



## MORE PHOSPHATE NEWS

Did you forget that there are over a million acres of land in south central Florida that has minable phosphate deposits? Over the last 50 years a mere dozen companies have "mined out" over 300 thousand acres in Hillsboro, Manatee, and Polk counties. And are presently mining over 200,000 acres more. Currently these companies are seeking to expand these mines through the traditional permitting process and two of them are trying to use the new 'Eco System Team Permitting' process to strip mine further south. Adding all these acres together one finds that about 500 square miles is already mined and another 500 square miles is being mined or being contemplated to be mined. That's a lot!

We know

1) that the current strip mining methods leave behind a drastically altered landscape that functions very little like a natural system.

2) the 25-50 foot thick semi-confining layer that separates the surficial aquifer from the intermediate aquifer is gone.

3) that 40 to 50% of the mined land ends up as clay settling areas that are 60 to 90 feet thick leaving behind a virtually impermeable, radioactive landscape that has very limited future use.

4) that the restored consolidated wetlands are functionally very different from the thousands of natural ones destroyed and that it will be a hundred years (if ever) before the natural wetlands and their wildlife recover.

Also there is a great deal of evidence that phosphate mining may seriously threaten the health of people throughout the region. That means

that the land is left radioactive! We don't know is what the secondary and cumulative impacts of mining another 500 square miles in the Peace River Basin on the hydrological and ecological integrity of the region. Over the last twenty years since an old EIS was conducted many environmental studies and technological advances have been made that would allow for a much better understanding of the type and consequences of regional impacts that could be expected.

So Charlotte County formally requested (1998) that the Corps conduct an EIS to ascertain the likely cumulative impacts that might be expected. The Corps verbally responded that they were considering doing a regional phosphate mining EIS. BUT a few months ago the Corps stated that they had no interest or intention of doing an EIS and that it was more appropriately the responsibility of the EPA. In (1999) EPA said that they had delegated

their regulatory authority to Florida's Department of Environmental Protection, who, it turns out, has delegated it to the Bureau of Mines Reclamation (BMR) but still had oversight responsibility. Recently EPA has sent a representative to the ECOSYSTEM PERMIT meetings and field trips. It appears that EPA is trying to decide whether or not an EIS is necessary. They indicated that outside demands will be a factor in their decision. Could you, Would you help nudge them in that direction by writing a personal letter and getting any organization to which you belong to use some of the above information to compose a letter and send it to:

John Hankinson,  
Regional Administrator  
US Environmental Protection  
Agency, Region 4  
61 Forsyth St.  
Atlanta, Ga. 30303

Col Joe Miller, District Engineer  
U. S. Army Corps of Engineers  
P. O. Box 4970 J  
Jacksonville, Fl. 32232-0019

Bill Byle, Natural Resource  
Supervisor Charlotte County  
1 8500 Murdock Circle  
Port Charlotte Fl. 33948

**Your letter may be the one that tips the scales.**

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## BLACK BEARS UNDER THE GUN?

*Higher bear numbers have state wildlife officials considering whether to lift a ban on hunting them.*

For decades Raymond Hamlin Jr. hunted bear through the North Florida backwoods, just like his father and grandfather before him. In all that time, only once did the 76-year-old Bristol cattleman stand beneath a tree where dogs had cornered a 350-pound bear and pull the trigger on his Remington rifle.

He'd go hunting again tomorrow if he could.

"The fun is not in killing the bear," said Hamlin, president of the Florida Bear Hunters Association. "It's in tracking him through the woods and following the sign."

Six years ago, in a historic and widely debated move, state officials put an end to Hamlin's favorite pastime by making bear hunting illegal.

Since then, complaints about "nuisance bears" wandering into towns and destroying property have increased, and the number of bears struck by cars has hit new highs. Hamlin and others argue that those are clear signs the bears need hunting again.

At Hamlin's urging, the Florida Fish and Wildlife Conservation Commission has asked its staff for "a black bear status report." At least one commissioner is convinced it's time to bring back the bear hunt.

"I don't know of a single thing a bear is good for other than to look at or hunt," Commissioner Jamie Adams, a former game warden from Bushnell, wrote this month in the hunting publication *Woods 'n' Water*. "There is no reason not to have a bear-hunting season in Florida!"

But Commission Chairwoman Julie Morris, who teaches environmental studies at New College of the University of South Florida in Sarasota, said her agency doesn't have enough information to start changing the rules on a species that it classifies as threatened with extinction.

Some environmental and animal-rights advocates are aghast that the subject of bear hunting would even come up again and vow to do everything possible to shoot it down. Adams is "absolutely wrong" about the need to start hunting again, said Judy Hancock of the Sierra Club. "If you look at the big picture for the black bear in Florida, it's totally unacceptable."

Others, while saying they do not oppose hunting

in general, complain the debate will distract from the bigger question of ensuring the bear's future as its habitat is wiped out.

The hunting debate "takes on a life of its own," said Laurie Macdonald, senior field coordinator of the Habitat for Bears Campaign, a joint project of the Defenders of Wildlife and the Florida Sierra Club. "There will be a huge public outcry if the commission seriously contemplates opening a bear season, because this animal is one that symbolizes what is left of wild Florida."

That's the problem, Hamlin said. The debate over bear hunting in Florida always has been about perception, not population. Years ago, when more people lived outside urban areas, the average Floridian understood that bears are wild creatures and hunting them was an accepted pursuit, he said.

Now the only bears most Floridians ever see, he grumbled, are "Yogi, Teddy and Smokey."

One dead bear ended the hunt in Florida – or rather, the perceptions about that bear did. The bear was shot by Ben Rowe, who sat on the state Game and Fresh Water Fish Commission, the predecessor to the agency Morris now chairs.

"I didn't do anything wrong," Rowe contended after the furor over the killing reached the pages of *Sports Illustrated*.

Although Rowe's bear hunt was legal, his timing was abysmal. While Rowe was killing his bear, his agency was asking the federal government to add the subspecies of bears unique to Florida, *Ursus americanus floridanus*, to its endangered species list.

Thousands of bears once roamed every county in the state, until loggers wiped out large swaths of the forest they called home. By 1974 only a few hundred were left. Their future seemed so precarious that the state banned

hunting them anywhere but in Apalachicola National Forest, Osceola National Forest and in two sparsely populated North Florida counties, Baker and Columbia.

By the time the U.S. Fish and Wildlife Service considered listing them in 1992, federal officials conceded the bear could very well be headed for extinction, but they didn't have the money or time to deal with the question right away.

Meanwhile, animal-rights activists capitalized on the public outrage over Rowe's dead bear by mounting a campaign to ban bear hunting. Angry letters poured in. Soon even the commission's own staff recommended ending the hunt because "the people of Florida are in the substantial majority opposed to the continuation of bear hunting seasons."

In 1994 the commission bowed to public opinion. Some hunters were so mad they refused to speak to Rowe, whom they accused of selling them out.

Since then some things have changed. In late 1998, the federal government decided not to list the bears for protection. Federal officials contended Florida held about 3,000 bears – twice as many as the state thought – and most live on public land unlikely to be developed. Environmental activists, including Macdonald, have sued to overturn that decision.

The bears do continue to lose habitat to development. For instance, Morris said, the timber giant St. Joe Paper, which owns vast tracts of land that have long provided a safe haven for bears, is now building new towns on its property throughout the Panhandle.

Meanwhile, complaints about nuisance bears have boomed to more than 300 a year, said Thomas Eason, bear management specialist with the state commission. The number of bears killed on highways increased from 75 in 1997 to 90 in 1998.

Environmentalists contend those numbers are the result of people moving into bear territory, not the other way around. Morris pointed out that the areas where the nuisance complaints and road kill occurred were not the areas where hunting had been allowed.

In *Woods 'n' Water*, Adams cited those numbers as proof that the bear population not only is getting out of hand but could become a threat

to humans. A bear "can hurt you, and under the right circumstances devour your carcass," he wrote – although Eason said there has never been a documented report of a Florida black bear attacking a human.

But Eason said Adams may be right that there are enough bears in Florida to safely hunt a few in a limited area. They "seem to be increasing in number over the last 20 years," he said. "We're seeing lots of signs in areas where we haven't normally seen bears, more than we've ever seen."

Eason and his staff have been trying to take a census by setting out food to attract the bears near contraptions that collect a few strands of hair as they pass. Biologists can extract DNA from the hairs and determine whether it came from a bear they have already counted or a new one. Such a census takes time, so at this point Eason said he is not comfortable recommending reopening a hunt unless "some of our commissioners want to push it."

He would recommend the commission wait a couple of years, to see results of a committee trying to write a new plan for managing the bear. Hamlin serves on that committee, although he scoffs at its goal.

"There's only so much you can do to manage the bear," Hamlin said. "Hell, he manages himself."

To this day, Hamlin contends the hunting ban was imposed "by devious means," and he speaks with disdain of the animal-rights groups that succeeded in ending the hunt.

"My Cracker daddy said people like that are weak-minded," said Hamlin. "They like chicken soup, but they won't kill a chicken. They can't face reality."

But Manley Fuller, president of the generally pro-hunting Florida Wildlife Federation, said it's Hamlin who may have the skewed perspective.

"In his mind, the world of St. Petersburg and Orlando and Fort Lauderdale is not his Florida," Fuller said. "His Florida is covered with piney woods, and it's kind of sleepy, and he sees bears all over the woods and wonders why he can't still hunt them."

By CRAIG PITTMAN

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## EPA PROPOSES REVISION TO FEDERAL REQUIREMENTS FOR WASTEWATER DISPOSAL IN FLORIDA

The United States Environmental Protection Agency announced today that it has proposed revisions to the Federal requirements for deep well injection of municipal wastewater to further protect underground sources of drinking water in South Florida and continue protection of Florida's coastal environment. The proposed revisions, announced today in the Federal Register, establish an alternate method for owners and/or operators of municipal wells in Florida to comply with Underground Injection Control (UIC) regulations. The proposed rule pertains only to certain counties in Florida largely because their underground features are capable of accepting large quantities of domestic wastewater through deep injection wells.

The proposed rule would only be for existing municipal wells that inject domestic waste in the following counties: Brevard, Broward, Charlotte, Collier, Dade, Flagler, Glades, Hendry, Highlands, Hillsborough, Indian River, Lee, Manatee, Martin, Monroe, Okeechobee, Orange, Osceola, Palm Beach, Pinellas, St. Johns, St. Lucie, Sarasota, and Volusia.

John H. Hankinson, Jr., EPA Regional Administrator in Atlanta, said, "Through this revision, we are proposing a viable solution to a long-standing problem concerning disposal of more than 400 million gallons of wastewater each day in Florida. This proposed action is a big step forward in maximizing protection of Florida's precious coastal ecosystems from Tampa Bay to the coral reefs while ensuring that drinking water sources are protected."

Through the proposed rule, EPA seeks to give owners or operators of existing municipal (public and private) deep injection wells an appropriate method of complying with UIC regulations while ensuring the Underground Sources of Drinking Water (USDW) are protected. The proposed rule would allow fluid to move into the USDW, but would place more stringent requirements on facilities to ensure that the USDW is not endangered. The facilities would have to demonstrate that the injection would not contaminate any USDW in a manner that would cause it to exceed primary drinking water regulations and other health-based standards.

Specifically, EPA is proposing and seeking public comment on two options:

(1) Advanced Wastewater Treatment with Non-Endangerment Demonstration

Requires all facilities to provide treatment of wastewater by advanced wastewater treatment and high-level disinfection and demonstrate that the injected fluids would not cause USDW to exceed the na-



tional primary drinking water regulations and other health-based standards.

(2) In-depth Hydrogeologic Demonstration and Advanced Treatment, as Necessary

Requires demonstration that the injection would not cause the USDW to exceed the national primary drinking water regulations and other health-based standards. Failure to accomplish this demonstration would require treatment of the injectate to such a level that the fluids would not cause exceedances in the USDW. This option is designed to provide the same level of public health protection as the preceding option, but the level of treatment required would be determined by an in-depth study on a case-by-case basis.



Although both options require demonstrations from the owners or operators of the affected facilities, the demonstration required under Option 1 could be less extensive than the hydrogeologic demonstration required under Option 2.

Under current UIC regulations, the owners or operators of existing municipal injection wells that have exhibited movement of fluids into the USDW, regardless of fluid quality, must cease deep injection as the only legal remedy to compliance. Some wells are currently experiencing upward movement of fluids. Ceasing municipal injection would force these facilities to seek an alternative disposal option. Alternative options, such as surface water disposal, are exceedingly restrictive due to the need to protect Florida's fragile streams, estuaries, wetlands, rivers and ocean beaches. By focusing on the quality of the wastewater disposed and specific effects on the aquifers, the rule would allow existing deep municipal injection wells to continue operation while underground sources of drinking water are protected. Recent sampling has indicated that fluids currently entering the USDW as a result of municipal injection do not exceed any drinking water or other health based standards.

EPA will hold four public hearings to solicit comments on the proposed rule and will accept written comments for 60 days from date of publication in the Federal Register. Two hearings will be held on Tuesday, August 22, 2000 in Tampa at the Travelodge, 820 Busch Boulevard from 1:00 p.m. to 4:00 p.m. and from 6:00 p.m. to 9:00 p.m. Also, two hearings will be held on Thursday, August 24, 2000 at the Sheraton West Palm Beach Hotel, 630 Clearwater Park Road in West Palm Beach, FL from 1:00 p.m. to 4:00 p.m. and from 6:00 p.m. to 9:00 p.m. Written comments should be addressed to Nancy H. Marsh, U. S. EPA Region 4, Sam Nunn Atlanta Federal Center, 61 Forsyth Street, SW, Atlanta, GA 30303. The proposed rule and other supporting information is available from the EPA Region 4 Web site at [www.epa.gov/region4/uic/uicindex.htm](http://www.epa.gov/region4/uic/uicindex.htm).