



## BOARD OF COUNTY COMMISSIONERS

KRISTINE ZONKA, COMMISSIONER, DISTRICT 5  
490 Centre Lake Dr. Suite 175  
Palm Bay, FL 32907  
Phone: 321.253.6611  
D5.Commissioner@brevardfl.gov

Danielle Stern, Chief of Staff  
Janette Roig, Legislative Affairs Director  
Charlene Brown, Community Affairs Director

February 25, 2022

Randall Cunningham  
Florida Department of Environmental Protection  
Central District Office  
3319 Maguire Blvd, Suite 232  
Orlando, Florida 32803-3767

RE: Request for Public Meeting – Draft Permit No. FLOA00032 MI

I am writing on behalf of the Brevard County Board of County Commissioners to request that the Department hold a Public Meeting regarding a permit application to construct and operate an “industrial wastewater treatment facility which would discharge 0.003 MGD [3000 gallon per day] of non-process wastewater to Oyster Prong, a Class II waterbody within the Indian River Lagoon Outstanding Florida Waterbody.” We understand that this discharge is cooling tower water that is cycled multiple times over heat exchanger coils prior to discharge into on-site stormwater ponds that during peak rainfall events may discharge into a 2.5-mile-long canal that discharges to Oyster Prong, a part of the Indian River Lagoon system.

We also understand that the cooling tower water will be filtered with a ProMoss (Sphagnum moss) filter to absorb positively charged ions and stabilize the pH between 6.0-9.0 but may contain up to 3.0 mg/L Total Nitrogen, 1.0 mg/L Total Phosphorus and up to 5.0 mg/L of oil and grease. Monitoring requirements also include chlorine, copper and lead, though no concentration limits are set within the draft permit.

Below is the information that must be provided to request a public meeting:

*(a) The commenter's name, address, and telephone number; the applicant's name and address; the Department permit file number; and the county in which the project is proposed;*

Commenter: Brevard County Board of County Commissioners  
Address: 725 Judge Fran Jamieson Way  
Viera, FL 32940  
Phone: (800)-955-8771  
Department Permit File Number: Draft Permit No. FLOA00032 MI

RECEIVED

FEB 28 2022

DEP Central District

Applicant: SpaceX Florida  
Paul Sutter, CSP Sr. EHS Manager  
PO Box 286  
Cape Canaveral, FL 32920-4000  
Proposed project location: Brevard County

*(b) A statement of how and when notice of the Department's action or proposed action was received;*

Notice Received: Via email on February 4, 2022. The date on the Department's notice was February 2, 2022

*(c) A statement of the facts the Department should consider in making the final decision;*

As the Department is aware, the Indian River Lagoon has been designated as impaired for nutrients, including nitrogen and phosphorus. These excess nutrients feed harmful algal blooms that block light from penetrating through the water to the bottom. Without sufficient light for photosynthesis, seagrass beds have shrunk by 60% and lost roughly 80% of their historical biomass in Brevard County over the last decade. Without sufficient seagrass as forage, manatees are currently starving at an unprecedented rate in an event declared by the U.S. Fish and Wildlife Agency as an "Unusual Mortality Event".

When surface waters are designated as impaired, stakeholders including local governments are mandated to reduce annual loading. In particular, Brevard County is mandated to reduce the amount of nitrogen and phosphorus reaching the Indian River Lagoon. This permit for Space X cooling water discharge, as drafted by the Florida Department of Environmental Protection, would allow increased loading of nutrients to waters where Brevard County is already mandated by a Secretarial Order of the same agency to reduce loading to achieve federal and state adopted Total Maximum Daily Loads (see Florida Department of Environmental Protection's North Indian River Lagoon Basin Management Action Plan, as amended).

Further, in November 2016, the voters of Brevard County approved a self-imposed ½ cent sales tax for the purpose of funding projects and programs to reduce pollution in the Lagoon. The Save Our Indian River Lagoon Program (SOIRL) uses revenues from the ½ cent sales tax to fund various projects to reduce pollution inputs, remove legacy loads of pollution, and restore natural filtration systems in the lagoon.

Although the additional loading input proposed in this draft permit is small (up to 5.64 lbs/year of TN and 1.88 lbs/year of TP), this creates an additional burden to the Brevard County taxpayers. This burden and the associated impacts to lagoon health are of great concern to the citizens of Brevard, many of whom have reached out to their elected officials with questions and concerns about the draft permit and the implications of this new pollution source. There is also public concern about other potential pollutants including chlorine, copper, lead, iron, manganese, and zinc mentioned in the draft permit.

*(d) A statement of which rules or statutes require reversal or modification of the Department's action or proposed action;*

Statutory Reference: SECTIONS 403.067(6) AND (7), FLORIDA STATUTES guide the development and implementation of Basin Management Action Plans. The North Indian River Lagoon Basin Management Action Plan, adopted by Secretarial Order on February 2013, as amended, allocates the maximum amount of



pollutants that may be discharged or released to all basins and sources of inflow to this water body segment. It also details the load allocation reductions mandated to the county for specific point sources and categories of non-point sources in order to attain the total maximum daily loads established for the respective water body segment. Allocated load reductions are mandated by the Department as permit conditions in the County's National Pollutant Discharge Elimination System permit, as authorized by the Environmental Protection Agency under provisions of the 1972 Clean Water Act, enacted by Congress as Public Law 92-500.

*(e) If desired, a request that a public meeting be scheduled, including a statement of the nature of the issues proposed to be raised at the meeting.*

Nature of the issues: Due to the level of nutrient impairment of the lagoon, the recent and ongoing loss of seagrass habitat, the associated mortality of manatees and loss of marine life abundance, as well as the local responsibility to reduce excess nutrient loads, and significant community concerns regarding the draft permit, Brevard County requests that the Department hold a Public Meeting as offered in the Notice of Draft Permit which County staff received via email on February 4<sup>th</sup>, 2022.

The Board of County Commissioners appreciates the opportunity to provide the comments above and request a Public Meeting for the Department to hear the concerns of the community directly before taking final action on the proposed discharge permit. The Space Program is also vitally important to our community, our economy and our Space Coast brand. We are hopeful there is a solution that supports private investment in space while also protecting the Indian River Lagoon.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Zonka', written over the printed name.

Kristine Zonka, Chair

Brevard County Commission District 5

*As authorized by the Board of County Commissioners on February 22, 2022*