before the algae were expected to appear.

Fed by phosphorus in manure that rain washed off nearby farms, blue-green algae grew so thick in the lake last summer that the state warned people not to touch the water, take boats out on the lake,

or eat any fish caught there. Ohio Department of Health officials think that algae-produced liver and nerve toxins were the probable cause of sicknesses reported in seven people.

Cyanobacteria were first detected in the lake in the summer of 2009. Last year's algae "bloom" emerged in late June, covering large sections of lake water in a thick scum that smelled like sewage.

Blue-green algae also were discovered for the first time at 19 other Ohio public lakes and ponds last year. No algae have been detected at other lakes so far this year.

## **No more Swim Advisories**

Ottawa County (Michigan) health officials said they will stop issuing "no swim" advisories for beach water contamination because of a 24-hour lag in getting test results.

Shannon Felgner, communications specialist for the Ottawa County Health Department, said organizers of the long-running beach water monitoring program determined the advisories were not particularly useful because unhealthy conditions quickly dissipate.



In nearly all cases in which 'no swim' advisories were issued last year, the water the next day was below the state's standard for safe swimming of 300 E. coli per 100 milliliters of water.

The health department staff is testing rapid-result equipment that may allow for accurate results about E. coli pollution in just a few hours, but the equipment has not yet been approved by the Environmental Protection Agency.

The discontinuation of "no-swim" advisories will not mean an end to the weekly beach-water testing program, because the results are still valuable for long-term analysis of water quality. The weekly test results have been and will continue to be posted on the health department web site and Facebook site.

## **Invest \$10 Million in Muskegon Lake and get \$66 Million Back**

Grand Valley State University Economics Department Chairman Paul Isely studied the economic gains from the \$10 million in federal dollars being spent on the south shore of Muskegon Lake. He said over a 10-year period, the restoration project will generate, conservatively, \$66 million in economic benefits. And, the study didn't take into consideration the direct property value increases of the affected waterfront properties.



That calculation took into account adjacent home value increases in the surrounding city of Muskegon neighborhoods, but it didn't figure the direct benefit to waterfront land owners.

The \$10 million NOAA grant being used to restore 10 sites along the city's lakeshore was granted to the Great Lakes Commission and is being managed locally by the West Michigan Shoreline Regional Development Commission.

Among ten sites, the National Oceanic and Atmospheric Administration's (NOAA) Muskegon Lake project restored the shoreline on the Kirksey Investment and adjacent Michigan Steel Foundry Inc. properties. In exchange for federal "stimulus" money being spent to clean up the private properties, Kirksey and Michigan Steel have agreed to conservation easements.

"The shoreline here will remain green forever," Dennis Kirksey said, pointing to his company's 1,300 feet of shoreline jutting north out into Muskegon Lake. The conservation easement remains with the property when sold, requiring any new owner to keep the shoreline zone in a natural state.

The transformation of the Kirksey and Michigan Steel waterfronts has been remarkable. The old concrete, foundry material, and scrub trees have been removed for natural plantings and a shoreline more conducive to wildlife.

Isely's GVSU economic benefit study looked at housing values, recreational values, and the value placed on the improved shoreline.

As for house values, Isely looked at residences located 300 feet to 2,600 feet from the shoreline improvements. The closer a house was to a natural shoreline and the further it was from hardened industrial shoreline, the higher the home's value.

When considering all factors that determine the value of a house, the improved nearby shoreline added \$3,000 to \$5,000 in value to many houses over time, the economist concluded. The study included a survey of those in the adjacent neighborhoods and of people throughout Muskegon County.

Isely found the annual home value increases — especially in the adjacent homes in the city's Nims and Lakeside neighborhoods — was \$11.9 million. The recreational value of the lake in terms of fishing, swimming and aesthetics, and the increased visitors coming due to the improvements, was calculated to add \$1 million of new tourism spending each year.

## **Legislative Update with EPA and State's CWA Authority**

H.R. 2018, the "Clean Water Cooperative Federalism Act of 2011," was introduced in the House in early June. The bill amends the Clean Water Act (CWA) to restore the long-standing balance between federal and state partners in regulating the nation's waters and preserve the system of cooperative federalism established under the CWA in which the primary responsibilities for water pollution control are allocated to the states. The bill restricts EPA's ability to second-guess or delay a state's permitting and water quality certification decisions under the CWA once EPA has already approved a state's program.

### **Summary of H.R. 2018**

State Water Quality Standards: Restricts EPA's ability to issue a revised or new water quality standard for a pollutant whenever a state has adopted – and EPA has already approved – a standard, unless the state concurs.

State Section 401 Water Quality Certification: Prohibits EPA from superseding a water quality certification (that a discharge will comply with applicable water quality requirements) granted by a state under CWA section 401.

Approval of State NPDES Permit Program Authority: Prohibits EPA from withdrawing approval of a state water quality permitting program under CWA section 402 (National Pollutant Discharge Elimination System or NPDES).

EPA Veto Authority over State NPDES Permitting Decisions: Prohibits EPA from objecting to a state's issuance of an NPDES permit on the basis of (i) EPA's differing interpretation of an approved state water quality standard, or (ii) the implementation of any federal guidance that directs a re-interpretation of the state's approved water quality standards.

EPA Veto Authority over Corps Section 404 (Discharges of Dredged or Fill Material) Permitting Decisions: Restricts EPA's ability to veto a Corps 404 permitting decision unless the state concurs with the veto.

State Permit Program for the Discharge of Dredged or Fill Material: Allows a state to assume and administer only parts of the 404 permit program.

Deadlines for Agency Comments on Proposed Section 404 Permits: Clarifies that the deadline for EPA and other agencies to submit comments to the Corps on a proposed section 404 permit is 30 days.

## **Florida Petitions EPA to Rescind its Nutrient Criteria in Florida**

The Florida Department of Environmental Protection (DEP) has filed a petition with the US Environmental Protection Agency requesting that the Agency rescind its January 14, 2009 "determination" that federally-imposed numeric nutrient criteria (NNC) are necessary in the State of Florida.

One basis of the petition is a March 16, 2011 EPA Office of Water memo ("Working in Partnership with States to Address Phosphorus and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions") that describes eight elements of effective state programs to manage nitrogen and phosphorus pollution. DEP's petition argues that Florida's TMDL and other water quality programs follow EPA's eight elements in a textbook manner. A factsheet concerning the DEP petition has been posted to the Florida Stormwater Association website (<http://www.florida-stormwater.org/content.asp?pl=46&sl=8&contentid=56>).

If EPA rescinds their January 14, 2009 necessity determination, they would be expected to subsequently repeal their criteria for lakes, rivers, and streams, and halt other nutrient rulemaking efforts, DEP has already restarted its own numeric nutrient criteria rulemaking process and hopes to have that completed before the EPA rules become operational in March 2012.

**Websites of the Month – <http://www.epa-echo.gov/echo/ancr/us/>**

This interactive site provides basic information about Clean Water Act direct dischargers, such as: number of permits issued, how frequently sampling data is reviewed to determine if violations occurred, frequency of violations, and frequency of formal enforcement actions. You can choose to view information about major (larger) facilities or non-major (smaller).

**Update Contact information:**

Please let the NALMS Office ([garenz@nalms.org](mailto:garenz@nalms.org)) know if you have or are planning to change your contact information, so we can make sure you do not miss any of the NALMS monthly news letters, updates, or general NALMS announcements. NALMS appreciates this.

**Open Invitation to Add to the Next E-newsletter**

If you are having a conference, have a lake-related question, need advice, looking for similar lake problems/solutions, have an interesting story to share, or just want to be heard throughout NALMS, please send your material to Steve Lundt at [slundt@mwr.dst.co.us](mailto:slundt@mwr.dst.co.us). All e-newsletter material is due to Steve Lundt by the first Friday of each month to be considered for inclusion in that month's e-newsletter. The newsletter goes out electronically monthly.}}