Submitted June 10, 2002
Paula K. Stahnke

#000882

6/10/02

Attached documents

Comments to City Commission on 6/10/2002 by Dian Deevey

Email to Mayor Tom Bussing from Dian Deevey, 6/10/2002

Email from Dian Deevey to Dean Mimms: New Words for the Comp Plan, 6/5/2002

Comments to the Commission from Dian Deevey on Conservation Element Policy 1.1.2.

Memo April 3, 2002 to Ad Hoc Committee on Wetlands from Dian Deevey

Email to Dean Mimms from Dian Deevey on "Comments on final version of the Draft LDR" and attached list of comments.

Email submitting comments for the Ad Hoc Committee on Wetlands from Dian Deevey to Dean Mimms, dated Email correspondence with D. Mimms on Private Meeting with DCA and FDEP representatives.

Series "Crippled Creeks" from the Gainesville Sun

Correspondence between Mary Jane Angelo and Dian Deevey:

1 Email to Mary Jane Angelo from Dia5n Deevey, 5/15,2002
2. Response from M. J. Angelo, 5/22/2002
3. Follow up letter from D. Deevey, 5/24/2002
4. Third email to M. J. Angelo from D. Deevey, 6/10/2002

Comments to the City Commission 6/10/2002 From Dian Deevey

Subject: Conservation Element Policy 1.1.2.

Last week I urged you to change this policy to include additional important environmentally sensitive areas that require protection.

My ground are many:

1. The city department of Parks and Nature has prepared a report ranking environmentally sensitive areas in terms of the presence of rare threatened or endangered plant an animal species. Using standards common in the field, the ranking system places a very high value on properties that are large and pristine, and little value on areas thwt are small, may have only common animals and plants, and have been invaded by exotic species or require considerable maintentance. The report consists only of a description of the ranking method and five maps on which the parcels considered are mapped, and their ranks color coded. These parcels are not identified in any way—parcfel number, size, etc. The scores assigned to them for various factors are not presented. Nothing is reported about what is on each of the parcels. Most important, there is no indication at all of what proportion of each property consists of environmentally sensitive land. Finally, the public cannot purchase copies of this report, as all the ones originally printed have been distributed. (I was given a copy but I think it is the last one available.

2. There are many other reasons for preserving property, especially in ythe urban environment. Land that is not pristine and offers no habitat or rare or endangered plants and animals may nevertheless offer may wildlife values especially valued by citg dwellers.
   The functions such lands perform should be analyzed.

3. The proposed ranking system does not consider other extremely important roles enviro9nmentally sensitive lands play in our city. These include the protections for city creeks and water resources . The commission has authorized a study of our watersheds which will identify especially important lands and wetlands that must be preserved. There is no procedure in the entire comp plan that provides a mechanism by which such protections can be established, once such lands are identified. This policy is the appropriate place.

4. As per a request by city staff, I drafted new language for policy 1.1.2 and two related policies. Staff has decided not to revise this policyas directed by the city last week, and I do not know why. I attach a copy of the email containing my draft language that I sent to Dean Mimms in response to his request.

Dian Deevey

From: Dian Deevey [diandv@bellsouth.net]
Sent: Wednesday, June 05, 2002 3:36 PM
To: Dean Mimms
Cc: Tom Saunders
Subject: New words for the ocmp plan
Follow Up Flag: Follow up
Flag Status: Flagged

Drafting this is harder than I thought.

Policy 1.1.2 needs to be changed, but also other policies, too.

Suggestion for policy 1.1.2:

"The city shall identify environmentally significant areas that deserve protection, using available inventories and other means to assess the role of natural areas to the preservation of species of special concern; to the preservation of animal and plant populations that may not be rare, but contribute important ecological values to the urban environment; to the preservation of important geological and historical resources; and to the preservation of wetlands and related systems that play a critical role in preserving and improving surface and ground water resources within the city's watersheds."

Other related policies are under Objective 2.4 Perhaps you should add at the end a proviso and that puts everything identified in accordance with policy 1.1.2 under this protective umbrella, so that when such areas are identified, you can change the land use LDRs to protect them?

Perhaps you could do this by substituting the following words after the last semi-colon Objective 2.4

"other plant and animal habitats deemed ecologically significant within the urban environment; wetlands and related systems that play a critical role in preserving and improving and surface and groundwater resources within the city's watershedsra ; and adopt land regulations to prevent the spread of invasive vegetation."

You may wish to amend 2.4.1 by changing the middle sentence to read:

When additional resources are identified as per policy 1.1.2 or other policies in this element, the properties containing them shall be subject to regulations appropriate to the regulations keyed to the resource present on the property.

I hope this helps. Feel free to contact me with questions.

Dian

Dian Deevey

From: Dian Deevey [diandv@bellsouth.net]
Sent: Friday, May 24, 2002 6:41 PM
To: 'Mary Jane Angelo'
Cc: David Schwartz (dschwart@co.alachua.fl.us)
Subject: More questions about local government regulations for wetlands

Dear Ms. Angelo,

Thank you for your response to my previous question. I infer that there is case law an applicant can cite when asserting that some suggested technique, for minimizing adverse impacts to a wetland, is not "practicable" on the grounds that it is too expensive relative to the scale or value of the applicant's development.

This leads me to a second issue I would like your help with.

In your presentation in Gainesville, you discussed many issues that may arise when the loss of animal and plant habitat, previously provided by an impacted wetland, has to be mitigated by creating, restoring, or improving a wetland in a location that may be distant from the impact site.

I appreciate that local government rules specifying site location or ratios for off-site mitigation of animal and plant habitat functions may be pre-empted if they cannot be reconciled with the recommendations of the WMD, by, for example, using the mitigation assessment rules now being finalized by FDEP. Whether this happens would depend on details of the specific application under consideration.

But I am concerned that there may be other areas where local regulations could be pre-empted. This derives from the fact that there are many kinds of wetland functions, the loss of which should be mitigated. There are also different mitigation methods that compensate for the loss of these other functions.

For example, 373.414(1)(a) lists several different kinds of adverse impacts that cannot be mitigated in the same manner that the loss of habitat functions are mitigated. (These are also found in 40C.301). Subsection 373.414(1)(b) covers things an applicant might do to mitigate adverse impacts: "Such measures may include, but are not limited to, onsite mitigation, offsite mitigation, offsite regional mitigation...." This means to me that the issue of what other kinds of local government rules may have to be "reconciled" with WMD rules incorporated in 40C or the WMD Handbook. But I do not fully understand what they may be.

My reading of 373.414(1) indicates that the decision by a water management district to issue a permit is, in part, a function of the kind of adverse impact at issue and the practicability of avoiding it. Practicability is determined by the WMD using various criteria including the cost of the minimization techniques. This interpretation seems to me consistent with what you told us during your visit to Gainesville regarding the interplay of 40C.301 and 40C.302 with the corresponding rules in the SJRWMD Handbook. If so, then I must wonder what is meant by the term "mitigation requirements" in 373.414(1)(b)4. This is the section that says that if mitigation requirements imposed by local governments "cannot be reconciled with mitigation

requirements approved under a permit for the same activity issued under this part, ...,the mitigation requirements for surface water and wetland impacts shall be controlled by the permit issued under this part." The permit in question is, of course, that issued by the WMD.

A concrete example might help to communicate my concern. Suppose a local government decides that no applicant for a building permit will be allowed to adversely impact a wetland if there are any technically feasible methods by which such adverse impact can be avoided, regardless of cost. In other words, this criterion enacted by the local government explicitly excludes any cost consideration in its decision. It seems to me such a local regulation would be in direct conflict with the SJRWMD criteria, which do consider cost to the applicant. In this hypothetical case, could the applicant obtain a permit from the District and just ignore the local government regulation, relying on 373.414(1)(b)4 to pre-empt that local government regulation?

I would appreciate your view of this issue. Thank you.

Sincerely,

Dian R. Deevey
1702 SW 35th Place
Gainesville FL 32608

Dian Deevey

From: Dian Deevey [diandv@bellsouth.net]

Sent: Wednesday, May 15, 2002 6:05 PM

To: Mary Jane Angelo (mangelo@sjrwmd.com)

Cc: 'Paulastahmer@aol.com'

Subject: Concept of "practicable" design modifications for avoiding or minimizing wetlands destruction

Dear Ms. Angleo,

Earlier this spring, you made a very informative presentation in Gainesville to a meeting of a committee of citizens tasked to draft a set of Land Development Regulations to implement a new policy for wetlands in the city comprehensive plan. This policy allows developers under certain conditions to drain and fill wetlands to use the land thus reclaimed for construction. I was privileged to hear your presentation at that meeting.

You focused primarily on the SJRWMD rules for wetlands mitigation that pre-empt local regulations, rules with which our local city regulations must be reconciled, as long as the latter include allowing developers to drain and fill wetlands, and mitigate their loss elsewhere.

The SJRWMD requires that the developer reduce the negative impact on wetland or other surface water functions, sometimes by incorporating project design modifications that are "practicable" (according to section 12.2.11 in the SJRWMD Handbook). In discussing the question of judging whether a given design modification is "practicable", you presented a criterion used by the district whereby the cost of the design modification is compared to that of the applicant's entire project. The point is that the District does not expect an applicant to spend a prohibitively large amount of money, and the costs of a "practicable" modification are to be judged relative to the cost of the rest of the proposed project.

.At the time you gave at least two examples of design modification costs that would be considered "practicable". If memory serves, you indicated that if the total project cost were $650K, then the District might expect the developer to spend up to about $40K on a design modification, whereas if the project cost were $6.5 million, a design modification cost of about $500 might be considered reasonable and "practicable" by the District. My quick calculations suggested that in both examples, the cost of "practicable" design modifications totaled around 8% of the project cost.

These examples suggested to me that the District employs a rule of thumb whereby costs of less than about 10% of the project will considered "practicable", whereas higher costs will not. It also occurred to me that this apparent rule of thumb is based on case law that makes it difficult if not impossible for the District to deny a permit unless the applicant agrees to spend more money (relative to total project costs).

These considerations in turn caused me to wonder how often the District simply denies approval, on the grounds that the negative impacts are simply too great, and the options for avoiding these impacts not practicable (too expensive).

I would appreciate any information you could give me about these issues. Is there a rule of thumb about "practicable" costs, based on past case law? This is important to us, because it places a cap on the magnitude of the investment the city can expect developers to make to avoid or minimize damage to our wetlands.

The second question about how often and under what conditions the District simply denies a permit when anticipated adverse impacts are too great, and either cannot be mitigated at all (as,, for example, some wetlands water storage functions cannot be mitigated by creation of a wetland elsewhere in the basin) is important to us as well.

With very few exceptions, the creeks and lakes inside the Gainesville city boundaries are in a deplorable state, in part because of the wholesale dredging and filling of wetlands that went on in the past, and

consequently flash flooding is frequent in these older areas, and also because newer storm water systems also fail, and deliver high volumes of water to receiving creeks, which in turn erodes the banks, and destroys creekside vegetation. Extremely large public investments have already been planned for rather minimal improvements in the condition of some of our creeks and receiving waters. Many citizens fear that water management district rules may be too lax to prevent the remaining wetlands from being destroyed, which would only exacerbate the existing problems. I don't know how to evaluate this question, other than to see what the experience in the District has been in the recent past. I would also appreciate any further reading or inquiry you might suggest to me. Thank you,

Sincerely

Dian R. Deevey
1702 SW 35th Place
Gainesville FL 32608

Dian Deevey

Dian Deevey

Dian Deevey

From: Dian Deevey [diandv@bellsouth.net]
Sent: Monday, June 10, 2002 9:40 AM
To: 'mayor@ci.gainesville.fl.us'
Subject: FW: New words for the ocmp plan

Dear Mayor Bussing,

At the June 3 workshop on the Comprehensive Plan Element, I drew the attention of the Commission to policy 1.1.2.

This policy requires the City to "..use the environmentally significant properties inventory/ranking report to identify viable populations of native plant and animal species, environmentally significant areas....that should be maintained."

I objrected to this policy on the grounds that the listed kinds of environmentally significant properties was too narrowly drawn. I have read the cited report and found it unsatisfactory from a number of points of view.
I presented to the commission two kinds of objections to this policy:

The report in question is inadequate, even as a document that identifies viable plant and animal species that are rare or special.

Additional environmentally sensitive areas require protection, and there is is no policy anywhere in the entire comp plan allows the commission to provide it. These include wetlands or other environmental resources identified by the new basin management study as essential to the preservation of the city's water resources, or the protection of city creeks, and this is the logical place for that. Furthermore, there are many environmental resources that may not include habitats of rare or endangered species, but are nevertheless extremely valuable resources in the urban environment. These include habitats for songbirds, for wild animals citizens enjoy seeing, and other things.

The commission agreed and directed city staff to incorporate the changes. I presented suggested wording.

Immediately after the meeting Dean Mimms approached me requesting that I provide the wording to him so he could revise the policy. I had spoken to rapidly for him to note my words during the meeting itself.

I sent him the attached email in response.

Today I discovered that city staff has not made the proposed changes. Dean recommends that I bring the issue up again before the committee.

If I do this, it will be impossible for me to talk about any other item of importance, and there are many such. This puts me in a serious qauandry, and I do not know how to resolve it.

City workshops have never provided a forum in which citizens could express their concerns. You allow us only 3 to 5 minutes to address a document with 50 or 60 important issues, no single one of which can be adequately critiqued in the time allowed. Worse, you do not permit the kind of constructive dialogue that could illuminate issues. This means that citizens like who bring up important points cannot answer critics who later just deny the original complaints. This is most frustrating, and it greatly reduces the amount of useful information the commissioners could potentially obtain if they listened to a dialogue.

I would appreciate your either allowing me extra time to address this issue, or just directing the staff to follow through with the commission request expressed on Monday. Alternatively, you could make it into a motion, and let us all comment specifically on this issue.

Thank you

Dian Deevey

From: Dian Deevey [diandv@bellsouth.net]
Sent: Wednesday, June 05, 2002 3:36 PM
To: Dean Mimms
Cc: Tom Saunders
Subject: New words for the ocmp plan
Follow Up Flag: Follow up
Flag Status: Flagged

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Suggestion for policy 1.1.2:

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Perhaps you could do this by substituting the following words after the last semi-colon Objective 2.4

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You may wish to amend 2.4.1 by changing the middle sentence to read:

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I hope this helps. Feel free to contact me with questions.

Dian

-----Original Message-----
From: MAngelo@sjrwmd.com [mailto:MAngelo@sjrwmd.com]
Sent: Wednesday, May 22, 2002 8:12 AM
To: Dian Deevey
Subject: Re: Concept of "practicable" design modifications for avoiding or minimizing wetlands destruction

Ms. Deevy,

Thank you for your email. I would like to clarify a few points that you raised. First, the District does not have a dollar amount or percentage "rule of thumb" that it uses in determining whether practicable design alternatives are available to reduce or eliminate wetland impacts. Each case must be evaluated using the specific facts unique to that situation. The dollar amounts that you mentioned came from a couple of permit challenges where an administrative law judge made decisions about practicable design alternatives based on the specific facts of those cases. I mentioned those cases merely to provide some examples. I did not mean to suggest that they create a "rule of thumb." As to your questions regarding the District denying permits, the District has in the past denied permits both in circumstances where the applicant did not comply with the reduction and elimination criteria and in cases where the mitigation was not adequate to offset the impacts to wetlands. Again, these decisions were based on an evaluation of the specific circumstances involved in the case, including a complete evaluation of the specific wetlands to be impacted and the mitigation plan proposed. However, it should be noted in the vast majority of cases where the District informs a permit applicant that its project does not meet the District's permitting criteria, the applicant will make the necessary changes (such as further reducing wetland impacts, demonstrating how there are not practicable design alternatives, or providing greater mitigation) to get the project to the point where it meets the criteria and thus the permit can be issued. As to your concerns regarding flooding in Gainesville, I am aware that you have been discussing these issues with both Ken John and Mike Register of the District. They are in a better position to answer your questions on those technical issues.

Mary Jane Angelo

Wednesday, April 03, 2002

Memo: to Ad Hoc Committee on Wetlands
Subject: Comments about Draft LDR's: Preservation; Wetland Functions; and other issues

From: Dian Deevey

Wetland Functions and Mitigation of Loss of Functions.

The statement of purpose and intent, and Definition B of wetland function both mention functions in addition to animal habitat functions. Definition B includes water quality protection and enhancement, flood control, aesthetic values, habitat for native animals and plants, groundwater recharge and contributions to stream flows.

The presence of these words in these sections implies that all the restrictions and requirements incorporated in the LDR's concern all these functions. However, the required specifics concern only "wetlands mitigation "as that term is used by the 5 water management districts in the state. The term applies only to mitigation of loss of animal habitat functions. This was made clear by the SJRWMD attorney who addressed the committee and is made very clear in the Intent and scope section of the current draft of 62.345:

62-345.100 Intent and Scope

(1) The intent of this rule is to fulfill the mandate of subsection 373.414(18), F.S., which requires the establishment of a uniform wetland mitigation assessment method to determine the mitigation needed to offset adverse impacts of a proposed activity to the value of functions provided by wetlands and other surface waters to fish, wildlife, and listed species, and to award and deduct mitigation bank credits.

(2) The methodology in this chapter provides a standardized procedure for assessing the functions provided by wetlands and other surface waters to fish, wildlife, and listed species, the amount that those functions are reduced by a proposed impact, and the amount of mitigation necessary to offset that loss. It does not assess whether the adverse impact meets other criteria for issuance of a permit, nor the extent that such impacts may be approved."

The discussion of Avoidance of Wetlands Loss also mentions wetlands "functions", so up to this point most readers of this LDR draft will assume that all the material on the issuance of permits, mitigation, types of mitigation and the like—that is, all the remainder of the draft—have as their purpose the mitigation of the loss of all the wetlands functions listed explicitly or implicitly in the first 3 pages of the draft. But it is clear that this is not the case. The mitigation rules in the draft focus on reclamation or creation of wetlands

at points distant from the site of impact, and many of the wetland functions listed cannot be performed by such reclaimed or created wetlands.

The LDR's should include a statement that explicitly cedes to the WMD's the responsibility for the preservation/protection of all wetlands functions other than animal habitat functions with which the remainder of the draft is concerned.

The committee should also make sure that the existing WMD rules for the issuance of ERP permits will in fact provide such protections, and that there are no size or other thresholds that would leave some wetlands in the city totally unprotected. It would be useful to consider any functions included in the draft that are not afforded desired protections.

Avoidance of Wetlands Loss

The language in the draft LDR's about avoidance of loss of wetland function and wetland habitat provides no clear guidelines as to how cost relates to the determination of "avoidable" vs. "unavoidable".

I jotted down notes when the attorney from SJRWMD addressed the committee and gave examples of the kinds of dollar costs the district might expect a develop r to invest in avoiding wetlands function loss. In her examples, the cost increment was always 10% or less than the cost of the development without avoidance of wetlands loss. As a policy, WMD's they do not expect developers to invest more than this in avoidance of loss of wetlands functions. Without some concrete guidelines expressed in terms of relative dollar cost of "avoidance", these LDR's will be criticized as lacking sufficient detail to guide decisions appropriately. Could developers successfully argue in court that there is no way for them to know in advance what such LDR's require of them and that consequently the LDR's are defective?

It is possible to incorporate a 10% increment rule of thumb (or some other increment) in LDR's to specify a ceiling cost used to help determine whether a loss is "avoidable" (or whether steps to minimize loss are "practicable"). But such considerations introduce a further question. Should there be a cap on the cost of off-site mitigation to a developer who finds avoiding adverse on-site impacts "not practicable" or "not avoidable"?

Logically, one might suppose that if dollar costs of loss avoidance are caped at 10% of the remainder of project costs, the mitigation costs should also be capped at 10%. But this has the undesirable consequence of placing a very low price on the functions of wetlands; functions that many will argue are priceless.

Implementation. The last sections of the draft appear to mimic the corresponding rules for wetlands mitigation and ERP permits in the SJRWMD handbook.

What is the difference between these rules issued by the city and the WMD rules implemented and enforced by the SJRWMD?

Mr. Ankerson and Mr. Hamman have suggested that the city could avoid pre-emption by the SJRWMD rules and insure that the mitigation sites be located within a "Greater Gainesville" basin. As I have pointed out in another memo, when a map of the basins is

evaluated together with a map of vacant parcels within the city, it appears that there is very little room for mitigation locally. If mitigation inside or near the city is impractical, then what remains of the difference between a set of LDR's enforced by the city, and the procedures of the WMD? (Note that the WMD rules might pre-empt the city regulations no matter where we propose to site mitigation projects, see note.[1])

When we consider the question of implementation and enforcement of city LDR's. It becomes, I think, increasingly questionable whether the city per se would play any significant role in enforcing LDR's like those that have been drafted. It begins to look as if the net result of these LDR's will be to cede all responsibility for wetlands and for all their functions to the existing water management districts. I cannot think that the commission meant to do this when they wrote and approved the policy.

Consistency of Drafted LDR's with the Approved Wetlands Policy.

I don't think the committee has considered all of the components of the wetlands policy, nor written LDR's to implement them. The policy is reprinted below. Asterisks identify the points I do not believe the committee has considered, and the material in brackets are my concerns about each.

Wetlands: Developments containing wetlands avoid loss of function or degradation of wetland habitat and/or wetland hydrology as the highest priority. Degradation or loss of function that is unavoidable shall be minimized, and the applicant must demonstrate that the cause of the degradation or loss of function is clearly in the public interest, with final administrative approval by the city commission on appeal, if necessary.

The City shall develop and implement land development regulations that at a minimum:

1. Establish criteria for determining whether the proposed development or activity is clearly in the public interest. [**The question of the difference between "clearly in the public interest" and "not contrary to public interest" has not been settled.]

2. Establish mitigation ratios for wetland preservation, restoration and creation. Wetland creation is presumed to be the least desirable mitigation strategy. Creation strategies shall be subject to the highest levels of requirements, restrictions, and review as outlined in the land development codes.

3. Establish bonding, long-term monitoring and enforceable long-term maintenance requirements for wetland mitigation projects to ensure that all the negative impacts have

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[1] I have distributed an opinion by the office of the County Attorney that indicates that pre-emption is probable unless the local authority enacts regulations that preserve all existing wetlands. Martin County has enacted such a highly protective set of regulations. Escambia county also has some very protective regulations that consider wetlands, lakes, coasts and surface waters and also to all environmentally sensitive areas together. I have attached part of the comp plan policies which, in this county, are also LDR's.

been mitigated. Monitoring should be reviewed by the Alachua County Environmental Protection Department, the appropriate water management district, the University of Florida, or other appropriate monitoring agency or reviewing entity, with regulatory fees paid by the permitted applicant. The mitigation plan must be approved prior to the initiation of the project. [**How feasible is this? The NAS-NRC report says that permitted activities should be delayed until the mitigation project is well under way.]

4. Establish mitigation ratios of at least 5:1 (acreage of mitigation area to impacted area);

5. Require off-site mitigation to be performed within the same sub-basin and basin in which the impact occurred, unless it is shown that mitigation outside the sub-basin is more appropriate. The order of preference for the location of the mitigated area(s) in relation to the impacted areas will be:

a. In the same basin and sub-basin;
b. In an adjacent sub-basin within the basin;
c. In an adjacent sub-basin outside the basin; and
d. In an adjacent basin;

[**The above suggests that the commission was considering that some mitigation could occur on site, and that some might be off-site. If so, then the decision to focus only on off-site mitigation and solely on mitigation of loss of habitat functions of destroyed wetlands is clearly not consistent with the wetlands policy as written.]

][

6. Require mitigation to be performed within the city limits of Gainesville or the adjacent sub-basin; [** This issue has been treated by the committee, but the question of pre-emption in relation to the specification of the mitigation project site has not.]

7. Require that development shall not cause hydrological or wetland impacts off-site;

8. A minimum buffer distance of 35 ft. shall be required between the landward extent of any wetland or surface water and the developed area. Larger buffers may be warranted. The criteria for buffer expansion will be developed in the land development regulations; [**Buffer size and criteria have not been considered by the committee.]

Preemption Issues and Avoidance of Preemption. I have asked Dean to distribute to the committee a memo about this topic written by the office of the County Attorney. Their position is that pre-emption can be avoided only if the local government makes preservation its highest priority and minimizes loss and mitigation to the maximum extent possible compatible with avoidance of legitimate claims by land owners that the rules are so strict they constitute "takings". Alachua county has decided to follow the Martin County approach to minimizing wetlands destruction.

A similar approach has been taken by Escambia County, except that they drew up their regulations so as to apply to all environmentally sensitive lands which includes upland animal habitat. I have attached a copy of the introduction to the relevant section of the Escambia County land development regulation to the email bearing this memo. Note that this regulation is identical to the corresponding section of the county comprehensive plan. I present it as an example of an alternative route to wetlands protection. Many on the committee will find it attractive because it is much simpler to preserve wetlands than to develop practical and workable rules which allow their destruction, but try to preserve some of the valuable functions they perform.

Dian Deevey

From: Dian Deevey [diandv@bellsouth.net]
Sent: Thursday, April 11, 2002 6:30 PM
To: Dean Mimms
Cc: Bonnie O'brien; Karen Orr (thibeau@ricksmovie.com); Paula Stahmer
Subject: Comments on final version of draft LDR

Hi,

Could you distribute this memo to members of the committee and the others on your mailing list.

Thanks,

Dian Deevey

Comments on final version of the draft LDR's for wetlands policy implementation:

1. The committee is recommending a 50-ft (average depth) buffer size of undisturbed native vegetation for all "wetlands and surface waters" in the city, which would appear to include lakes and creeks as well as wetlands. Do these components require revision of the policy statement in the conservation element? What about the statement in the definition of "preservation" (page 5) which mentions "uplands"?

2. Location of mitigation (page 6). A review of land use within the area shown in the map provided by Dr. Crisman with the land use in urban areas around Gainesville strongly suggests that what has been previously termed the "Greater Gainesville Community Basin" contains very little land on which mitigation can occur. But the wording on page 6 suggests a far larger area (for example, the Payne's Prairie watershed, which includes parts of Marion county). Which prevails? What will the resulting map look like? Lacking a map as a basic reference, the problem of defining a "basin" and a "sub-basin" is re-introduced. These are relative terms which can be clarified only with a map. I think the question of the availability of land within the specified area cannot be discussed unless the boundaries of "basins" and "sub-basins" are available for inspection. If the area of the basins taken together remains the area shown on the map supplied by Dr. Crisman, then my previously expressed concerns about land availability are relevant. I will bring maps of the county illustrating what I believe to be the problem to the next meeting.

   Who makes the decisions about mitigation if there are no local sites within the area shown in the map for it?

3. The concept that the WMD's will govern the protection and preservation of many of wetland functions relating to aquifer recharge, water quality, storm water storage and hydrology in general via environmental resource permits has been discussed in meetings of the committee. If this is to be the case, it should be explicitly stated for the benefit of the public attendees, and also stated in the LDR's.

5. The committee chair and Mr. Ankersen have frequently stated that they do not believe that the LDR's being drafted will be pre-empted by the local water management districts. That such pre-emption is required by current law has been stated by the FDEP, and in an opinion issued by the Attorney General of the state, and an opinion issued by the Alachua county attorney. A clear statement of the reasons for holding a contrary position would be helpful to public attendees, and should be fully discussed if these LDR's are submitted to the Plan Board and the Commission.

5. The criteria proposed for determining whether a project is in the public interest includes consideration of the "current condition and relative value of wetland functions being performed by areas affected by the proposed activity." This criterion is taken from the state law that governs decisions about the mitigation of habitat functions, and not the mitigation of hydrological functions.

   The state focus is on pristine or comparatively pristine habitats, and will continue to be so, as judged from the draft of the uniform standards now being considered. This perspective is appropriate in a state agency seeking to maintain important and rare ecological communities, and wishing to provide optimal or near optimal conditions for preserving these communities wherever they can be found.

   But state criteria are not necessarily appropriate for decisions regarding the habitat function of wetlands in the urban environment. A degraded urban wetland that can never be restored to provide habitat for a black bear, or a florida panther may never-the-less be important for a raccoons, foxes, turkeys, other birds, etc. Such areas may be very precious to many surrounding residents. This consideration ought to be reflected in the LDR's. Otherwise, these LDR's open the door to the possible destruction of all wetlands in the city, as very few of them are pristine, or likely to remain so into the indefinite future.

5. Before these LDR's can be adopted and implemented, it will be necessary to identify how they will be implemented, and how much this implementation will cost. Some have suggested that the county environmental protection department is the best agency to do this, but they do not begin to have the staff needed to fulfill the responsibilities assigned to them by the county.

6. The committee has discussed recommending that the city commission have a study of the entire watershed conducted, to provide a basis for a watershed management plan. I hope that some of the details of this proposal will be fleshed out at Friday's meeting.

Dian Deevey

From: Dian Deevey [diandv@bellsouth.net]
Sent: Tuesday, May 28, 2002 12:08 PM
To: 'Mimms, Dean L.'
Cc: Bonnie O'brien; Karen Thurman
Subject: RE: Staff meeting with DCA and FDEP representatives

I don't understand.

I thought the job of the committee was to write wetlands LDR's and recommend them to the commission.

Are you now saying that the committee's job is to advise the planning department?

Dian

-----Original Message-----
From: Mimms, Dean L. [mailto:mimmsdl@ci.gainesville.fl.us]
Sent: Tuesday, May 28, 2002 8:46 AM
To: Dian Deevey
Cc: Hilliard, Ralph W.; Saunders, Thomas D.; Andrea Rozewicz; Lisa Fenerstein; Richard Hamann (E-mail); Thomas T. Ankersen (E-mail); Tom Crisman PhD (E-mail); Walter A. Rosenbaum PhD (E-mail); Barry Rutenberg (E-mail); Bonnie O'Brien (E-mail); December McSherry; Dink Henderson (E-mail); Doris Bardon (E-mail); Fredric P. Peterkin III Ed. S. (E-mail); Gladys Lane (E-mail); James Higman (E-mail); Karen Orr; Stuart Cullen (E-mail)
Subject: RE: Staff meeting with DCA and FDEP representatives

Dian,

The Committee had its final meeting on April 26, 2002 and will not be meeting again. The revised 5/21/02 document (Goals, Objectives and Policies of the draft, updated Conservation Element) is what staff is recommending.

Dean Mimms

-----Original Message-----
From: Dian Deevey [mailto:diandv@bellsouth.net]
Sent: Tuesday, May 28, 2002 2:29 PM
To: Mimms, Dean L.; 'Barry Rutenberg (E-mail)'; 'Bonnie O'Brien (E-mail)'; 'December McSherry'; 'Dink Henderson (E-mail)'; 'Doris Bardon (E-mail)'; 'Fredric P. Peterkin III Ed. S. (E-mail)'; 'Gladys Lane (E-mail)'; 'James Higman (E-mail)'; 'Karen Orr'; 'Stuart Cullen (E-mail)'; 'Andrea Rozewicz'; 'Lisa Fenerstein'; 'Richard Hamann (E-mail)'; 'Thomas T. Ankersen (E-mail)'; 'Tom Crisman PhD (E-mail)'; 'Walter A. Rosenbaum PhD (E-mail)'
Cc: Saunders, Thomas D.; Hilliard, Ralph W.
Subject: RE: Staff meeting with DCA and FDEP representatives

When will the committee meet to approve the revisions?

DianAnd

-----Original Message-----
From: Mimms, Dean L. [mailto:mimmsdl@ci.gainesville.fl.us]
Sent: Tuesday, May 28, 2002 6:29 AM

To: Barry Rutenberg (E-mail); Bonnie O'Brien (E-mail); December McSherry; Dian Deevey (E-mail); Dink Henderson (E-mail); Doris Bardon (E-mail); Fredric P. Peterkin III Ed. S. (E-mail); Gladys Lane (E-mail); James Higman (E-mail); Karen Orr; Stuart Cullen (E-mail); Andrea Rozewicz; Lisa Fenerstein; Richard Hamann (E-mail); Thomas T. Ankersen (E-mail); Tom Crisman PhD (E-mail); Walter A. Rosenbaum PhD (E-mail)
Cc: Saunders, Thomas D.; Hilliard, Ralph W.
Subject: FW: Staff meeting with DCA and FDEP representatives

All,

The referenced attachment that is the recommendation of City staff is dated revised 5/21/02.

Dean Mimms
-----Original Message-----
From: Mimms, Dean L.
Sent: Tuesday, May 28, 2002 8:50 AM
To: 'Dian Deevey'
Subject: RE: Staff meeting with DCA and FDEP representatives

Dian,

The referenced attachment dated revised 5/2/02 is the recommendation of City staff. The Committee had its final meeting on April 26th.

Dean Mimms 5/28/02

-----Original Message-----
From: Dian Deevey [mailto:diandv@bellsouth.net]
Sent: Friday, May 24, 2002 8:40 PM
To: Mimms, Dean L.
Cc: Saunders, Thomas D.; Hilliard, Ralph W.; 'Andrea Rozewicz'; 'Lisa Fenerstein'; 'Richard Hamann (E-mail)'; 'Thomas T. Ankersen (E-mail)'; 'Tom Crisman PhD (E-mail)'; 'Walter A. Rosenbaum PhD (E-mail)'; 'Barry Rutenberg (E-mail)'; 'Bonnie O'Brien (E-mail)'; 'December McSherry'; 'Dink Henderson (E-mail)'; 'Doris Bardon (E-mail)'; 'Fredric P. Peterkin III Ed. S. (E-mail)'; 'Gladys Lane (E-mail)'; 'James Higman (E-mail)'; 'Karen Orr'; 'Stuart Cullen (E-mail)'
Subject: RE: Staff meeting with DCA and FDEP representatives

The attachment containing the revised policies is dated may 21.

Did the committee meet on that day to approve the comp plan policy changes?

I was not informed of any such meeting, and none was scheduled the last time I enquired.

Dian Deevey

-----Original Message-----
From: Mimms, Dean L. [mailto:mimmsdl@ci.gainesville.fl.us]
Sent: Friday, May 24, 2002 2:00 PM
To: diandv@bellsouth.net
Cc: Saunders, Thomas D.; Hilliard, Ralph W.; Andrea Rozewicz; Lisa Fenerstein; Richard Hamann (E-mail); Thomas T. Ankersen (E-mail); Tom Crisman PhD (E-mail); Walter A. Rosenbaum PhD (E-mail); Barry Rutenberg

(E-mail); Bonnie O'Brien (E-mail); December McSherry; Dian Deevey (E-mail); Dink Henderson (E-mail); Doris Bardon (E-mail); Fredric P. Peterkin III Ed. S. (E-mail); Gladys Lane (E-mail); James Higman (E-mail); Karen Orr; Stuart Cullen (E-mail)
Subject: Staff meeting with DCA and FDEP representatives

Dear Ms Deevey,

I am pleased to oblige your request for information about the staff meeting of April 23, 2002 with representatives from the Florida Department of Environmental Protection (FDEP) and the Florida Department of Community Affairs (DCA). Although this matter was discussed at the April 26, 2002 final meeting of the Ad Hoc Committee on Wetland and Creek Regulations, you have requested additional information in your e-mail of Sunday, May 19th.

One member of the Ad Hoc Committee, Vice-Chair Tony Rosenbaum, attended the April 23, 2002 meeting. Professor Rosenbaum was not delegated to act on behalf of the Committee, rather, he attended the April 23rd meeting as an observer, and his role consisted of being introduced to the other attendees and of listening to the discussion.

Attendees at the April 23, 2002 staff meeting at the Community Development Department were:

Constance J. Bersok, Environmental Administrator, FDEP

Lauren P. Milligan, Environmental Specialist, FDEP

Jim Crews, Planner, DCA

Tom Saunders, Community Development Director, City of Gainesville

Ralph Hilliard, Planning Manager, City of Gainesville

Walter Mathews, IV, Assistant City Attorney, City of Gainesville

Professor Tony Rosenbaum, Vice-Chair of the Ad Hoc Committee on Wetland and Creek Regulations

Dean Mimms, Chief of Comprehensive Planning, City of Gainesville.

Following introductions of attendees (Walter Mathews arrived after the start of the meeting and was subsequently introduced), discussion ensued. The subjects discussed at the meeting were the transmitted Conservation Element policies on which the state agencies (DCA and FDEP) commented upon in the ORC (Objections, Recommendations and Comments) Report received by the City on February 25, 2002. (Those policies are identified in the ORC Report, a copy of which was previously made available to you, and which will be in the Commission package for the June 10th adoption hearing on the Conservation Element. Staff responses to the ORC report will also be in that package. If you wish, I can provide you a copy of them and of staff-recommended changes to several policies not listed in the ORC Report, once the package is ready.) Also discussed at the April 23rd staff meeting were several suggested (by state staff) revisions to Conservation Element policies that were not mentioned in the ORC report. The draft LDRs were not discussed at this meeting.

State agency concerns were expressed in the ORC Report from DCA, to which was attached FDEP's January 25, 2002 letter to DCA that detailed FDEP's concerns about the proposed wetland policies, and were not re-expressed at the April 23rd meeting, other than for FDEP to acknowledge that their January 25th letter perhaps overstated their case by stating that "unless the City adopts - verbatim - the public interest criteria [reference Conservation Element Policy 1.1.1 b.1.] reflected in the rules of the

Department and water management districts, there may be "irreconcilable" differences between the City's adopted LDRs and the preemptive rules of the Department and water management districts." City and state staff then agreed upon revisions to proposed Policy 1.1.1 b.1., which now reads "Establish criteria that are at least consistent with the relevant criteria of Section 373.414(1), F.S. for determining whether the project is clearly in the public interest."

The other revisions discussed (all policy numbering as of 4/12/02 GOPs revisions recommended by Ad Hoc Comm. at 4/12/02 meeting) at the April 23rd meeting were as follows:

Policy 1.1.1 b. 2: Add "enhancement" between "wetland preservation, restoration and creation". Consider combining with 1.1.1 b.4. Staff subsequently made these and other revisions to this policy, and they are reflected in staff's recommended GOPs dated revised 5/21/02.

Policy 1.1.1 b. 5, Policy 2.1.1, Objective 2.1: Reference the Wetland Mitigation Basins map. Staff has made this user-friendly revision to these policies.

Policy 1.1.1 b. 8: Staff said this would be revised to "minimum buffer distance of 35 feet and an average buffer distance of 50 feet." This retains the Committee's recommended average buffer distance of 50 feet yet allows for some flexibility. The current, adopted comp. plan has no wetland buffer distance requirements.

Policy 1.1.1 b. 9: Reference Section 62-340, F.A.C. so that it is clear that the wetlands are to be delineated in accordance with this section of the Florida Administrative Code. Staff made this revision.

Policy 1.1.1 b. 11: Revise to read "*minimum* buffer of 200 feet" for Outstanding Florida Waters. Delete reference to LDRs, delete redundant mention of minimum mitigation ratio. Staff made these revisions.

Policy 1.1.1 b.12: Revise to state that mitigation will be pursuant to the mitigation requirements of comprehensive plan rather than the land development code. This change was recommended by state staff to insure the pre-eminence of the comprehensive plan over the LDRs re: wetlands. City staff understands this concern and has made the recommended revision.

Policy 2.1.2: Revise so that each basin management "plan shall include consideration of ...mitigation banks, *or, offsite mitigation areas in accordance with Section 373.4135, F.S.* Staff made this revision.

Policy 3.1.2 c.: Not a wetlands issue. FDEP as a courtesy suggested deleting "will" and replacing it with "may" re: attainment of street tree diversity ("street tree diversity is to be attained citywide, even though it *may* not be attained on a given street."). Staff made this revision, which allows for rather than precludes the possibility of street tree diversity along a given street.

As a courtesy to you and other recipients of this e-mail, I have attached a copy of the draft, updated Conservation, Open Space and Groundwater Recharge Element, dated revised May 21, 2002. That document is posted on our departmental website under Comprehensive Planning Documents.

I appreciate your interest in and concern for our community's natural resources. If I can be of further assistance to you, please let me know.

Sincerely,

Dean Mimms, AICP
Chief of Comprehensive Planning
City of Gainesville

-----Original Message-----
From: Dian Deevey [mailto:diandv@bellsouth.net]
Sent: Sunday, May 19, 2002 9:03 PM
To: Mimms, Dean L.
Cc: Saunders, Thomas D.; citycomm
Subject: Private meeting with DCA and FDEP representatives

Dear Dean,

You presented a very sketchy verbal report of the meeting between staff, representatives of DCA and FDEP and Tony Rosenbaum that was held a few weeks ago to review and discuss the proposed city wetlands policy and/or the LDR's the Ad Hoc committee is working on.

I have been waiting for a written report detailing what was said and agreed to.

I believe this is required, on account the extremely important nature of the pre-emption issue.

As you know, the FDEP's January 25 letter objected very strongly to many parts of the Nielson wetlands policy adopted last year. This letter identified more than 11 points of conflict with established state law and a pending rule for uniform wetland mitigation assessment methodology. FDEP and DCA volunteered to help the city craft policies and LDR's that are compatible with state law. Presumably this was the focus of the meeting I refer to. It would be hard to overestimate the significance of such a meeting to the work of the committee. Yet to date we have no record of what transpired.

I believe state law requires that the following be clearly stated in the record:

1) Identity and affiliation of each attendee or participant;
2) Subjects discussed;
3) Objections raised to the city wetlands policy (existing or proposed) and/or to available drafts of the LDR's;
4) Changes recommended by the DCA and FDEP representatives, and the reasons and bases for these recommendations;
5) Any changes in the draft LDR's and the wetlands policy agreed upon, and the reasons those changes appear necessary;

I have expressed my very strong objections to the fact that this meeting was held privately, without public notice, and with no opportunity for members of the public to attend. You have an email address list of members of the public who have attended most of the meetings of the Ad Hoc committee, and you have frequently used it to communicate with us. You could easily have notified us of this

meeting. The Ad Hoc committee was charged with performing its duties in public, and allowing participation of the public in its deliberations. Having been excluded, the public is entitled to a full and complete written account of everything that occurred at this meeting. Such a report is seriously overdue.

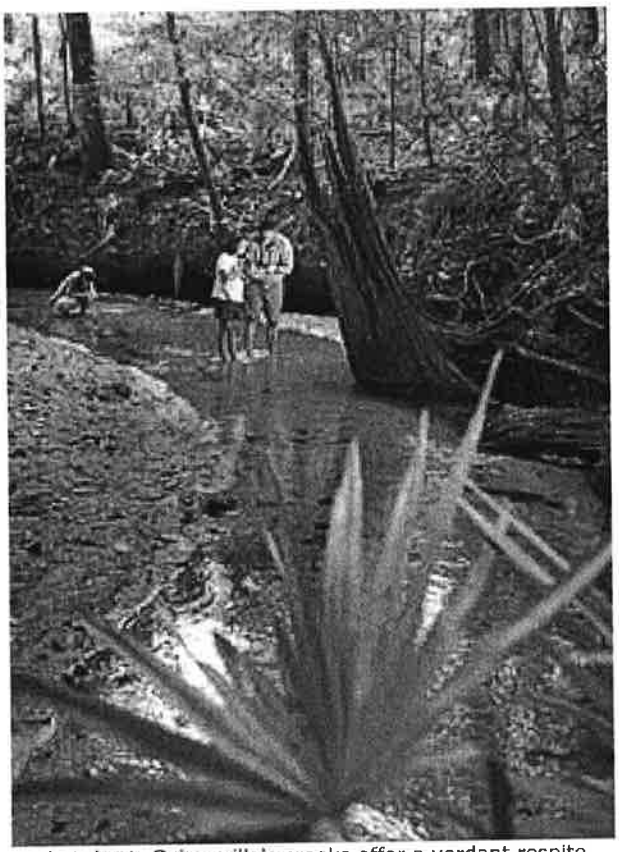
I would appreciate your sending a copy of this memo to committee members and those of the public on your mailing list.

Thanks,

Dian Deevey

CRIPPLED Creeks

Sunday, May 5, 2002



At their best, Gainesville's creeks offer a verdant respite for a growing city. Madan and Monika Oli, and their daughter Muna, often look for shark's teeth behind their home in Hogtown Creek, and often bring visitors to Gainesville to see their backyard oasis. JOHN MORAN/The Gainesville Sun

Long journey

By RON MATUS and TIM LOCKETTE
Sun staff writers

In the heart of Gainesville, a 6-foot waterfall splashes into a limestone pool on a branch of Hogtown Creek. Under towering pines, people come here to sit, to play guitar, sometimes even to get married.

A mile away, Hogtown Creek has been converted into a treeless,

CREEK MEMORIES: Click for audi

Ted & Brady Crom
Rattlesnake Creek

Donna Canova
Tumblin' Creek

Philip Haveard
Hogtown Creek

Juanita Frazier
Hogtown Creel

Click for expanded creeks map:

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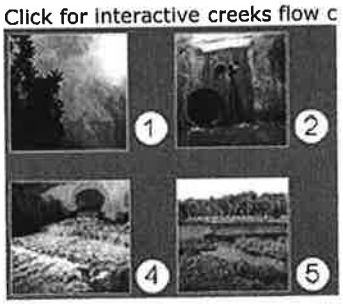

The Alachua County Environment Department has put together aer Gainesville's different creek wate out which watershed you live in,

To listen to the Don Grooms song Massacre," about the event of th click here

half-mile canal near University Avenue and 34th Street. In coming months, state transportation officials will line hundreds of feet of creek bed with concrete and rubble.

After a century of abuse, Gainesville's creeks are suffering from split-personality disorder.

In some places, they're still creeks. In some places, they're ditches.

The problem was a long time in the making. And city officials say it will take a long time to clean up.

"We're starting on a long journey and we don't have a clue when it will end," said Stu Pearson, the city's stormwater services manager.

Pearson is in charge of the city's plan to build a stormwater pond on the site of the old CSX Train Depot downtown. That pond, city officials believe, will help save Sweetwater Branch from the problems caused by decades of development.

Every time it rains, water rolls off the acres of pavement downtown and rushes into Sweetwater Branch, eating away at the creek's banks and carrying with it pollutants from streets and yards.

City officials say the Depot pond will even out the flow and filter out much of the pollution from the creek. That's why city commissioners were willing to spend three years in negotiations with CSX Transportation to obtain part of the Depot pond property.

Change mandated

All of Gainesville's creeks face the same problems as Sweetwater. And to make the city's creeks healthy, many more of these ponds are going to have to be built. Just how many, no one can say - but city officials will say that fixing Gainesville's creeks will take a long time and a lot of money.

"It's a problem that can't be ignored forever," City Commissioner Pegeen Hanrahan said. "We created this problem with years and years of building, and now we're going to spend years and years correcting it."

The city doesn't have any choice in the matter. It will soon have to come into compliance with new environmental laws that require cities to keep their creeks clean enough in which to fish and swim.

Four of Gainesville's creeks - Hogtown, Sweetwater, Hatchett and Tumblin' - don't meet that standard. And since stormwater is the main source of the problem, the city is going to have to fund major stormwater projects in the future.

City officials already are considering a plan to build a $2-million

stormwater pond for Sweetwater, just south of Williston Road.

They're considering another pond to treat runoff into Tumblin' Creek, to be built somewhere in the University Heights area, with a cost yet to be determined. And they're considering building a series of dams to stop erosion in Hogtown Creek, which could have a $3.5-million price tag.

Pearson said those projects are just the beginning of what will have to be done to fix the creeks. But if past projects are any indication, finding a place to put new stormwater ponds won't be easy.

More than a year has passed since the city came up with a plan to build a stormwater pond in Northeast Park. That plan sparked protest from dozens of the park's neighbors and months of debate over where the pond should be located.

City officials expect other projects to generate similar reactions.

"There's just not a lot of unused land out there," Pearson said. "We're going to wind up building wherever we find the space, and finding space won't be easy."

Long-range vision

Tom Crisman, director of the University of Florida Center for Wetlands, said Gainesville's creeks deserve more than a piecemeal approach to restoration.

He suggested a "creeks summit" similar to the summit called for area springs a few years ago. Crisman also called for the appointment of a blue-ribbon panel of creek experts, similar to the Alachua County Air Quality Commission, which produced a comprehensive report on air pollution two years ago.

Creeks have "been on the back burner the whole 25 years I've been here," he said. "We're driven more by individual events, snapshots. We need to sit back and say, 'What is the overall protection scheme we want to have for our creek system?' "

Seattle's solution

Gainesville isn't the only city wrestling with creek restoration - or with questions about when and where to build stormwater ponds.

"We're still struggling with how many stormwater ponds we need," said Chris Woelful, program manager for the creeks restoration project in Seattle. "There's a feeling that having too much water in the creeks is bad, but there's disagreement on how much the levels should be reduced."

Three years ago, Seattle launched Urban Creeks Legacy, a citywide,

$2 million-a-year push to clean the city's creeks. Seattle isn't just building stormwater ponds: city workers have put logs in some of the city's streams and moved tons of earth to make the creeks crooked again.

The crooked, log-filled streams resemble Seattle's creeks as they were before the area was urbanized, and provide better habitat for the creeks' fish, Woelful said.

"We've used our creeks as drainage pipes, and over time, that's what they've begun to look like," Woelful said. "Over time, they get deeper and straighter, and that's not natural."

Urban Creeks Legacy depends heavily on volunteer involvement by Seattle residents, Woelful said. Volunteers pull trash out of the creeks and clear blackberry brambles from overgrown sites that the city wants to open up as public spaces.

"We want the creeks to be more like parks," she said. "They should be public spaces where people can come and enjoy nature."

The Seattle volunteers also have an unofficial mascot to rally around: the various species of salmon that live in the city's creeks. Urban Creeks Legacy offers local residents tips on "salmon-friendly" living - simple things people can do to keep contaminants out of the creeks.

Creek revolution

In California, the Berkeley-based Urban Creeks Council helps communities restore creeks. The council has affiliates in 60 cities.

Using grant money from a state creeks program - something not available in Florida - the council "puts the meander" back in creeks that have been straightened into ditches and "daylights" those buried in pipes underground, said Lisa Viani, the group's conservation and outreach coordinator.

Restoring sections of creek to a more natural state reduces pollution and attracts wildlife, she said. It will also curb sprawl by making the city more attractive to nature-lovers.

"If we want people to live in more dense, urban areas, we're going to have to have wild places for them," she said.

The Urban Creeks Council was founded in the mid-1980s, after a U.S. Army Corps of Engineers plan to channelize creeks riled the locals in Berkeley. Viani said the incident sparked a revolution in creek awareness throughout the state.

"Almost every creek in California has a 'Friends-of' group," she said. "So there is like 'Friends of Joe Blow Creek.' They're mostly neighborhood groups that found a pathetic creek they want to fix.

We try to help those groups."

A higher priority

Gainesville may not have salmon to rally around, but there are signs that local residents are becoming more aware of the problems of urban creeks.

In recent years, thousands of volunteers have turned out for annual cleanups to remove garbage from streams in their neighborhoods.

Scores of them are committed enough to form a chapter of Up the Creek, an organization that requires cleaning up trash along an adopted section of creek at least three times a year. Neighborhoods, businesses and University of Florida students have all formed chapters.

Other volunteers have joined Watershed Action Volunteers, or WAV, a group begun by the St. Johns River Water Management District to get residents involved with pollution testing in creeks.

Even if people don't know much about creeks, they have a sense the creeks are special - and vulnerable.

In 1998, voters killed a proposal to pave a 10-foot-wide path through the Hogtown Creek Greenway, next to the city's biggest creek.

The paving was supported by a who's who of local environmentalists, who believed the paving would bring more people to the park and boost awareness of the creeks problems.

But, opponents of the project also wrapped the issue in green terms.

Voters responded to a slogan that conjured up images of a threatened creek: "Save it, don't pave it."

There's still much left to save.

Within roaring distance of Interstate 75, Hogtown Creek makes a slow, wide curve through a field of tall grass. Gnarled swamp elms line the banks. Bream flash and scatter in clear water.

The creek is on the last leg of its journey to Haile Sink, a black pool surrounded by limestone boulders and guarded by a lone gator.

Before it joins the vast, underground sea, the creek pitter-patters down a line of mossy rocks that took centuries to carve.

Here, even with the city all around, the creek is still a creek.

FYI: Places to see Gainesville creeks

Ring Park, off NW 23rd Avenue. Close-up view of Hogtown Creek and Glen Springs run. Parking available on NW 23rd Avenue, by the Elks Lodge. On the south side, there is an entrance east of NW 20th Way (off NW 16th Ave.) No parking on the south side.

Hogtown Creek Greenway, NW 8th Avenue and NW 34th Street. Where Possum and Hogtown creeks merge. Parking available at Loblolly Environmental Center on SW 34th Street, just north of University Avenue, or at Westside Park.

Gumroot Swamp Conservation Area. Little Hatchett Creek runs through stands of cypress into Newnan's Lake. Off State Road 26, a few miles east of Lake Shore Drive (CR 329B).

Forest Park, SW 20th Avenue. Another view of Hogtown. Unofficial trails go from the park into woods that border the creek.

Sweetwater Park, downtown. Sweetwater Creek runs through it. Just east of the Alachua County Library, from University Avenue south to SW 4th Avenue.

Tumblin' Creek Park, SW 6th Street and Depot Avenue. Tumblin' Creek is its western edge.

Possum Park, NW 53rd Avenue and NW 43rd Street. Unofficial trails go into the wooded area just east of the park, which is where Possum Creek begins.

Tim Lockette can be reached at (352) 374-5088 or tim.lockette@gainesvillesun.com.

CREEK MEMORIES: Click for audi

Ted & Brady Croma

Ted & Brady Crom
Rattlesnake Creek

Donna Canova

Donna Canova
Tumblin' Creek

Philip Havear

Philip Haveard
Hogtown Creek

Juanita Frazier

Juanita Frazier
Hogtown Creek

Click for expanded creeks map:

Click for interactive creeks flow c

Sunday, April 28, 2002

"The Great Hogtown Creek Massacre"

By RON MATUS
Sun staff writer

They called it "The Great Hogtown Creek Massacre."

It was 1967 and a Gainesville shopping-center developer ordered a man on a bulldozer to breach a retention pond at the former Cabot Corp. creosote plant, near Main Street and NW 23rd Avenue.

Over the next two days, more than 1 million gallons of turpentine-like sludge poured into a branch of Hogtown Creek.

Just like that, one of Gainesville's half-hidden creeks, perfect for hikes and picnics and the adventures of neighborhood kids, became a stinking, toxic mess.

Thirty-five years later, tougher environmental rules prohibit that kind of industrial dumping.

And yet, the massacre continues.

Gainesville's creeks are suffering more than ever, this time from the slow torture of stormwater pollution.

It's not a single event that's a problem; it's billions of bits of pollution from every direction. And it's not developers or industries that are most responsible. It's you and me and a legacy of bad development.

Creek

Abused and ignored, Hogtown Creek courses through the wild heart of Gainesville. Plagued by erosion and trash farther upstream, the creek takes a turn for the better west of Interstate 75, as it approaches its terminus at Haile Sink. Student photographer Mac Stone, who knows well the

Tree City's urban woods hide not only an extensive network of once-thriving creeks, but a growing list of problems.

beauty of this hidden landscape, composes a photo at sunset. JOHN MORAN/The Gainesville Sun

The Alachua County Environment Department has put together aer Gainesville's different creek wate out which watershed you live in,

To listen to the Don Grooms son Massacre," about the event of th click here

- The creeks are badly scarred by erosion and choking on churned-up sediment.
- They're piping pollution to Bivens Arm lake, Paynes Prairie and the aquifer that supplies our drinking water.
- Four of the creeks are on a state list of most-polluted waters, along with two lakes and a sinkhole into which they drain.
- Two contain some of the highest levels of toxic metals and pesticides found in the St. Johns River basin.
- Two routinely test high for disease-causing bacteria; at least four in two years have had signs posted warning people not to touch the water.
- One creek, Sweetwater Branch, receives treated but still nutrient-charged waste from tens of thousands of toilets every day.

Experts say Gainesville's creeks are facing a crisis.

But it's not easy to fix the problem, let alone explain it to taxpayers who would foot the bill.

The 1967 incident was horrific enough to inspire a folk song. Don Grooms' local classic even included lines about exacting justice on the developer - who was fined $100 - by removing a sensitive part of his anatomy.

But if Grooms were alive today, he might have trouble crafting a ditty about the devastation wrought by runoff.

Authorities say the problem is twofold: Decades of bad development, and the collective actions of thousands of everyday people.

When past developments obliterated wetlands, the creeks lost their natural defenses against the rush of stormwater. Now they're scoured by torrents that race across roads, yards and parking lots.

We make it worse by letting cars leak oil, putting too much fertilizer on lawns and not cleaning up after pets. It all adds up to a super-sized load of pollution that wreaks environmental havoc when it's flushed.

And flushed is the right word.

Every time it rains, the creeks get worse.

The creek connection

One day in 1967, Tom Levy and his cousins went splashing in Springstead Creek, the Hogtown tributary most gunked up by the dumping disaster.

They went in clean. They came out covered in tar.

"My parents were horrified," said Levy, now a Gainesville Realtor. "I remember my mom breaking out a box of Tide and some Brillo pads and scrubbing us down."

But the experience didn't sour Levy on the creeks.

In high school, he brought dates there. In college, he brought friends.

Now he's bringing his 2-year-old son to Ring Park, so another generation of Levys can get acclimated to the twists and turns of Hogtown Creek.

"He likes the water," he said. "He'll walk right in whatever the temperature."

The most amazing thing about the creeks, Levy said, is that, "They're still here."

"It's 'A River Runs Through It' kind of thing," he said, referring to the book and movie about generations of fly fishermen out West. "I don't know what Gainesville would be like without them."

There are more than two dozen creeks in Gainesville.

They stretch through every part of the city like the filaments of a spider web, almost invisible unless you know where to look, or stumble on one by accident.

Thousands of people live next to them. Almost everyone lives within a few blocks of one. They intersect our roads in dozens of places.

Beyond where the road dips, there's a shady spot under towering hardwoods, where the land slides to a muddy bank dotted with raccoon tracks. It's all garnish for a ribbon of water just beginning a long journey to the sea.

The creeks don't call attention to themselves, except during rare big storms. Yet they do so much.

They're magnets for wildlife. They're unofficial parks. They're vital for tempering floods and getting rid of sewage.

And they're so Gainesville.

To those who have hiked in them, swam in them, hunted sharks' teeth in them, they're a defining part of Gainesville's character, as much as the University of Florida or Payne's Prairie.

The brothers Crom know the creeks.

On Rattlesnake Creek in the 1950s and '60s, the four of them caught snakes, built forts, hid in blackberry brambles. When they jumped in from overhanging bluffs, they'd sink to their armpits in blobby clay.

"Mom loved that," said Ted Crom, the oldest brother at age 53.

Susan Fairforest knows the creeks.

When she was in fourth grade, a car wreck in another state forced her mother to leave town to care for her father. Fairforest stayed behind with relatives. A 6-foot waterfall near Rattlesnake Creek eased her loneliness.

"It was like a magic fairyland," she said.

In times of doubt and pain, she still returns to the same spot.

"We don't have any big lakes like they do in Lake City," said Fairforest, who now lives on Springstead Creek. "We have these little, special creeks. They are our sacred space."

But for all that, the creeks are in a world of hurt.

Path to destruction

David Desautels recently skipped across the rocks to the other side of the creek without pause, as if he'd done it a thousand times.

He has.

He and his wife, Carol, moved to a house on Glen Springs Creek in 1965, after being smitten by the gentle slog of water in the backyard.

Desautels and his children, now grown, spent endless hours hiking; watching raccoons, foxes and wild turkey; and digging up the bones of ancient manatees.

"It's our little bit of nature," he said.

But the creek isn't the same one his family fell in love with.

It's wider and deeper. It doesn't meander as much as it used to. There's more clay on the bottom, and more trash. And there are mysterious, fist-sized chunks of charcoal that wash up after every

storm.

When 40 acres of scrubby woods and pasture east of Glen Springs Elementary were replaced with homes 20 years ago, Carol Desautels helped lead a campaign to save huge live oaks fronting Glen Springs Road.

The oaks survived. The creek got slammed.

Back then, new developments were not required to build ponds to hold back stormwater. The amount flowing toward the creek suddenly increased. The surges following storms became gushers.

"The creek went from a little, shallow thing to all of a sudden," Dave Desautels said, pointing toward exposed roots, "it just ripped the thing out."

The same story has repeated itself on most of Gainesville's creeks.

It took eons for them to form.

It took a century for people to mess them up.

After North Central Florida rose from the sea 2 million years ago, rain began carving channels in the earth to re-unite with the sea. Worn paths eventually became creeks.

Pioneers came up with colorful names like Tumblin' and Sweetwater and Possum. They built next to them, got fresh water, caught catfish and bream. The creeks carried away their waste.

And yet, as Gainesville grew, the creeks were sacrificed without a second thought.

" 'The little creeks don't matter' - that was the mentality," said Tom Crisman, director of the University of Florida Center for Wetlands. "The faster you could move the water, the better."

So the creeks were re-channeled, lined with concrete and forced into miles of pipes. They were built on, dumped in, dammed.

Alachua General Hospital was built over Tumblin' Creek. Kelly power plant was built over Sweetwater Branch.

Wetlands that buffered creeks were trampled by progress, too.

A century ago, people didn't see natural wonders that filter pollution and slow floodwater. They saw breeding grounds for mosquitos and disease. Draining was the only reasonable response.

In 1883, The Gainesville Weekly Bee editorialized that a wetlands

downtown - now covered by several blocks of streets and buildings - should be ditched, cleared and planted in vegetables.

"Strangers invariably remark," The Bee wrote, " 'Oh what a horrid, sickly looking swamp and right in town, too. I wonder you all don't die.' "

Nobody thought that without wetlands, the creeks might die, too.

But without wetlands, there is nothing to sponge up stormwater as it rolls downhill. Without woods and fields, there isn't much to suck it up or let it percolate.

That's the situation today with most of the watersheds that surround Gainesville's creeks. Few wetlands. Plenty of pavement.

The result is an unnatural rush. An awesome rush.

During big storms, Gainesville creeks can become swollen rivers within a half-hour, surly enough to send tree trunks surfing downstream.

For generations of Gainesville kids, the big surge has been big fun.

Former City Commissioner and state Rep. David Flagg and his friends used to "ride the rushing creek waters to wherever we stopped," he wrote in an e-mail. He called it "risky fun."

But Gainesville's version of whitewater comes with a heavy price: Devastating erosion.

Desautels said tiny Glen Springs Creek is 3 feet lower than it was 20 years ago. On bigger creeks, the incision is up to 20 feet deep.

Erosion leaves craggy ravines ripe for invasion by weedy, non-native plants. It stirs up sand and clay that smother habitat downstream. In some places, it makes the creeks straighter.

More like a ditch.

Nutrient nightmare

For years, Tom Carr poled a mini-barge through water hyacinths on Bivens Arm on a never-ending mission: To remove garbage.

In a 400-acre lake chock full of alligators and wading birds, he would collect 1,000 pounds every few months.

Tumblin' Creek never stopped bringing more.

Garbage isn't the biggest worry for Gainesville's creeks,

environmentally speaking. But it is the most visible reminder that pollution is always on the move, and there is always more of it.

Four creeks - Hogtown, Hatchett, Tumblin' and Sweetwater Branch - are on the draft of a state list of most polluted waters. The list will be finalized in June.

Nutrients are the biggest worry.

They can fuel the growth of algae and other unwanted plants, and cause kinks all over the food chain.

Fertilizer, septic tanks and tail-pipe emissions are likely sources for excess nutrients in the first three creeks on the state list; the Main Street sewage plant is the big reason for nutrients in Sweetwater Branch.

The result is clear downstream, where water isn't so clear. Bivens Arm, for example, is a soupy green from nutrient-boosted algae blooms.

Recent tests by the St. Johns River Water Management District found other troubling pollutants.

The sediments of Bivens Arm and Sweetwater Branch contain high levels of toxic metals, pesticides and PCBs, now-banned chemicals once used in electrical transformers. Sediments in Hogtown Creek contain high levels of pesticides.

Stormwater obviously played a role.

District officials said they don't know if there is a health risk. Studies are under way to better determine the risk and the sources.

A modern problem

It's a sad fact of modern living: Every time it rains, more pollution washes into the creeks.

We have ourselves to blame.

Every time we drive, bits of metal flake off tires and brake pads.
Every time we put fertilizer on the grass, a little bit dribbles away.
Every time we wash the car in the driveway, suds hit the stream.

It all adds up.

One square mile of roads and parking lots can produce 20,000 gallons of residual oil every year, according to a study cited by the Natural Resources Defense Council, a national environmental group that works on stormwater issues.

If it goes on the ground, it can go in the creek.

"There's some of our pollution loading right there," said Chris Bird, the county's Environmental Protection Department director, eyeing a dog hunched near Sweetwater Branch while its owner looked away.

Bird wasn't joking.

He and other local officials can't help but wonder if stormwater pollution will eventually foul drinking water.

Unlike creeks in other parts of the country, many Gainesville creeks don't link with bigger streams on their way to the ocean. They take a more mysterious route, draining into groundwater through sinkholes.

Tumblin' Creek and Sweetwater Branch end at Alachua Sink at Payne's Prairie. Hogtown Creek flows into Haile Sink west of Interstate 75. The sinks are tied directly to the Floridan Aquifer, the vast underground sea that is the main source of our drinking water.

By the time the creeks reach the sinks, many pollutants have been filtered by wetlands, trapped in sediment or broken down into less harmful substances, experts say.

But small amounts continue to pour, day after day, decade after decade.

A problem, Bird said, is "just a matter of time."

Following the law

Gainesville stormwater engineers like to use Humpty Dumpty as an analogy for creeks. But they imagine a happy ending.

Just picture paved-over watersheds - the areas that drain into creeks - as the egg man who couldn't be put back together. Humpty is too scrambled to be made whole again, the engineers say. But he might be rehabilitated enough to save the creeks.

The law is one reason they must try.

Under state law, Gainesville's creeks must be fit for fishing and swimming, as measured by standards for a battery of different pollutants. Right now, many creeks don't meet those standards.

Experts say to get them there, lost wetlands must be replaced with man-made ponds that do the same thing: Hold back stormwater and filter pollutants.

But building enough basins to make a difference will cost many millions of dollars, and take many years.

Nobody knows how much or how long. Nobody knows how many basins are enough.

"We're looking at retrofitting an entire watershed that's been developed over many, many years," said city stormwater engineer Alice Rankeillor. Fixing it "may take many, many years."

Work has begun.

There's the 33-acre stormwater park set for Main Street and Depot Avenue; plans to turn the stagnant Duck Pond into a water-purifying wetland; a proposal to install more than 70 sediment-stopping dams along Hogtown Creek.

Money is a problem. City engineers say they don't have enough to carry out the plans they already have, let alone do other projects they know are needed to bring the creeks back.

Stu Pearson, the city's stormwater chief, said in coming weeks his department will ask the City Commission to hike the stormwater fee, which now averages about $6 a month per household.

He said the department is still mulling over how much to ask for. The fee brings in $4 million per year, but most of that money is used for things like mosquito control and ditch-clearing. About $500,000 a year is left for projects, Pearson said.

A 25-cent-a-month increase would raise $200,000 more a year, he said.

There are other hurdles.

Even with more money, finding available land won't be easy.

Even if land can be found, there's no telling whether neighbors will like the idea.

Even if neighbors like the idea, there's no easy way to make people fix their leaky cars, or pick up after their pets.

Crisman, the UF wetlands expert, said changing people's behavior "is the hardest part."

Competing visions

It's dusk on the Hogtown Creek Greenway, near NW 8th Avenue and 34th Street.

Frogs and cicadas tune up for the evening symphony. Squirrels skitter through the underbrush.

Here, Possum Creek merges into Hogtown Creek, creating a bigger stream that shimmers over sandy bottom and disappears around the next bend.

A quarter-mile away, Hogtown Creek becomes a ditch for 3,000 feet. It was straightened 40 years ago near University Avenue and 34th Street so water would be less likely to flood homes that were built where swamp used to be.

There are few trees, no wildlife. Just water moving in a straight line and lots of cars.

Bird, the county environmental director, said those two sections of creek show competing visions for the future.

Without efforts to restore a more natural balance in Gainesville's watersheds, more sections of more creeks will end up like the latter, he said.

"That illustrates what's going to happen," he said, "if we don't start changing our approach and our value of them.

"They will heal themselves if we work with them."

Back on the Greenway, wind swooshes through basket oaks and red maples. May flies black as midnight flutter past, like phantoms.

The creek meets a dam of fallen tree trunks but squirts over with a splash, pushed along by the same relentless water that has moved it forever.

The trickle is louder than the traffic droning in the distance. For now.

Ron Matus can be reached at 374-5087 or ron.matus@gainesvillesun.com.

CREEK MEMORIES: Click for audi

Ted & Brady Croma

Ted & Brady Crom
Rattlesnake Creek

Donna Canova

Donna Canova
Tumblin' Creek

Philip Havear

Philip Haveard
Hogtown Creek

Juanita Frazier

Juanita Frazier
Hogtown Creek

Click for expanded creeks map:

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Sunday, April 28, 2002

Harmful bacteria adding to woes

By RON MATUS
Sun staff writer

Once again, a Gainesville creek is flagged with warning signs because of high levels of harmful bacteria in the water.

This time, the creek is Sweetwater Branch.

Signs telling people to stay out of the water went up April 8 along a downtown section that slices through Sweetwater Park, from University Avenue to SW 4th Avenue.

Water samples were tested after a resident complained to authorities about "cloudy and smelly" water, said Kim Zoltek, the wastewater engineering director for Gainesville Regional Utilities.

Last week, GRU found the source: A small leak in its sewage system.

The leak was repaired the same day it was discovered, Zoltek said.

Bacteria levels in Gainesville creeks are an ongoing problem.

Fecal coliform bacteria is commonly associated with human and animal waste. It can cause harm if ingested.

Exposure can lead to hepatitis A, a viral-borne illness that stresses the liver, or to bacterial-borne illnesses with symptoms similar to food poisoning.

Bacteria levels in Sweetwater Branch were well above state standards for swimming areas, said Paul Myers, environmental health director with the Alachua County Health Department.

Sweetwater Branch isn't a hot spot for swimming, but children have been known to play in it.

The warning signs will remain up while county environmental officials do more tests to make sure there is not an ongoing problem. Zoltek said they probably will come down within a couple of weeks.

The incident marks the second time signs have been posted on Sweetwater Branch in the past year.

High levels of coliform bacteria were found during routine sampling in April 2001, just upstream from the Duck Pond. The source was never found.

Signs were posted on Hogtown Creek in March, after a private sewage line failed near the shopping center on the northwest corner of NW 13th Street and NW 23rd Avenue. Authorities do not know how much sewage spilled.

Those signs were taken down last week after new tests showed the bacteria had dissipated.

County environmental officials routinely test for bacteria in several creeks, and often find high levels in Tumblin' and Sweetwater.

The sources remain unknown, but may be a combination of waste from humans, pets and wild animals.

The county recently hired the University of South Florida to track the sources.

A report on Tumblin' Creek is expected any day.

A report on Sweetwater Branch is expected by mid-summer.

Ron Matus can be reached at 374-5087 or ron.matus@gainesvillesun.com.

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Click for expanded creeks map:

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Sunday, April 28, 2002

Federal environmental programs dictate creek cleanup

By RON MATUS
Sun staff writer

Fixing Gainesville's creeks isn't something that must be done because tree-huggers are demanding it.

It's the law.

Two federal environmental programs with alphabet-soup names are a driving force behind local plans to pass a new water-pollution ordinance, build expensive retention ponds and better educate the public.

The law requires that "when you get down to Sweetwater Park, down by the Matheson Center, and want to dabble your feet in the creek, you can be sure that it's safe water," said Stu Pearson, Gainesville's stormwater chief. "At present, we cannot guarantee you that."

The two programs are the Total Maximum Daily Load or TMDL program, and the National Pollutant Discharge Elimination System or NPDES program.

Both have roots in the 1972 Clean Water Act. Both are carried out by the state.

Under the TMDL program, scientists figure out how much pollution an "impaired" water body can take before it is no longer fit for fishing and swimming. Once a number is determined, regulators will figure out how much different polluters can contribute.

Four of Gainesville's creeks are polluted enough to make the first draft of the state's TMDL list: Tumblin', Hogtown, Hatchett and Sweetwater Branch. So are three water bodies into which Gainesville creeks drain: Bivens Arm lake, Alachua Sink and Newnan's Lake.

The list will be finalized in June. Assuming the local bodies make the final cut - and chances are they will - none of them will be taken off until they're cleaned up.

That's where the NPDES program comes in.

Under the NPDES program, local governments must submit permit applications that detail how they will reduce stormwater pollution, the major reason why so many water bodies - including Gainesville's creeks - are on the TMDL list.

Michael Bateman, the NPDES administrator at the Florida Department of Environmental Protection, said there is a "hard link" between the two programs.

The NPDES permit, "will be the mechanism to get that municipality to reduce their daily load," he said. "That's where the rubber will meet the road."

Gainesville is partnering with Alachua County and the state Department of Transportation on the local application. It's due next March.

Local officials are moving ahead even though DEP hasn't decided exactly what will be required. Bateman said the rule should be completed by the end of the year. Workshops on it began this month.

In the meantime, county officials are moving forward with a critical part of the NPDES program: an ordinance that will regulate every-day pollution that affects creeks.

The proposed ordinance targets things as diverse as car washing, carpet cleaning waste and litter-strewn parking lots. Better control of runoff at construction sites is also a key plank.

A prime example of that problem occurred last summer, when heavy rains blew out silt barriers next to the Social Security building under construction on NW 23rd Avenue.

Local officials believe as much as several truckloads of sediment washed into Hogtown Creek, 50 feet down the hill.

"It never got dealt with," Bird said. "We didn't have the authority to do anything."

The proposed ordinance will go before the County Commission this summer, and likely will be in place by this fall.

The Alachua County Environment
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Gainesville's different creek wate
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To listen to the Don Grooms song
Massacre," about the event of th
click here

CRIPPLED Creeks

DAY 1 - CRIPPLED CREEKS

"The Great Hogtown Creek Massacre"

It was 1967 and a Gainesville shopping-center developer ordered a man on a bulldozer to breach a retention pond at the former Cabot Corp. creosote plant, near Main Street and NW 23rd Avenue.

Student photographer Mac Stone, who knows well the beauty of Hogtown Creek, composes a photo at sunset. JOHN MORAN/The Gainesville Sun

Over the next two days, more than 1 million gallons of turpentine-like sludge poured into a branch of Hogtown Creek.

- Harmful bacteria adding to woes
- Wildlife still thriving, but dangers lurking
- Federal environmental programs dictate creek cleanup

DAY 2 - HOGTOWN CREEK

Eroding away

Erosion has taken its toll on Springstead Creek, a tributary of Hogtown Creek, where a 20-foot high retaining wall is losing the battle to protect the back yard of a Gainesville residence near NW 6th St. and 39th Avenue.

- Kids search for sharks' teeth after it rains

DAY 3 - TUMBLIN' CREEK

Pumping pollution

Every time it rains, Tumblin' Creek unloads pollution into Bivens Arm. From the canoe you can't see it, but beyond a clump of hardwoods on the north end of the lake is a channelized section of creek that brings polluted stormwater from as far away as downtown and the University of Florida campus.

- Area creeks provide a place to call home for those without

DAY 4 - SWEETWATER BRANCH

Not so sweet

Many of the trees along the creek bank are Chinese tallow - a non-native tree that threatens to crowd out native plants on the prairie. And in the water are nitrates and other pollutants, bound for the aquifer from which

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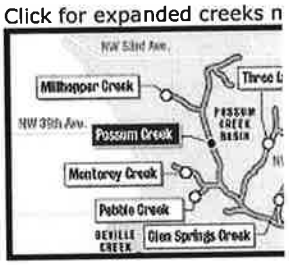

Click for interactive creeks

The Alachua County Enviror Department has put togeth Gainesville's different creek out which watershed you li

To listen to the Don Groom Massacre," about the event click here

the city draws its drinking water.

- Duck Pond remains in limbo

DAY 5 - CREEK POLLUTION

Killing a creek

When dark clouds gather over Gainesville, some employees in the Alachua County Environmental Protection Department grab umbrellas, slap on rubber boots and head for a nearby creek.

- Storm troopers test creeks for pollution

DAY 6 - REFUSE

Refuse refuge

It started as a single tire, but it just kept growing.
When John Denton came across what seemed to be a bicycle tire lodged in the muddy bottom of Lake Forest Creek, he called a few of his friends to help pull it out. .

- Movement aims to post signs at creeks

DAY 7 - POSSUM CREEK

Hanging on

As Gainesville sprawls and paves and infills, still-healthy creeks like Blues and Hatchett, and the upper reaches of Possum and Hogtown, may be next in line to be harmed by stormwater runoff.

DAY 8 - WHAT TO DO

Long journey

In the heart of Gainesville, a 6-foot waterfall splashes into a limestone pool on a branch of Hogtown Creek. Under towering pines, people come here to sit, to play guitar, sometimes even to get married.

- Small steps can add up to a big difference

CRIPPLED Creeks

Sunday, April 28, 2002

"The Great Hogtown Creek Massacre"

By RON MATUS
Sun staff writer

They called it "The Great Hogtown Creek Massacre."

It was 1967 and a Gainesville shopping-center developer ordered a man on a bulldozer to breach a retention pond at the former Cabot Corp. creosote plant, near Main Street and NW 23rd Avenue.

Over the next two days, more than 1 million gallons of turpentine-like sludge poured into a branch of Hogtown Creek.

Just like that, one of Gainesville's half-hidden creeks, perfect for hikes and picnics and the adventures of neighborhood kids, became a stinking, toxic mess.

Abused and ignored, Hogtown Creek courses through the wild heart of Gainesville. Plagued by erosion and trash farther upstream, the creek takes a turn for the better west of Interstate 75, as it approaches its terminus at Haile Sink. Student photographer Mac Stone, who knows well the beauty of this hidden landscape, composes a photo at sunset. JOHN MORAN/The Gainesville Sun

Thirty-five years later, tougher environmental rules prohibit that kind of industrial dumping.

And yet, the massacre continues.

Gainesville's creeks are suffering more than ever, this time from the slow torture of stormwater pollution.

It's not a single event that's a problem; it's billions of bits of pollution from every direction. And it's not developers or industries that are most responsible. It's you and me and a legacy of bad development.

CREEK MEMORIES: Click for audi

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Rattlesnake Creek

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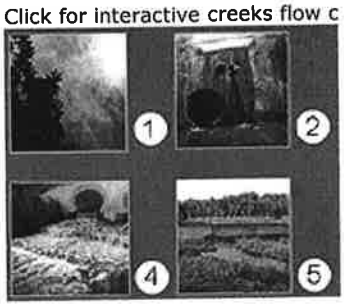

The Alachua County Environment Department has put together aer Gainesville's different creek wate out which watershed you live in,

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Tree City's urban woods hide not only an extensive network of once-thriving creeks, but a growing list of problems.

- The creeks are badly scarred by erosion and choking on churned-up sediment.
- They're piping pollution to Bivens Arm lake, Paynes Prairie and the aquifer that supplies our drinking water.
- Four of the creeks are on a state list of most-polluted waters, along with two lakes and a sinkhole into which they drain.
- Two contain some of the highest levels of toxic metals and pesticides found in the St. Johns River basin.
- Two routinely test high for disease-causing bacteria; at least four in two years have had signs posted warning people not to touch the water.
- One creek, Sweetwater Branch, receives treated but still nutrient-charged waste from tens of thousands of toilets every day.

Experts say Gainesville's creeks are facing a crisis.

But it's not easy to fix the problem, let alone explain it to taxpayers who would foot the bill.

The 1967 incident was horrific enough to inspire a folk song. Don Grooms' local classic even included lines about exacting justice on the developer - who was fined $100 - by removing a sensitive part of his anatomy.

But if Grooms were alive today, he might have trouble crafting a ditty about the devastation wrought by runoff.

Authorities say the problem is twofold: Decades of bad development, and the collective actions of thousands of everyday people.

When past developments obliterated wetlands, the creeks lost their natural defenses against the rush of stormwater. Now they're scoured by torrents that race across roads, yards and parking lots.

We make it worse by letting cars leak oil, putting too much fertilizer on lawns and not cleaning up after pets. It all adds up to a super-sized load of pollution that wreaks environmental havoc when it's flushed.

And flushed is the right word.

Every time it rains, the creeks get worse.

The creek connection

One day in 1967, Tom Levy and his cousins went splashing in Springstead Creek, the Hogtown tributary most gunked up by the

dumping disaster.

They went in clean. They came out covered in tar.

"My parents were horrified," said Levy, now a Gainesville Realtor. "I remember my mom breaking out a box of Tide and some Brillo pads and scrubbing us down."

But the experience didn't sour Levy on the creeks.

In high school, he brought dates there. In college, he brought friends.

Now he's bringing his 2-year-old son to Ring Park, so another generation of Levys can get acclimated to the twists and turns of Hogtown Creek.

"He likes the water," he said. "He'll walk right in whatever the temperature."

The most amazing thing about the creeks, Levy said, is that, "They're still here."

"It's 'A River Runs Through It' kind of thing," he said, referring to the book and movie about generations of fly fishermen out West. "I don't know what Gainesville would be like without them."

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"Mom loved that," said Ted Crom, the oldest brother at age 53.

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"It was like a magic fairyland," she said.

In times of doubt and pain, she still returns to the same spot.

"We don't have any big lakes like they do in Lake City," said Fairforest, who now lives on Springstead Creek. "We have these little, special creeks. They are our sacred space."

But for all that, the creeks are in a world of hurt.

Path to destruction

David Desautels recently skipped across the rocks to the other side of the creek without pause, as if he'd done it a thousand times.

He has.

He and his wife, Carol, moved to a house on Glen Springs Creek in 1965, after being smitten by the gentle slog of water in the backyard.

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But the creek isn't the same one his family fell in love with.

It's wider and deeper. It doesn't meander as much as it used to. There's more clay on the bottom, and more trash. And there are mysterious, fist-sized chunks of charcoal that wash up after every storm.

When 40 acres of scrubby woods and pasture east of Glen Springs Elementary were replaced with homes 20 years ago, Carol Desautels helped lead a campaign to save huge live oaks fronting Glen Springs Road.

The oaks survived. The creek got slammed.

Back then, new developments were not required to build ponds to hold back stormwater. The amount flowing toward the creek suddenly increased. The surges following storms became gushers.

"The creek went from a little, shallow thing to all of a sudden," Dave Desautels said, pointing toward exposed roots, "it just ripped the thing out."

The same story has repeated itself on most of Gainesville's creeks.

It took eons for them to form.

It took a century for people to mess them up.

After North Central Florida rose from the sea 2 million years ago, rain began carving channels in the earth to re-unite with the sea. Worn paths eventually became creeks.

Pioneers came up with colorful names like Tumblin' and Sweetwater and Possum. They built next to them, got fresh water, caught catfish and bream. The creeks carried away their waste.

And yet, as Gainesville grew, the creeks were sacrificed without a second thought.

" 'The little creeks don't matter' - that was the mentality," said Tom Crisman, director of the University of Florida Center for Wetlands. "The faster you could move the water, the better."

So the creeks were re-channeled, lined with concrete and forced into miles of pipes. They were built on, dumped in, dammed.

Alachua General Hospital was built over Tumblin' Creek. Kelly power plant was built over Sweetwater Branch.

Wetlands that buffered creeks were trampled by progress, too.

A century ago, people didn't see natural wonders that filter pollution and slow floodwater. They saw breeding grounds for mosquitos and disease. Draining was the only reasonable response.

In 1883, The Gainesville Weekly Bee editorialized that a wetlands downtown - now covered by several blocks of streets and buildings - should be ditched, cleared and planted in vegetables.

"Strangers invariably remark," The Bee wrote, " 'Oh what a horrid, sickly looking swamp and right in town, too. I wonder you all don't die.' "

Nobody thought that without wetlands, the creeks might die, too.

But without wetlands, there is nothing to sponge up stormwater as it rolls downhill. Without woods and fields, there isn't much to suck it up or let it percolate.

That's the situation today with most of the watersheds that surround Gainesville's creeks. Few wetlands. Plenty of pavement.

The result is an unnatural rush. An awesome rush.

During big storms, Gainesville creeks can become swollen rivers within a half-hour, surly enough to send tree trunks surfing downstream.

For generations of Gainesville kids, the big surge has been big fun.

Former City Commissioner and state Rep. David Flagg and his friends used to "ride the rushing creek waters to wherever we stopped," he wrote in an e-mail. He called it "risky fun."

But Gainesville's version of whitewater comes with a heavy price: Devastating erosion.

Desautels said tiny Glen Springs Creek is 3 feet lower than it was 20 years ago. On bigger creeks, the incision is up to 20 feet deep.

Erosion leaves craggy ravines ripe for invasion by weedy, non-native plants. It stirs up sand and clay that smother habitat downstream. In some places, it makes the creeks straighter.

More like a ditch.

Nutrient nightmare

For years, Tom Carr poled a mini-barge through water hyacinths on Bivens Arm on a never-ending mission: To remove garbage.

In a 400-acre lake chock full of alligators and wading birds, he would collect 1,000 pounds every few months.

Tumblin' Creek never stopped bringing more.

Garbage isn't the biggest worry for Gainesville's creeks, environmentally speaking. But it is the most visible reminder that pollution is always on the move, and there is always more of it.

Four creeks - Hogtown, Hatchett, Tumblin' and Sweetwater Branch - are on the draft of a state list of most polluted waters. The list will be finalized in June.

Nutrients are the biggest worry.

They can fuel the growth of algae and other unwanted plants, and cause kinks all over the food chain.

Fertilizer, septic tanks and tail-pipe emissions are likely sources for excess nutrients in the first three creeks on the state list; the Main Street sewage plant is the big reason for nutrients in Sweetwater Branch.

The result is clear downstream, where water isn't so clear. Bivens Arm, for example, is a soupy green from nutrient-boosted algae blooms.

Recent tests by the St. Johns River Water Management District found other troubling pollutants.

The sediments of Bivens Arm and Sweetwater Branch contain high levels of toxic metals, pesticides and PCBs, now-banned chemicals once used in electrical transformers. Sediments in Hogtown Creek contain high levels of pesticides.

Stormwater obviously played a role.

District officials said they don't know if there is a health risk. Studies are under way to better determine the risk and the sources.

A modern problem

It's a sad fact of modern living: Every time it rains, more pollution washes into the creeks.

We have ourselves to blame.

Every time we drive, bits of metal flake off tires and brake pads.
Every time we put fertilizer on the grass, a little bit dribbles away.
Every time we wash the car in the driveway, suds hit the stream.

It all adds up.

One square mile of roads and parking lots can produce 20,000 gallons of residual oil every year, according to a study cited by the Natural Resources Defense Council, a national environmental group that works on stormwater issues.

If it goes on the ground, it can go in the creek.

"There's some of our pollution loading right there," said Chris Bird, the county's Environmental Protection Department director, eyeing a dog hunched near Sweetwater Branch while its owner looked away.

Bird wasn't joking.

He and other local officials can't help but wonder if stormwater pollution will eventually foul drinking water.

Unlike creeks in other parts of the country, many Gainesville creeks don't link with bigger streams on their way to the ocean. They take a more mysterious route, draining into groundwater through sinkholes.

Tumblin' Creek and Sweetwater Branch end at Alachua Sink at Payne's Prairie. Hogtown Creek flows into Haile Sink west of Interstate 75. The sinks are tied directly to the Floridan Aquifer, the vast underground sea that is the main source of our drinking water.

By the time the creeks reach the sinks, many pollutants have been filtered by wetlands, trapped in sediment or broken down into less harmful substances, experts say.

But small amounts continue to pour, day after day, decade after decade.

A problem, Bird said, is "just a matter of time."

Following the law

Gainesville stormwater engineers like to use Humpty Dumpty as an analogy for creeks. But they imagine a happy ending.

Just picture paved-over watersheds - the areas that drain into creeks - as the egg man who couldn't be put back together. Humpty is too scrambled to be made whole again, the engineers say. But he might be rehabilitated enough to save the creeks.

The law is one reason they must try.

Under state law, Gainesville's creeks must be fit for fishing and swimming, as measured by standards for a battery of different pollutants. Right now, many creeks don't meet those standards.

Experts say to get them there, lost wetlands must be replaced with man-made ponds that do the same thing: Hold back stormwater and filter pollutants.

But building enough basins to make a difference will cost many millions of dollars, and take many years.

Nobody knows how much or how long. Nobody knows how many

basins are enough.

"We're looking at retrofitting an entire watershed that's been developed over many, many years," said city stormwater engineer Alice Rankeillor. Fixing it "may take many, many years."

Work has begun.

There's the 33-acre stormwater park set for Main Street and Depot Avenue; plans to turn the stagnant Duck Pond into a water-purifying wetland; a proposal to install more than 70 sediment-stopping dams along Hogtown Creek.

Money is a problem. City engineers say they don't have enough to carry out the plans they already have, let alone do other projects they know are needed to bring the creeks back.

Stu Pearson, the city's stormwater chief, said in coming weeks his department will ask the City Commission to hike the stormwater fee, which now averages about $6 a month per household.

He said the department is still mulling over how much to ask for. The fee brings in $4 million per year, but most of that money is used for things like mosquito control and ditch-clearing. About $500,000 a year is left for projects, Pearson said.

A 25-cent-a-month increase would raise $200,000 more a year, he said.

There are other hurdles.

Even with more money, finding available land won't be easy.

Even if land can be found, there's no telling whether neighbors will like the idea.

Even if neighbors like the idea, there's no easy way to make people fix their leaky cars, or pick up after their pets.

Crisman, the UF wetlands expert, said changing people's behavior "is the hardest part."

Competing visions

It's dusk on the Hogtown Creek Greenway, near NW 8th Avenue and 34th Street.

Frogs and cicadas tune up for the evening symphony. Squirrels skitter through the underbrush.

Here, Possum Creek merges into Hogtown Creek, creating a bigger

stream that shimmers over sandy bottom and disappears around the next bend.

A quarter-mile away, Hogtown Creek becomes a ditch for 3,000 feet. It was straightened 40 years ago near University Avenue and 34th Street so water would be less likely to flood homes that were built where swamp used to be.

There are few trees, no wildlife. Just water moving in a straight line and lots of cars.

Bird, the county environmental director, said those two sections of creek show competing visions for the future.

Without efforts to restore a more natural balance in Gainesville's watersheds, more sections of more creeks will end up like the latter, he said.

"That illustrates what's going to happen," he said, "if we don't start changing our approach and our value of them.

"They will heal themselves if we work with them."

Back on the Greenway, wind swooshes through basket oaks and red maples. May flies black as midnight flutter past, like phantoms.

The creek meets a dam of fallen tree trunks but squirts over with a splash, pushed along by the same relentless water that has moved it forever.

The trickle is louder than the traffic droning in the distance. For now.

Ron Matus can be reached at 374-5087 or ron.matus@gainesvillesun.com.

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Rattlesnake Creek

Donna Canova
Tumblin' Creek

Philip Haveard
Hogtown Creek

Juanita Frazier
Hogtown Creek

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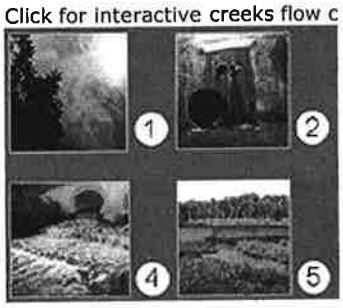

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Sunday, April 28, 2002

Harmful bacteria adding to woes

By RON MATUS
Sun staff writer

Once again, a Gainesville creek is flagged with warning signs because of high levels of harmful bacteria in the water.

This time, the creek is Sweetwater Branch.

Signs telling people to stay out of the water went up April 8 along a downtown section that slices through Sweetwater Park, from University Avenue to SW 4th Avenue.

Water samples were tested after a resident complained to authorities about "cloudy and smelly" water, said Kim Zoltek, the wastewater engineering director for Gainesville Regional Utilities.

Last week, GRU found the source: A small leak in its sewage system.

The leak was repaired the same day it was discovered, Zoltek said.

Bacteria levels in Gainesville creeks are an ongoing problem.

Fecal coliform bacteria is commonly associated with human and animal waste. It can cause harm if ingested.

Exposure can lead to hepatitis A, a viral-borne illness that stresses the liver, or to bacterial-borne illnesses with symptoms similar to food poisoning.

Bacteria levels in Sweetwater Branch were well above state standards for swimming areas, said Paul Myers, environmental health director with the Alachua County Health Department.

Sweetwater Branch isn't a hot spot for swimming, but children have been known to play in it.

The warning signs will remain up while county environmental officials do more tests to make sure there is not an ongoing problem. Zoltek said they probably will come down within a couple of weeks.

The incident marks the second time signs have been posted on Sweetwater Branch in the past year.

High levels of coliform bacteria were found during routine sampling in April 2001, just upstream from the Duck Pond. The source was never found.

Signs were posted on Hogtown Creek in March, after a private sewage line failed near the shopping center on the northwest corner of NW 13th Street and NW 23rd Avenue. Authorities do not know how much sewage spilled.

Those signs were taken down last week after new tests showed the bacteria had dissipated.

County environmental officials routinely test for bacteria in several creeks, and often find high levels in Tumblin' and Sweetwater.

The sources remain unknown, but may be a combination of waste from humans, pets and wild animals.

The county recently hired the University of South Florida to track the sources.

A report on Tumblin' Creek is expected any day.

A report on Sweetwater Branch is expected by mid-summer.

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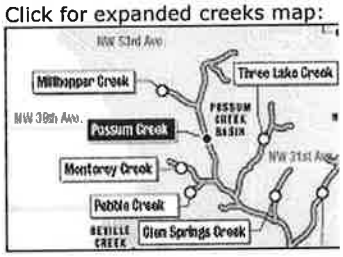

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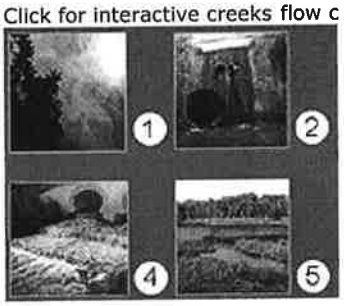

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Sunday, April 28, 2002

Wildlife still thriving, but dangers lurking

By RON MATUS
Sun staff writer

Behind homes in the Rock Creek neighborhood, springs trickle from bluffs overlooking Possum Creek.

You probably couldn't find proof unless you were an expert, but the tiny springs are breeding grounds for a dragonfly that can only be found in a handful of places around the world.

The Say's Spiketail is evidence that Gainesville's creeks, despite being surrounded by subdivisions and blasted with stormwater pollution, are still oases for wildlife.

Gainesville's creeks and their wooded floodplain, including Hogtown Creek, pictured, are natural corridors that provide habitat for a wide variety of wildlife, including turtles. Sun photo

The creeks are "the remaining places that are semi-natural," said Mark Hostetler, a University of Florida professor who specializes in urban wildlife. "They tend to have more vegetative growth than other areas. They provide cover, food and somewhat of a sense of safety from humans."

Tree City celebrates and protects its canopy. But beneath all that green, ribbons of water help sustain a diversity of wildlife that does not seem possible in a growing city of 100,000 people.

Otters feast on crawdads in Hogtown Creek. Gators make appearances in Lake Forest Creek.

Red-shouldered hawks roost above Rosewood Branch on the east side. Great blue herons spear minnows in Sweetwater Branch, 100 yards from the Kelly power plant downtown.

Hostetler said the creeks are links to wilder areas, such as Newnan's Lake or Paynes Prairie, and highways into Gainesville for animals that live there.

Creek-side residents have endless stories about wildlife encounters.

Forrest Lisle said kids from J.J. Finley Elementary School once found a 7-foot gator in Begonia Branch, near NW 8th Avenue.

Ted Crom, who grew up around the corner near Rattlesnake Creek, remembers snapping turtles big enough to "take off your toes."

He and his three brothers used to catch snakes by the creek - moccasins, rattlesnakes, indigo snakes; it didn't matter - and sell them to famed herpetologist Ross Allen at Silver Springs.

Today, the creeks aren't as alive as they used to be.

Tests show the diversity of insects in creek sediment - the building blocks for the food chain - is appallingly low in some creeks. The big problem is erosion, which allows sediment to blanket sensitive habitat downstream.

At the same time, non-natives are exploding.

Many creek banks are now overrun with air potato, coral ardisia, Mexican petunia and other exotic plants. The waters are increasingly filled with non-native snails and fish dumped from people's aquariums, like the orange-and-yellow platys now common in Tumblin' Creek and Sweetwater Branch.

It's not hard to figure out why that isn't good for native wildlife, Hostetler said.

The more invaders, the fewer natives.

CRIPPLED Creeks

Sunday, April 28, 2002

Federal environmental programs dictate creek cleanup

By RON MATUS
Sun staff writer

Fixing Gainesville's creeks isn't something that must be done because tree-huggers are demanding it.

It's the law.

Two federal environmental programs with alphabet-soup names are a driving force behind local plans to pass a new water-pollution ordinance, build expensive retention ponds and better educate the public.

The law requires that "when you get down to Sweetwater Park, down by the Matheson Center, and want to dabble your feet in the creek, you can be sure that it's safe water," said Stu Pearson, Gainesville's stormwater chief. "At present, we cannot guarantee you that."

The two programs are the Total Maximum Daily Load or TMDL program, and the National Pollutant Discharge Elimination System or NPDES program.

Both have roots in the 1972 Clean Water Act. Both are carried out by the state.

Under the TMDL program, scientists figure out how much pollution an "impaired" water body can take before it is no longer fit for fishing and swimming. Once a number is determined, regulators will figure out how much different polluters can contribute.

Four of Gainesville's creeks are polluted enough to make the first draft of the state's TMDL list: Tumblin', Hogtown, Hatchett and Sweetwater Branch. So are three water bodies into which Gainesville creeks drain: Bivens Arm lake, Alachua Sink and Newnan's Lake.

The list will be finalized in June. Assuming the local bodies make the final cut - and chances are they will - none of them will be taken off until they're cleaned up.

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Rattlesnake Creek


Donna Canova
Tumblin' Creek


Philip Haveard
Hogtown Creek


Juanita Frazier
Hogtown Creek

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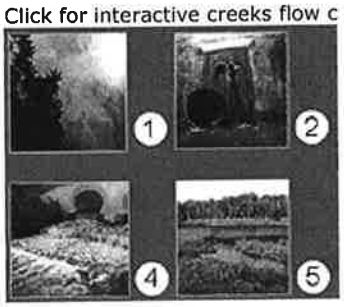

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That's where the NPDES program comes in.

Under the NPDES program, local governments must submit permit applications that detail how they will reduce stormwater pollution, the major reason why so many water bodies - including Gainesville's creeks - are on the TMDL list.

Michael Bateman, the NPDES administrator at the Florida Department of Environmental Protection, said there is a "hard link" between the two programs.

The NPDES permit, "will be the mechanism to get that municipality to reduce their daily load," he said. "That's where the rubber will meet the road."

Gainesville is partnering with Alachua County and the state Department of Transportation on the local application. It's due next March.

Local officials are moving ahead even though DEP hasn't decided exactly what will be required. Bateman said the rule should be completed by the end of the year. Workshops on it began this month.

In the meantime, county officials are moving forward with a critical part of the NPDES program: an ordinance that will regulate every-day pollution that affects creeks.

The proposed ordinance targets things as diverse as car washing, carpet cleaning waste and litter-strewn parking lots. Better control of runoff at construction sites is also a key plank.

A prime example of that problem occurred last summer, when heavy rains blew out silt barriers next to the Social Security building under construction on NW 23rd Avenue.

Local officials believe as much as several truckloads of sediment washed into Hogtown Creek, 50 feet down the hill.

"It never got dealt with," Bird said. "We didn't have the authority to do anything."

The proposed ordinance will go before the County Commission this summer, and likely will be in place by this fall.

CRIPPLED Creeks

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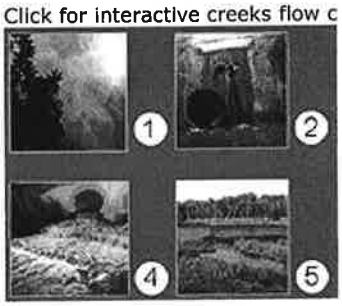

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Monday, April 29, 2002

Eroding away

By RON MATUS
Sun staff writer

Rising from the steep banks of a tributary of Hogtown Creek is a sheet-metal wall, 20 feet high, 50 feet long, bound with taut bands of steel cable and surrounded by jungle-like vegetation.

It looks like there's an effort being made to keep out King Kong.

And in a way, there is.

The "Great Wall," as Gainesville stormwater engineers call it, is designed to keep a surging monster of a creek from ripping chunks out of a resident's back yard every time it storms. The homeowner who built it years ago wanted to protect his swimming pool.

From left, City of Gainesville stormwater engineering technician Jerri Frisinger, public works graduate intern Sally Adkins and biology technician Kevin Kovacs of Water and Air Research take cross sections of the creek to profile the creek bed and sediment depth. JOHN MORAN/The Gainesville Sun

"It's an atrocity," said Stu Pearson, the city's stormwater chief. "But they're protecting themselves, protecting their property."

The beast they fear is the same one decimating most of Gainesville's creeks.

It's erosion.

Caused by uncontrolled stormwater, erosion is turning creeks into canyons; unearthing mountains of sediment that is smothering natural habitat; and creating conflicts with landowners downstream.

Paynes Prairie Preserve State Park and the state Department of Transportation are among those who must deal with thousands of tons of unwanted, creek-sent sand.

Hogtown Creek, Gainesville's biggest, may offer some of the most

dramatic examples of erosion.

The creek begins as a trickle near NW 53rd Avenue and flows south 7 miles to Haile Sink, just west of Interstate 75. Even during drought, it's 12 feet across and 2 feet deep by the time it drains into the aquifer.

Its watershed covers 13,700 acres and includes the heart of residential Gainesville. That's a lot of pavement - and the reason there is a lot of erosion.

Hogtown may become the guinea pig for a potential solution.

A city-hired consultant has outlined a $3.5 million plan to build more than 70 mini-dams on the creek and its tributaries. Engineers say the dams - on average 2 feet to 3 feet high and 30 feet long - will slow the water and keep sediment from slogging downstream.

Essentially, they want to dam the creek to save it.

Whether it's the right solution - or an acceptable one - remains to be seen.

At this point, the City Commission hasn't signed off. City staff is awaiting word from the U.S. Army Corps of Engineers, which it hopes will kick in two-thirds of the cost. And environmentalists, neighborhood activists and other agencies haven't weighed in.

But if something isn't done, the beast will continue to have its way.

Erosion is natural. But not at the rate it's happening in Gainesville's creeks.

Pearson, shin-deep in the Hogtown tributary, pointed to the trunk of a towering pine. Its base was 6 feet above the creek bed, on a spit of land held in place by a mass of gnarled roots. The ground had been chewed away around it.

If stormwater from older developments had been controlled, "you wouldn't see this kind of evolution in the stream," Pearson said.

In other words, it wasn't always this bad.

Before Gainesville was developed, woods and wetlands acted as brakes on stormwater, absorbing much of it like a sponge before it could gush into creeks all at once.

Today, stormwater races freely across streets, yards and parking lots. Within minutes, it can turn a lazy creek into a raging river, the surge powerful enough to send shopping carts tumbling with it.

As it winds along, the water scours the sides and banks, churning up sediment and sending clouds of it downstream.

We're not talking a little bit of sand.

On average, 56,000 cubic yards moves through the Hogtown Creek system every year, Pearson said. That's enough to stack 8 feet high across the entirety of Florida Field, including the end zones. And it happens year, after year, after year.

All that sand is a problem where it's stripped, and where it ends up.

A hundred yards down from the Great Wall, a couple of homes are just a few feet away from the ravine that is the creek's boundary.

"How's the erosion down there?" joked creek resident Susan Fairforest, standing recently at the top with a coffee mug in hand.

Pearson's response wasn't a joke: "Well," he said, looking up with a nervous laugh, "it's happening."

"I don't know if it will be 10 years, or 20 years, or 30 years," he told her, but at some point her house may be in danger of crumbling off the cliff.

Fairforest's home was built before the 1980s, when Gainesville began requiring 35-foot setbacks for creek-side development. But those setbacks were put in place to protect creeks, not homes.

It's not clear how many homes may be inching towards a problem, but there are examples of people stabilizing creek banks with rock and rubble to protect sheds, yards and driveways.

The bigger problem with erosion is more immediate.

When it settles, free-floating sediment blankets natural habitat. Especially victimized are the bottom-dwelling bugs that form the building blocks of the food chain.

Tests by Alachua County environmental officials show that many Gainesville creeks don't have the diversity of bug life found in healthy creeks. Wildlife throughout the system suffers.

At Paynes Prairie, piles of shifting sand have altered water patterns, in turn leading to changes in plant and animal habitat.

What used to be marsh on the prairie's north rim, where Sweetwater Branch comes in, has become more dominated by woody plants that normally wouldn't thrive there. Park officials are not happy.

On Hogtown Creek, sediment has created friction between DOT and

city and county officials.

Last summer, DOT unveiled a $2.2 million plan to remove sediment from a channelized section of creek near University Avenue and 34th Street. The plan involves lining the creek with rock and rubble and installing two concrete "sediment traps" that will periodically be swept out with heavy equipment.

The plan peeved residents who hope that section of creek may someday be restored. But DOT officials said growing pockets of sediment made the area more flood-prone.

In the summer of 1996, heavy storms sent Hogtown spilling over its banks, where it flooded several homes and businesses. DOT took the brunt of the blame.

DOT awarded a contract for the sediment-removal project earlier this month. Work will begin this summer.

Whether the city moves forward with the dam project or not, the bigger problem will remain.

Without retention basins to trap and slow stormwater like wetlands used to do, torrents will continue menacing the creek every time there's a moderate rain.

For now, the city is concentrating on building new retention ponds in the Tumblin' Creek and Sweetwater Branch watersheds. As for new basins in the Hogtown watershed, "We don't have the resources for that now," Pearson said.

The beast lives.

Ron Matus can be reached at 374-5087 or ron.matus@gainesvillesun.com.

CRIPPLED Creeks

Monday, April 29, 2002

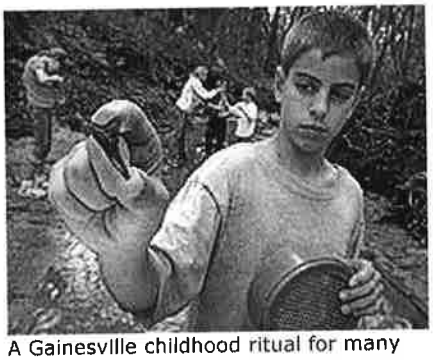
Kids search for sharks' teeth after it rains

By TIM LOCKETTE
Sun staff writer

Rampant erosion may be the scourge of Hogtown Creek, but George Williams can't help but see it as a blessing in disguise.

The rushes of stormwater that scour the sides of the creek - worrying city officials and creek-side homeowners - are a boon to amateur fossil hunters like Williams, who know that Gainesville's urban creeks are full of treasure.

"The best time to look for shark teeth is after a big summer rain," Williams said. "The dirt washes away, and the fossils are just lying there, waiting for people to pick them up."



A Gainesville childhood ritual for many generations, looking for sharks' teeth in Rattlesnake Branch in Northwest Gainesville proved fruitful recently for Ian Spathis, a student at Howard Bishop Middle School studying Florida's environment in the SEEK project (Science and Engineering Experience for Knowledge), a joint undertaking of the Florida Museum of Natural History, University of Florida College of Engineering, School Board of Alachua County and Gainesville Regional Utilities. JOHN MORAN/The Gainesville Sun

The search for fossils - and particularly sharks' teeth - has been a Gainesville pastime for as long as anybody can remember. The city sits on top of a limestone ridge that was formed tens of millions of years ago, when the area was covered by ocean.

Left behind in the rock are the teeth of giant sharks, bones of ancient manatees and remains of prehistoric sand dollars and sea urchins.

Gainesville's urban creeks have cut paths through that limestone layer - leaving those fossils out in the open. And every gully-washer reveals a new batch of old bones.

"The real appeal is that you don't have to dig," said Kurt Auffenberg,

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Hogtown Creek

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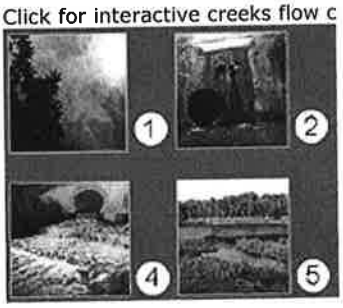

The Alachua County Environment Department has put together aer Gainesville's different creek wate out which watershed you live in,

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a biologist for the Florida Museum of Natural History. "The fossils are right here for the taking, and that holds a lot of appeal for the amateur collector."

And it holds particular appeal for kids. These days, Auffenberg and other Museum employees often take groups of school children out to Rattlesnake Branch for periodic lessons in the art of fossil-hunting. But kids in Gainesville were hunting for sharks' teeth long before anyone organized an effort to teach them how.

"People have been doing this for probably a hundred years," Auffenberg said. "Kids would walk up and down the creek and find these giant teeth."

Williams, one of the city's most avid collectors, says he picked up the hobby from local children. A landscaper by trade, Williams knew next to nothing about fossil-hunting when he moved to Gainesville 25 years ago. But he learned quickly after he and his wife had their first child.

"For the first time, I started talking to the kids in the neighborhood," Williams said. "Some of them took me down to the creek and showed me how to find fossils. I was amazed."

Williams now operates a Web site devoted to Gainesville's creek life, www.afn.org/~afn02877, complete with guides on how to identify fossils and links to other collectors. He trades fossils with other collectors - including paleontologists - around the world.

With erosion a bigger problem than ever along Gainesville's urban creeks, one might expect the fossil-hunting to be better than ever. But Williams says the pickings have gotten slimmer over the past decade - probably because of Gainesville's growing population, and a growing interest in fossil-hunting.

"There are more people out there than ever," he said.

Tim Lockette can be reached at 374-5088 or tim.lockette@gainesvillesun.com.

CRIPPLED Creeks

Tuesday, April 30, 2002

Members of the Tumblin' Creek Watershed Advisory Committee do frequent cleanups of their beleaguered creek, which arises near Shands at AGH and flows into Bivens Arm lake. From left are James Wales and his father, Paul Wales, Murray Laurie, Tony DiCarlo, Tom Carr, Marie Sedlacek and Dick Fry. "It's a ditch, to most people," DiCarlo said. "Most people don't even know it's a creek." JOHN MORAN/The Gainesville Sun

Pumping pollution

By RON MATUS
Sun staff writer

From a canoe in Bivens Arm, the view is hard to beat. Ospreys dive for fish. Alligators plow through murky water. Herons croak - rawnk, rawnk, rawnk - as they flap from one roost to the next.

The 400-acre lake is one of Gainesville's best-kept secrets. It's a state- and Audubon-designated wildlife sanctuary that few people experience even though thousands drive past it every day on SW 13th Street.

It's also Gainesville's biggest unofficial stormwater pond.

Every time it rains, Tumblin' Creek unloads pollution into Bivens Arm. From the canoe you can't see it, but beyond a clump of hardwoods on the north end of the lake is a channelized section of creek that brings polluted stormwater from as far away as downtown and the University of Florida campus.

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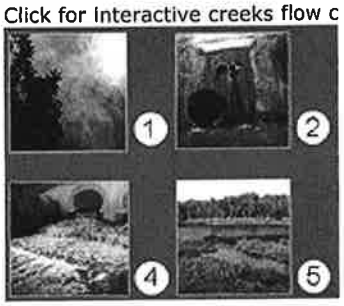

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The creek isn't the lake's only problem. But it's one of the main reasons the waters are pea-green from explosions of algae; the sediments are saddled with metals, pesticides and other toxins; and the north shore harbors a garbage-covered delta that pushes farther into the lake every year.

"There's a beautiful south side of Gainesville that's just been (allowed) to slide," said Dick Fry, a retired doctor who lives on Bivens Arm and chairs the Tumblin' Creek Watershed Advisory Committee, a residents group pushing for a fix. "This is a resource that's too nice to let slide."

Fry may as well have been speaking for everyone who lives downstream from a Gainesville creek.

It's not just the creeks that are hurt by stormwater. It's everything downstream.

At the receiving end of Sweetwater Branch, Paynes Prairie Preserve State Park is overwhelmed by sediment, nutrients and invasive plants that the creek pipes into it.

Places to see creeks

Ring Park, off NW 23rd Avenue. Close-up view of Hogtown Creek and Glen Springs run. Parking available on NW 23rd Avenue, by the Elks Lodge. On the south side, there is an entrance east of NW 20th Way (off NW 16th Avenue) No parking on the south side.

Hogtown Creek Greenway, NW 8th Avenue and NW 34th Street. Where Possum and Hogtown creeks merge. Parking available at Loblolly Environmental Center on SW 34th Street, just north of University Avenue, or at Westside Park.

Gumroot Swamp Conservation Area. Little Hatchett Creek runs through stands of cypress into Newnan's Lake. Off State Road 26, a few miles east of Lake Shore Drive (CR 329B).

Forest Park, SW 20th Avenue. Another view of Hogtown. Unofficial trails go from the park into woods that border the creek.

Sweetwater Park, downtown. Sweetwater Creek runs through it. Just east of the Alachua County Library, from University Avenue south to SW 4th Avenue.

Tumblin' Creek Park, SW 6th Street and Depot Avenue. Tumblin' Creek is its western edge.

Possum Park, NW 53rd Avenue and NW 43rd Street. Unofficial trails go into the wooded area just east of the park, which is where Possum Creek begins.

On the east side of Gainesville, Alachua County officials believe nutrients carried by Hatchett, Little Hatchett and Lake Forest creeks have helped transform Newnan's Lake from trophy bass fishery to factory for exotic algae.

Bivens Arm is the main pit stop for Tumblin' Creek.

The creek emerges from a 60-inch concrete pipe near SW 4th Avenue and winds 1.6 miles to the lake. It drains 2,000 acres.

That land is among the most heavily developed in Gainesville. The creek is among the most transformed in Gainesville.

Long stretches are lined with concrete. Much of it is buried under

streets and buildings, including Shands at AGH. Signs warn people not to swim because of too much harmful bacteria.

And yet, the same creek offers a spring-fed pool near Tumblin' Creek Park off SW 6th Avenue, where homeless people bathe in privacy afforded by a thicket of oaks and sweet gums.

"It's so definitely impaired . . . but it's definitely not dead," said Laura Line, an employee with the Alachua County Environmental Protection Department who did an in-depth study of the creek two years ago.

Message in a bottle

The creek's problems are the lake's problems.

Since he and his family moved to the south end of Bivens Arm two years ago, Paul Wales has seen the connection between creek and lake over and over again.

Bits of garbage from who knows where wash up regularly in the same back yard where he can watch red-eared slider turtles laying eggs or great blue herons hunting in the shallows.

"It's a sad commentary on humanity when you can get beer bottles in my back yard," said Wales, a 45-year-old printer.

There's a message in those bottles: The creek is constantly pumping pollution downstream.

Wales and his neighbors can't stand the barrage of trash. But they're more worried about pollution they can't pick up. So are the experts.

Garbage is "just annoying, it's not destructive," Wales said.

Bivens Arm filters pollutants before they move to Paynes Prairie, then Alachua Sink, then the Floridan Aquifer. That cleansing is good for the prairie and the main source of our drinking water.

But it's not so good for the lake, which is on a draft list of the state's most polluted waters.

Dumping ground

Recent tests by the St. Johns River Water Management District found sediment in Bivens Arm contains high levels of pesticides such as DDT; lead, chromium and other toxic metals; and PCBs - a blend of potent chemicals used in heavy electrical equipment until banned in the 1970s.

The levels in Bivens Arm were among the highest found anywhere in

the St. Johns River basin. Stormwater runoff is the suspect, Tumblin' Creek the accessory to the crime.

What little testing has been done shows the pollutants aren't getting into fish, at least not in levels high enough to cause harm. The fish are eaten by gators, osprey, bald eagles and other lake dwellers. They're also eaten by hordes of people who cast lines from the spot where Bivens Arm flows under SW 13th Street, near Chopstix Cafe.

City officials know Tumblin' Creek contributes to Bivens' woes.

City stormwater engineer Alice Rankeillor said the city wants to reconnect the creek to wetlands just west of SW 13th Street, behind the Bahn Thai restaurant. In the 1950s, the creek was routed away from the wetlands to prevent flooding on SW 13th Street. Several hundred yards of it were turned into a wide ditch leading straight to the lake.

When the creek is re-linked to the wetlands, sediment will settle out and nutrients will be sucked up by plants before they reach the lake, Rankeillor said.

Lake-side residents, who formed the advisory committee four years ago, love the idea.

"We have a relatively easy and inexpensive opportunity to fix the problem," committee member Murray Laurie said.

City officials said the project should cost about $350,000.

Unfortunately, a new project recently jumped ahead of it on the city's to-do list: a five-acre stormwater pond near SW 5th Avenue. It will handle runoff from the new Alachua County Courthouse and twin 23-story apartment buildings proposed near University Avenue and SW 6th Street.

The cost is expected to top $1 million. The money is coming from a variety of sources, including $100,000 that had been budgeted for a "trash trap" to keep garbage from flowing into Bivens Arm.

"You have to start rehabbing a watershed someplace," city stormwater chief Stu Pearson said.

"That's our first opportunity to do it," he said.

Bivens residents groan. They say they've been a city dumping ground too long. If the rest of the city could see what they see, they say, solutions like the wetlands restoration wouldn't be postponed.

"Can't we do something," Laurie asked, "before we put up signs that say, 'No fishing. Contaminated?' "

Ron Matus can be reached at 374-5087 or ron.matus@gainesvillesun.com.

CRIPPLED Creeks

Tuesday, April 30, 2002

Area creeks provide a place to call home for those without

By TIM LOCKETTE
Sun staff writer

A tent, a clothesline and a bunch of castoff chairs by the creek bank.

Some people might call it junk. But for Dan Adkins, it's home.

"This is the best place in the world to live," Adkins said. "It's pristine, Neanderthal wilderness out here."

Since mid-March, the 50-year-old Adkins has lived in an old Boy Scout tent on the bank of a Gainesville creek. It's not far from a busy thoroughfare, but Adkins' camp is surrounded by foliage as lush as any found in a nature preserve.

Another tent-dweller lives about 100 yards upstream of Adkins. And another lives about 100 yards downstream.

For all their problems, Gainesville's creeks still provide the city with hidden Edens, pockets of vegetation scattered through the city's paved core. Many of the city's homeless residents see those Edens as perfect places to set up camp.

"For some people there's nowhere else to go," said Michelle Rodriguez, spokeswoman for St. Francis House, the downtown homeless shelter. "They want to go where they're not bothered, and that means going into the woods."

No one knows exactly how many "urban campers" are living in the wooded areas of Gainesville at any given time. Homeless populations are notoriously hard to count - though local homeless organizations have estimated that as many as 900 homeless people live in Alachua County. Local shelters have only about 250 beds.

A source of water

Urban campers choose creek-side areas, Rodriquez said, because they need to be close to a water source. Many urban campers bathe

or wash their clothes in the creeks.

Adkins said he washes in the creek. But that isn't the only reason he lives on the creek bank.

"It's cool here, man," he said. "This water is like natural air conditioning. It can be 90 degrees out there, and everything will be fine and cool here."

Of course, bathing and sleeping aren't the only things people do in urban campsites. Some local residents blame urban campers for high levels of fecal coliform - a potentially harmful kind of bacteria present in human feces - in some of the city's creeks.

County officials say that urban campers who defecate in or near the creeks certainly aren't making the creeks healthier. But they say the problem can't be blamed entirely on the homeless. Leaky septic tanks and animal droppings are just as likely culprits.

"This problem has a number of sources," said Robin Hallbourg of the Alachua County Environmental Health Department. "But the levels in some areas definitely can't be explained by the homeless alone."

Adkins said he thinks leaky septic tanks are to blame for the problem. When nature calls, he said he finds a spot far from the creek, digs a hole and later covers it with ashes from his campfire. He said his neighbors do the same.

Garbage problems

Local residents also have complained about the garbage urban campers have left behind in and near the city's creeks.

Homeless camps along the creeks also present cleanup volunteers with a dilemma: deciding whether beds, tents and other items found creek-side should be removed.

"There's a lot of debate about this," said Fritzi Olson, director of Alachua County's Adopt-A-River Program. "Some people say that since they're trespassing anyway, and contributing to the pollution of the creek, you should just clean up every camp. But I personally don't like the idea of just destroying someone's home."

Adkins, who supports himself by selling items fished out of Dumpsters, bristles at the idea that he and his neighbors are contributing to the creeks' garbage problems. He says he often fishes cans and bottles out of the creek when they wash down from upstream.

"I'm not throwing this stuff away, I'm using it," he said. "I'm not creating nearly as much garbage as most people do."

Tim Lockette can be reached at 374-5088 or tim.lockette@gainesvillesun.com.

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CRIPPLED Creeks

Tuesday, May 1, 2002

The Gainesville Regional Utilities Main Street Wastewater Treatment Plant daily discharges about 6 million gallons of treated effluent into Sweetwater Branch, which flows onto Paynes Prairie and into Alachua Sink. JOHN MORAN/The Gainesville Sun

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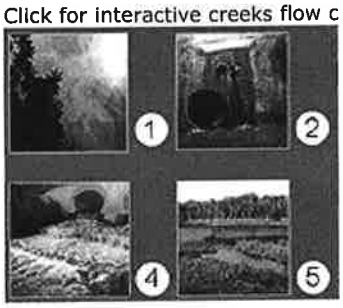

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Not so sweet

By TIM LOCKETTE
Sun staff writer

Take a walk down the last few hundred yards of Sweetwater Branch, and you might never guess that it's an urban creek.

Lined with tufts of trees, Sweetwater meanders across the plains of Paynes Prairie Preserve State Park before vanishing quietly into

Alachua Sink.

But Jim Weimer has walked this stretch of Sweetwater more than just about anybody, and he knows there is something amiss here.

Many of the trees along the creek bank are Chinese tallow - a non-native tree that threatens to crowd out native plants on the prairie. And in the water are nitrates and other pollutants, bound for the aquifer from which the city draws its drinking water.

"It may not look like it, but this creek has some serious problems," said Weimer, park biologist for the preserve. "It's a concern to me, and it should be a concern to you, too."

More than any other local creek, Sweetwater Branch is woven into Gainesville's urban fabric. It's the city's oldest urban creek, running through the neighborhoods that formed the city's center before Gainesville grew to the west.

Older residents recall it as a kind of unofficial playground. The Duck Pond, built on the north end of the creek, has been a landmark since the days, in the early 1930s, when poet Robert Frost taught at the University of Florida.

But local residents' love for the creek has been hard on Sweetwater.

Over the years, Gainesville residents have dumped toxins in the creek, built over it and used it as a drain to collect runoff from the city's growing amount of pavement. And the results are starting to show downstream.

Growing problems

The creek's problems first become apparent last year when county environmental officials posted warning signs around the Duck Pond, warning people to stay out of the water.

Tests had found high levels of fecal coliform - a kind of bacteria associated with human or animal waste - in the creek just upstream of the Duck Pond. Some varieties of coliform can cause diarrhea or vomiting if ingested.

Alachua County officials say they still aren't sure how the coliform got into the water. The Duck Pond ducks or neighborhood dogs could have left behind droppings that got washed into the creek. Or human waste could be leaking into the ground from old septic tanks.

State environmental officials are now testing water samples to try to determine the sources of the coliform - but county officials say the tests aren't likely to lead to any simple, quick solution.

"It's probably some combination of sources," said Robin Hallbourg of

the Alachua County Environmental Protection Department. "Almost certainly, some of it comes from animal waste. But this is also an older part of town, and with infrastructure this old, you're likely to see some leaks as well."

City officials also are worried about stormwater runoff - the water that comes pouring off the city's streets and parking lots whenever it rains.

Back when the city was more swamp than pavement, wetland areas would take in much of the city's rainfall, letting it slowly drain into Sweetwater. These days, water rolls off the pavement and changes the creek's flow from a trickle to a flood during heavy rains.

Those floodwaters strip soil off the creek's banks and send it rushing downstream.

The added sediment in the water can choke off habitat for some of the insects near the bottom of the creek's food chain. And recent tests have shown that the sediments in Sweetwater contain higher levels of PCBs, DDT and various metals than most of the state's waterways.

State officials say the pollutants aren't present in concentrations that would pose a health risk to residents now - but they're still trying to determine the long-term effects of the polluted sediment.

"It's something we still have to study," said Teresa Monson, spokeswoman for the St. Johns River Water Management District, which conducted the study. "We're really just beginning to look at the problem."

Dealing with runoff

The city hasn't taken Sweetwater's sediment problems lying down. For years, city officials have been planning to build a stormwater treatment pond on the former site of the CSX railroad on Depot Avenue.

That 11-acre pond would hold runoff from the areas around and upstream of Depot Avenue, slowing the rush of stormwater during storms, and allowing sediments and pollutants to settle out of the water.

The City Commission settled years of negotiation with CSX last year, and work on the park began in March. City officials hope to build a sort of "Central Park" around the stormwater pond, making the Depot Avenue park a landmark to rival or surpass the Duck Pond.

Stu Pearson, the city's stormwater manager, said the pond could filter more than three-fourths of the contaminants out of the creek.

"It will definitely go a long way toward solving some of these problems," he said.

'Vegetation shift'

Still, only part of the water in the creek comes from downtown yards and parking lots. Sweetwater Branch has another watershed - one that starts in your bathroom.

Near the proposed Depot Avenue park site stands another Sweetwater Branch landmark, one older than the Duck Pond but far less well-known. Since the early 1920s, Gainesville Regional Utilities' Main Street sewage treatment plant has been taking in wastewater from east Gainesville homes, treating it - and putting it into Sweetwater.

"It sounds worse than it is," said Kim Zoltec, GRU's director of wastewater engineering. "Until the 1920s, they (Gainesville residents) were discharging untreated sewage into the creek."

Millions of gallons of raw sewage enter the plant every day - sewage that gets filtered, broken down by microorganisms, chlorinated and then dechlorinated, and finally poured into the creek bed. GRU officials say the water more than meets state and federal environmental standards. In fact, through years of tweaking the cleansing process, GRU officials say they've found ways to make their water cleaner than the effluent from the average wastewater plant.

But that water still contains nitrates, which act like fertilizer on plants in the water and on the creek bank. And the GRU plant releases about 5 million gallons of it into Sweetwater Branch every day, a constant flow of water that turns a babbling brook into a rushing river.

Some biologists - such as Weimer - believe nitrates and the elevated water levels are responsible for a "vegetation shift" in Paynes Prairie. Woody plants such as the Chinese tallow are crowding out the marsh vegetation that has traditionally covered the prairie.

It's hard to say what exactly is the prairie's "natural" order. Before it became a state park - as far back as the 1600s - the land here was used for cattle-ranching. In the 1870s, the prairie became a lake, after debris plugged up Alachua Sink.

But experts say the prairie has maintained the same kinds of vegetation throughout those changes. And the growth of woody plants, they say, poses a real danger to the preserve.

"Really, what we're talking about is opportunistic vegetation," said Carol Lippincott , who oversees the area for the St. Johns River Water Management District. "These are plants that spread quickly and can crowd out the native plants."

The end result, Lippincott said, could be a forest of Chinese tallow, with little room for the animals that currently make their homes in the prairie.

Looking for solutions

Since 1997, officials from the district have been studying the vegetation shift, trying to determine causes and possible solutions for the problem. Their final report is due this summer.

Main Street plant senior engineer David Richardson says the study may let GRU off the hook. Other factors, including past agricultural practices and current park management practices, could be contributing to the problem.

"All we're asking for is a fair assessment," he said. "Any number of things could be responsible for this problem."

Even though the source of the problem hasn't been pinned down yet, GRU and the city are taking active measures to keep the Main Street effluent from going into the prairie. GRU is about to begin a $2.15 million project to build a pipeline that would allow the Main Street plant to pump some of its effluent to the Depot Avenue park, where it would be used for irrigation and possibly to fill the stormwater pond during dry periods.

That would save groundwater and allow some of the nutrients to settle out of the reused wastewater.

Also in the works is a plan to build a $2 million retention pond south of Williston Road - another pond intended to allow unwanted materials to settle out of the water.

Weimer isn't sure the two projects will completely solve the problems with the water that rolls into Paynes Prairie. But he says they couldn't hurt.

"It's a complex problem," he said. "If it were simple, it would have been solved a long time ago."

Tim Lockette can be reached at 374-5088 or tim.lockette@gainesvillesun.com.

CRIPPLED Creeks

Tuesday, May 1, 2002

Choked with sludge, the plight of Gainesville's historic Northeast Boulevard Duck Pond is no secret. "I don't know if I've ever seen it this bad," said neighborhood resident Linda Portal, out for a stroll with her son, Luke and the family dog JOHN MORAN/The Gainesville Sun

Duck Pond remains in limbo

By TIM LOCKETTE
Sun staff writer

Depending on how you look at it, Gainesville's Duck Pond is either one of the city's proudest landmarks or one of its most shameful symbols of neglect.

For more than 70 years, local residents have been coming to the concrete banks of the artificial pond to watch the geese and Muscovy ducks that live there.

Nestled between rows of old houses in the city's Northeast Historic District, the pond and its ducks also have become something of local

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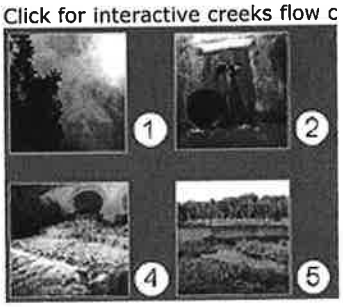

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icons, representing the kind of successful historic preservation project that city officials would like to duplicate elsewhere.

But in the pond, the water is murky and green. Alachua County health officials say it's contaminated with fecal coliform, a sign of high levels of human or animal waste. And local residents say they can sometimes smell a foul odor coming off the pond.

Four years ago, city officials came up with a plan to fix the pond - an $800,000 engineering project that would deepen the pond from 18 inches to 8 feet, fill the water with native plants and replace the pond's concrete walls with natural-looking banks.

Stu Pearson, the city's stormwater services manager, said the plant life and the deeper channel could help to filter out some of the gunk in the water.

It's a project that always seems to be passing milestones but never getting anywhere. In June 2001, when the state's Historic Preservation Board first granted the city approval to begin construction, Pearson announced that the pond renovation would begin soon and be completed by the end of 2001.

Delays in the city's application for a permit from the St. Johns River Water Management District pushed the completion date back a few months. Now, almost a year after the first announcement, work on the pond has yet to begin.

"We really are very close," Pearson said.

He said the city is working on a redesign of one element of the pond renovation - a sediment trap, planned for one end of the pond - that turned out to be too expensive for the project's budget. City officials are looking at other designs.

Pearson said the project could begin within the next two months, with the deepening of the pond completed by the end of the year. Turning the pond's concrete walls into natural-looking banks could take longer. Pearson said that part of the project won't be completed until sometime next year.

Duck Pond neighborhood resident Jane Myers said she and her neighbors have "learned to be patient."

"Timing doesn't worry me so much, as long as they're still committed to finishing it," she said. "This pond needs to be fixed. Just take a look at the water, and you can see that."

Tim Lockette can be reached at 374-5088 or tim.lockette@gainesvillesun.com.

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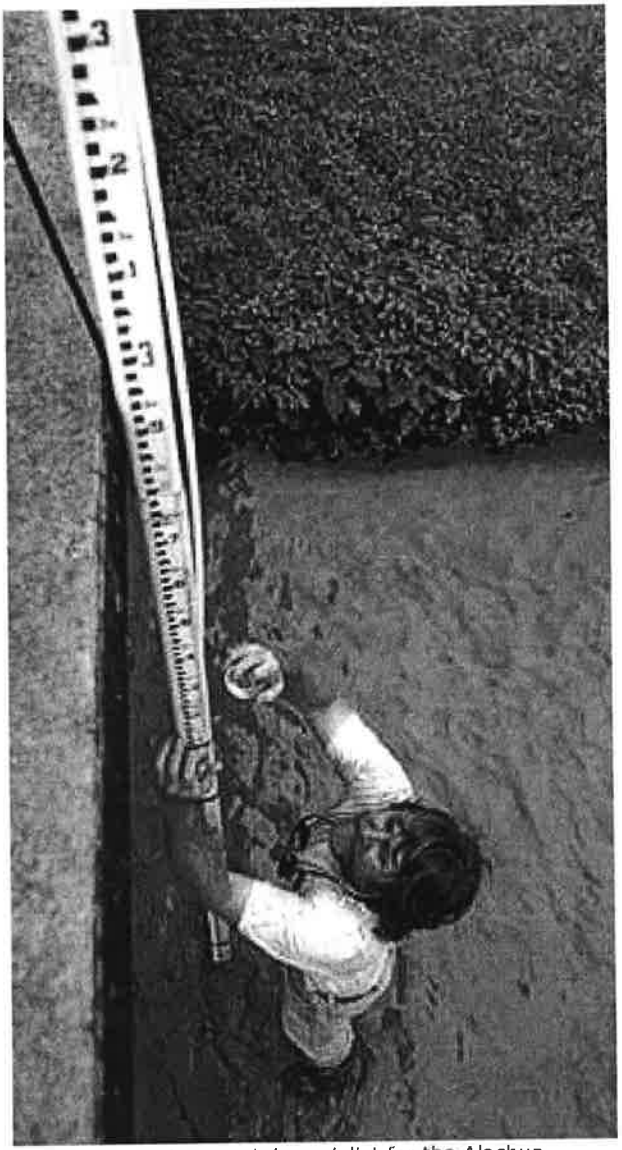
CRIPPLED Creeks

Thursday, May 2, 2002



Tim Harris, environmental specialist for the Alachua County Environmental Protection Department, sets up pollution monitoring equipment on Hogtown Creek. Cathy Kapulka/Special to The Sun

Killing a creek

By TIM LOCKETTE
Sun staff writer

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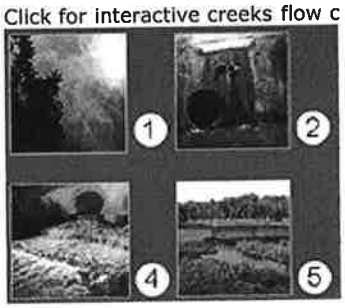

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Gordon Bigelow used to take pride in his view of the wildlife in Springstead Creek.

In 1955, Bigelow, a University of Florida English professor, bought a house overlooking Springstead, where he could look out his window and see otters at play in the water. But a single accident changed his view literally overnight.

"I woke up one morning, and there it was," Bigelow said. "The whole creek had turned into a river of thick black scum. The smell was horrendous."

The night before, a construction crew's bulldozer had breached the wall of a pine tar pit on a former industrial site near the creek. An estimated million gallons of tar poured into the creek, killing wildlife, sinking into the soil and sending out a stench that lingered around the town's north side for weeks.

It happened in 1967. Thirty-five years later, Bigelow is still waiting patiently for critters to come back in significant numbers. But he's pretty much given up on the idea that someone will try to get the pine tar out of the still-sticky creek.

"At this rate, I think nature will clean it up before people do," he said.

Of all Gainesville's creeks, Springstead - which flows through the neighborhoods on the northeast side of town and into Hogtown Creek - is the most obviously polluted. Pine tar from the spill remains in the creek bed, forming a sticky goo. People who live near the creek say that sometimes, after a heavy rain, they can still smell the gunk that was spilled into the creek.

But while local, state and federal governments are taking active measures to fight problems like erosion or polluted stormwater along the city's other urban creeks, no one has launched a project to get the gunk out of the Springstead creek bed.

"We're still trying to determine whether there's a health hazard that warrants a cleanup," said Maher Budeir, a project manager for the Environmental Protection Agency.

Budeir is overseeing the EPA's cleanup of the former site of the Cabot Corporation's pine tar production plant, upstream of Bigelow's house on NW 36th Road. Cabot made turpentine and other pine products on the site, and stored pine tar in retention ponds there.

Next door to the Cabot site is the still-operating Koppers Wood Treatment Co. where, until the late 1980s, workers treated telephone poles by dipping them in retention ponds filled with creosote, a preservative that was widely in use at the time. The EPA has since banned most uses of creosote for wood treatment.

Both the Cabot and the Koppers retention ponds are now the site of an EPA Superfund cleanup project, but that cleanup doesn't extend to Springstead Creek.

Budeir says most of the contaminants from the spill seem to have washed out of the creek. And the remaining deposits may not pose enough of a health hazard to warrant a cleanup.

"We've taken samples, and we have yet to see anything alarming, from a health perspective," Budeir said. "The deposits may not have been aesthetically pleasing, but there doesn't seem to be cause for alarm."

When EPA officials held hearings on the cleanup last year, city and Alachua County officials asked them to include the creek in a cleanup - and local residents invited them to come to the creek to see the sticky mess for themselves.

The visit convinced the EPA to take more samples from the creek, which they're still evaluating, Budeir said.

Even if the EPA does decide to take action, the agency may stop short of taking the pine tar out of the creek bed.

"It's hard to know exactly how to clean up something like this," said Robin Hallbourg of the Alachua County Environmental Protection Department. "Physically removing the substance from the creek would be a tremendously expensive project, and it might stir up contaminants."

Environmental push

The Springstead incident came along at a crucial point in the city's history - a point when average citizens were beginning to grasp the impact of environmental disasters, and governments were slowly catching on.

In the days following the 1967 accident, local government officials filed charges against Raymond Tassinari, the contractor whose employees ruptured the pine tar pit, under a new law designed to punish people who polluted Florida waterways.

Tassinari's crew was working on a construction project planned for the old Cabot site. According to newspaper reports, county officials testified that Tassinari's workers cleaned out ditches leading from the pine tar pit to the creek the day before it was ruptured - and left the breach in the pit open even after county officials had asked them to stop the flow of pine tar into the creek.

The judge found Tassinari guilty, one of the first convictions under the new pollution law. But his punishment was a simple $100 fine. The county later won $1,400 in a civil suit to defray the cost of dams

and drainage pits county workers had constructed in a futile attempt to keep the pollution from spreading.

The original $100 fine caught the attention on Don Grooms, a UF journalism instructor who lived near the creek - and who moonlighted as a hot-headed, activist folk singer.

Grooms penned "The Hogtown Creek Massacre," a protest song that suggested other - sometimes quite colorful - punishments for the man who Grooms believed had intentionally poisoned Hogtown Creek and its tributary.

Friends and family members say he performed it at Chamber of Commerce meetings and other local gatherings, trying to make sure the injustice of the situation was lost on no one.

When Grooms died in 1998, the creek remained uncleaned. But a lot of other things had changed. Grooms' friends say his song was just part of an anti-pollution backlash that would build in the years immediately after he wrote it, helping to turn Gainesville into "Tree City."

"Nobody really cared about the environment back then," said Grooms' wife, Suzanne, who still lives near the creek. "People didn't understand the environment the way they do now. But things like this spill really helped them to understand."

Bigelow agrees.

"This woke people up," he said. "It sure woke me up. You hear a lot about pollution in creeks these days, but nothing like this. Things like this don't happen anymore."

Maybe not. There have been other, smaller spills into Springstead - most recently in 1999, when a vandal opened a valve at a Gainesville Regional Utilities lift station and released 1,000 gallons of raw sewage into the creek.

Bigelow says he never heard of that spill. Nevertheless, he said the creek is making a slow, steady recovery.

After years without any wildlife, he said, the creek has begun to sport a population of fish, and Bigelow says he has seen an otter in the creek - though the wildlife populations, he said, aren't nearly what they should be.

He likes to think there will be more wildlife, when the drought ends.

"When the water levels are back up, we'll be able to see if the creek is healthy again," he said. "We can only hope."

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CRIPPLED Creeks

Thursday, May 2, 2002

Alachua County environmental specialist Joy McBane displays a handful of the oily, foul-smelling sediment recovered in Springstead Creek creek a mile downstream from the site of the former Cabot Corporation. (JOHN MORAN/The Gainesville Sun)

Storm troopers test creeks for pollution

By RON MATUS
Sun staff writer

Kansas has tornado chasers. Alachua County has storm troopers.

When dark clouds gather over Gainesville, some employees in the Alachua County Environmental Protection Department grab

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Rattlesnake Creek

Donna Canova
Tumblin' Creek

Philip Haveard
Hogtown Creek

Juanita Frazier
Hogtown Creek

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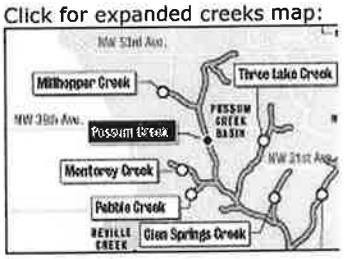

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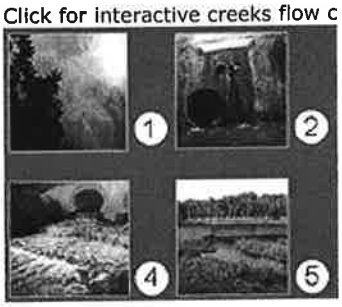

The Alachua County Environment Department has put together aer Gainesville's different creek wate out which watershed you live in,

To listen to the Don Grooms song Massacre," about the event of th click here

umbrellas, slap on rubber boots and head for a nearby creek.

Occasionally, they'll dodge lightning and risk getting swept away in floods.

Their mission: To boldly go and find out how much fertilizer, sediment and other pollution flushes into Gainesville creeks when it rains.

"Think about what's running off the streets," said environmental specialist Lydia Flewelling, waiting for rain last month next to Hogtown Creek, near the Creekside Mall on SW 2nd Avenue. "All the nutrients, all the oils . . . It all runs into the creek."

The storm chasing is part of a broader effort to study the creeks and find out how healthy they are.

Testing for pollution during "storm events" gives scientists some idea how much is flowing off lawns, roads and parking lots, and perhaps how best to minimize it.

The testing isn't easy.

There are many more "dry runs" than outings when it does in fact rain - and rain enough for the sampling to show meaningful results. The storm troopers head out when radar shows rain is coming, but "a lot of it is luck of the draw," said Tim Harris, another county environmental specialist.

If a good storm does start dumping buckets, there are new worries.

Last summer, a storm churned up tornado-like winds while Harris and others were testing Sweetwater Branch. They sought refuge in their truck twice when lightning got too close for comfort.

"I didn't realize how bad it was until we left," Harris said. "There were trees down everywhere."

Storms like that can turn gentle creeks into raging rivers within minutes.

Harris said he won't keep testing if waters rise past the mid-point on his thigh.

"Some of them flood and it's like Noah's coming," Flewelling said. "You have to run."

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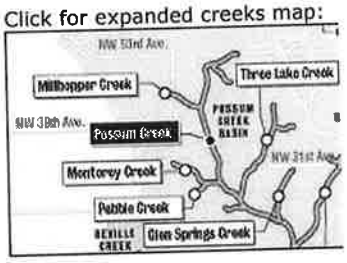

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Friday, May 3, 2002

John Denton, right, gives a helping hand to fellow Eastside High School student Jonathan Williams, who slipped on the bank of Lake Forest Creek as Saie Kurakula, left, works to remove a recliner during a creek cleanup. Michael C. Weimar/The Gainesville Sun

Refuse refuge

By TIM LOCKETTE
Sun staff writer

It started as a single tire, but it just kept growing.

When John Denton came across what seemed to be a bicycle tire lodged in the muddy bottom of Lake Forest Creek, he called a few of his friends to help pull it out.

After a little digging, they found that the tire was attached to what looked like a bicycle frame. And within the hour, they excavated what turned out to be the remains of a rusty motorcycle from the creek bed.

"We find some amazing things in here," Denton said. "Old beds, car parts, just about anything. And what you see in this creek is what you're drinking."

Denton, a 17-year-old high school senior, is the guardian angel of Lake Forest Creek. Once a month, he and a few friends come out to the creek - which flows through east Gainesville and into Newnan's Lake, unseen by most local residents - to clean up the trash left by

decades of dumpers.

The creek is narrow enough that, at many points, a person can cross it in a single leap. But half-buried in the creek's muddy banks and bed is an amazing volume of garbage. Shopping carts and boat propellers. Televisions and baby buggies. You name it.

Denton started his own creek-cleaning group last fall after participating in cleanups on other local creeks organized by the county's Adopt-A-River program. Working their way slowly downstream, Denton and his friends have pulled more than 8,900 pounds of refuse out of the creek. And so far, they're only a few hundred feet downstream of where they started.

Decades ago, people knew this as Otter Slide Creek, possibly because of marks left on the bank by otters entering and leaving the water. It was a popular spot for hunters and fishermen, and for people searching for American Indian artifacts.

These days, there's scarcely an otter slide to be seen. It's an urban creek, running for much of its length through man-made channels - under city roads, past stores and subdivisions. And it's a popular spot for illegal dumpers.

"It's no wonder people don't care for the creeks the way they used to," said Fritzi Olson, executive director of Adopt-a-River. "We've turned them all into drainage ditches. The creeks all look like canals now and everybody thinks of them as just empty urban space."

Everybody, that is, except Denton and members of other groups dedicated to keeping the trash out of Gainesville's urban creeks. Olson says dozens of local residents come out at least occasionally for creek cleanups.

Denton started pulling trash out of creeks because it helped him rack up the 75 hours of community service he needed to graduate from Eastside. But after he'd filled his community service requirement, Denton said, he was hooked.

"These cleanups are addictive," he said. "It feels good to know you can do at least something to make a difference. And when I found out that nobody had adopted this creek, it seemed like a good opportunity."

While their progress may be slow, the volunteer creek-cleaners say it feels good to be able to at least chip away at one of the community's nagging environmental problems.

"When you clean the watershed you clean the lake," said Steve Everett, a regular at Lake Forest Creek cleanups. "The worst pollution here is the pollution you don't see - nitrates and fecal coliform - but this is a start at least."

Few people know the problems of Lake Forest Creek as well as Everett does. An ecology teacher at Eastside, he routinely brings his classes to the creek's banks for lessons. He's also studying the effects of chemical pollutants on the vegetation in Newnan's Lake.

And while a chemical cleanup of the creek is a bigger job than any volunteer group could manage, Everett says, Denton's groups of volunteers have made at least a small dent in the problem.

"Some of the things they've pulled out of the creek do release chemical contamination," Everett said. "Things like TVs or paint cans."

Sometimes the discoveries are, well, baffling.

"I don't know why people go to the trouble to bring things back here, when they could just go to a landfill or something," said Eastside senior Clarence Ju, part of a team of volunteers who found a bed and a boat propeller in the forest near the creek, hundreds of yards from the nearest road.

Other finds make all too much sense. Like beer bottles half-buried in silt in the creek bed, or the bottle caps and straws that lie along the creek bank like shells washed up on a beach.

Much of what people leave on the streets of east Gainesville winds up here, eventually, in sedimentary layers of everyday garbage.

Local residents say every rainstorm brings with it a new flood of soda cans, plastic bags and other everyday refuse. And the problem is so bad, they say, that people have stopped putting the creek to the uses it once served.

"People used to irrigate their yards with water from the creek," said Bobby Wilson, who grew up along the creek's banks. "But with all the garbage that comes down it now, I think most people have given it up."

"I can't imagine that anyone would bother to swim in it now with all the garbage," said June Miller, who has lived near the creek since 1959. "I've tried several times to clean the part that runs through my property, but as soon as it rains, you just have more junk out there."

Even so, Denton says the monthly cleanups could help turn things around for Lake Forest Creek.

"If you see trash, you're going to figure you can throw more trash here," he said. "If nothing else, we're changing the way people look at the creek."

Tim Lockette can be reached at (352) 374-5088 or tim.lockette@gainesvillesun.com.

CRIPPLED Creeks

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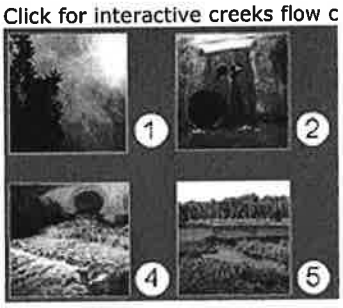

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Friday, May 3, 2002

Movement aims to post signs at creeks

By RON MATUS
Sun staff writer

A person driving to work on 8th Avenue could zoom over as many as seven creeks - Beville, Royal Park, Hogtown, Possum, Rattlesnake, Begonia Branch and Sweetwater Branch - without ever knowing it. The creeks aren't marked.

But that's about to change.

A movement is under way to get signs posted where creeks intersect major roads. The hope is that if people know where creeks are, they'll pay more attention to issues that affect creeks - and maybe even strive to protect them.

Right now, many people think the creeks are "drainage ditches or open sewers," said Chris Bird, director of the Alachua County Environmental Protection Department.

A year ago, at the county's request, the state Department of Transportation put up 11 sets of signs on SW 13th Street, NW 39th Avenue and other state roads. Since then, the city of Gainesville and Alachua County have been designing a new sign that will be placed on city and county roads.

The DOT signs use the standard design - white letters on a green background. The new signs include images of water and a frog.

If the design gets a thumbs up from the City Commission later this month, new signs could be up at more than 30 locations within a few weeks.

The $6,000 bill for the project is being paid by the Orange Creek Basin Partnership, a joint effort between the city, county, state and St. Johns River Water Management District.

Not everyone agrees with putting up the signs.

Retiring City Commissioner Pegeen Hanrahan, among others, has been concerned about the proliferation of street signs. She didn't want more signs, even for creeks, to become a "blight on our landscape."

Hanrahan wants the city to provide seed money for artists to design creek markers. It's her hope that several years from now the creeks may be graced with public art - something akin in spirit to the planet sculptures installed on NW 8th Avenue in March.

For now, Bird said even simple signs will have an impact.

Ironically, after DOT put signs on E. University Avenue to mark Lake Forest Creek, the county got calls from residents about DOT activities, Bird said. They wanted to know why DOT did not install silt barriers next to the creek, which DOT was in the process of widening for flood control. Until the signs went up, people didn't call because they thought DOT was just dredging a ditch, Bird said.

Silt barriers went up a few days later.

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CRIPPLED Creeks

Friday, May 24, 2002

Possum Creek's in good shape now, but how long that will last is still uncertain

By RON MATUS
Sun staff writer

While Tim Malles stopped to admire a pond behind Possum Park, his 11-year-old son Michael skipped off through the woods to track the creek that feeds it.

"It comes out right over there," Michael said. "I'll go check."

The pond was covered with a carpet of green plants. Great blue herons roosted in the trees. The beginning of Possum Creek trickled clear and cold from a nearby spring.

If not for the roar of rush hour on nearby NW 53rd Avenue, it would be hard to believe this was suburban Gainesville.

"It's like having a nature show in your back yard," Malles said. "But all this growth? It's nuts."

Malles loves the creek. He raised two sons on it. But with so much new development in northwest Gainesville, he can't help but wonder if Possum Creek won't meet the same fate as Gainesville's other streams.

He won't get any consolation from local officials.

"I don't mean to paint a dark picture," said Chris Bird, director of the Alachua County Environmental Protection Department. "But I don't think anyone should get a false sense of security."

In the past 20 years, new environmental rules have been passed to better protect creeks. But they're not enough, Bird said.

As Gainesville sprawls and paves and infills, still-healthy creeks like Blues and Hatchett, and the upper reaches of Possum and Hogtown, may be next in line to be harmed by stormwater runoff.

"Unless we turn things around, that's a temporary situation," Bird said. "Even some of those upper stretches are going to be diminished."

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Philip Haveard
Hogtown Creek


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Hogtown Creek

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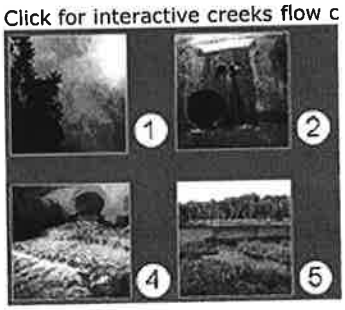

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How bad will it get? And how fast?

Nobody knows.

In good shape

For now, Possum Creek is nothing like the pollution poster child that is Sweetwater Branch.

Possum is a tributary of Hogtown Creek, but by itself it's bigger than most of Gainesville's other creeks. Together, it and Hogtown drain most of residential Gainesville.

Tests by county officials show there isn't much pollution in it. There is also a rich diversity of bugs in the sediment - a sign of good health. A couple of miles downstream, near the Rock Creek neighborhood, seepage springs harbor the larvae of a rare dragonfly.

Possum Creek is "probably one of the better ones," said county environmental specialist Joy McBane, who has done pollution sampling in many of Gainesville's creeks.

Local officials say the upper reaches, especially, have benefitted from new environmental rules.

By the time development began gaining steam north of NW 39th Avenue, city rules were requiring new creek-side homes to have 35-foot setbacks, and the state was requiring new developments to build stormwater retention ponds.

McBane said many creek-side homes in the area have woods in their back yards, unlike homes along other creeks in the city. "You don't see lawns right up next to the creek," she said.

Meanwhile, stormwater ponds are everywhere.

In front of Trinity United Methodist Church on NW 53rd Avenue. In front of the Bellamy Forge apartments on NW 43rd Street. Hidden by shrubs in front of the Centroplex business center.

The buffer zone

Buffers and ponds slow the rush of stormwater and filter out pollutants. But neither are cure-alls.

Bird said setback rules don't regulate potentially creek-harming activities in the buffer zone, such as use of pesticides and fertilizers.

And while retention ponds do stop pollutants from reaching creeks - as much as 80 percent of them, some studies show - they can only hold back so much water.

Today's ponds are big enough to retain water dumped by 90 percent of

storms. But they're not designed to keep holding water rain after rain after rain, said Robin Harrell, compliance manager with the St. Johns River Water Management District.

"If you constructed retention ponds to be efficient all the time, they'd be gigantic," Harrell said. "People who own property aren't going to go for that."

The bottom line? Even with a landscape riddled with these man-made ponds, a lot of water is still rushing into creeks, causing erosion. The end result is still "a gradual degradation," Harrell said.

Buying some time

Land conservation may buy the creeks more time. Local officials have included that in their creek-protection strategy.

Alachua Conservation Trust, a private group, is in the final stages of acquiring hundreds of acres of land around Blues and Little Hatchett creeks on the outskirts of Gainesville, and 30 acres around Beville Creek a mile east of The Oaks Mall.

Together, the three projects received $4.4 million from the state. Local governments must chip in several million more.

The city already owns a small parcel of woody land east of Possum Park that forms part of the creek's headwaters. At this point, there are no plans to buy other conservation land near the creek.

Malles, a carpenter and artist, worries that Gainesville's creeks will go the way of Florida's springs, with nitrate pollution turning some green with algae and others getting sucked dry because of over-development.

"It's terrible. It's sad," he said.

A half-mile from Possum Park, Possum Creek lazes past his family's home like a black ribbon, occasionally bringing wild treats.

Twelve years ago, Malles and his family watched from their breakfast table while a great blue heron chased an otter.

"We saw a slinky back, then the big flapping wings," Malles said. "The bird was like pecking at it."

They haven't seen the otter since.

Maybe the heron scared it too much, Malles said.

Maybe people did.

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CRIPPLED Creeks

Sunday, May 5, 2002

Small steps can add up to a big difference

By RON MATUS
Sun staff writer

In Seattle, local officials put up posters of a man washing his car on top of a lake, suds everywhere.

"When you're washing your car in the driveway," the poster says, "remember you're not just washing your car in the driveway."

The image is doctored of course, but the point is clear: If you're doing anything that puts any kind of pollution on the land, it will find its way to the water.

The same message works in Gainesville.

A big reason Gainesville creeks are so messed up is because the little things most of us do collectively add up to cause problems.

There are lots of little things you can do to change that.

Don't litter.

Don't throw cigarette butts on the ground.

Wash your car on the grass or at the car wash. Don't wash it on paved surfaces.

If your car is leaking oil, transmission fluid, brake fluid, anti-freeze, whatever - get it fixed.

Drive less.

Bits of metal flake off brakes and tires every time you hit the road.

Never pour gasoline, motor oil or other chemicals into storm drains.

Take them to the county's toxic roundup corral on Waldo Road.

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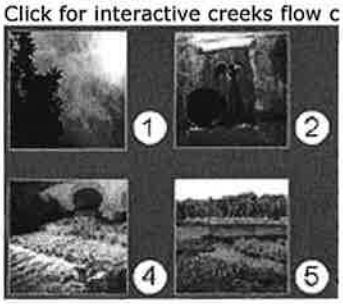

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Don't throw dirty mop water into the street.

Clean paint brushes over soil. Don't allow paint, solvents or cleaners to go into storm drains.

Don't put anything in a storm drain that you're not willing to drink.

Don't over-fertilize your lawn. Avoid fertilizers if you can.

Don't over-spray with pesticides. Avoid them if you can.

Plant native plants that don't need fertilizers or pesticides.

Find out if you have non-native invasive plants, such as coral ardisia or Chinese tallow. If you do, get rid of them.

Don't remove trees, shrubs or grass near a creek.

Pick up after your dog.

Get a rain barrel to catch stormwater coming off your roof. Use the water to quench your plants.

Report illegal dumping of pollutants to the Alachua County Environmental Protection Department at 264-6800.

Join Up the Creek, a group that removes trash from creeks. For more information, call Fritzi Olson at 264-6800.

Join the Watershed Action Volunteers, a group that tests for pollution in local creeks. For more information call Laura Line at 264-6800.

Find out which watershed you live in.

Get to know the creeks near you.

Pick up after your dog. Droppings make their way into creeks and contaminate them.

Reduce the amount of fertilizer and pesticides you use on your lawn.

Wash your car on the grass or at the car wash. Don't wash it on paved surfaces.