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September 27, 2024

To: Florida Department of Environmental Protection

Re: Comment on Lower Santa Fe and Ichetuknee Rivers (LSFIR) and Priority Springs Minimum Flows and Levels (MFLs)

I am the owner of Tampa Well Drilling and a licensed Water Well Contractor in the state of Florida established in 1963. Our mission is to provide professional and quality service to our customers while protecting and developing the use of our ground water resources in the state of Florida. We also protect users of water wells and advocate for property owners' right to access to water using a well.

We are writing to express our concerns and opposition to the proposed **regulatory strategy and new rules to restore the Lower Santa Fe and Ichetucknee Rivers, specifically prohibiting new private irrigation wells**. We believe this rule is not in the best interest of property owners, water well contractors and small businesses. We urge the agency to remove the proposed section of the rule prohibiting the construction of new Florida Aquifer irrigation wells for private residences for the following reasons:

1. Limitations Not Just

This rule continues to allow public supply, municipalities, agriculture, golf course and commercial use of the water if an impact offset plan is presented, however, private residential irrigation wells are banned. In both instances the water comes from the same source, the Florida Aquifer.

Property owners have historically had the right to access and utilize natural resources found on their land including water. This regulation infringes on those rights by restricting homeowners' ability to drill wells for irrigation purposes. Limiting access to the aquifer undermines longstanding rights and self-sufficiency.

Restricting access to private wells could reduce the overall value of properties, especially those with large landscaping, gardens or agriculture uses. Property owners are often required by their HOA, zoning and/or community to irrigate their property. Prospective buyers may see the inability to drill as a limitation on the property's potential and utility.

2. Environmental Impacts

Private irrigation wells have a much smaller environmental footprint than municipal, agricultural, industrial or commercial use. The regulation is unnecessarily restrictive for residential users who draw relatively small amounts of water compared to larger users as mentioned above. Not allowing private residents to drill their own well will require them to use municipal well or public water systems which may not be available. Drawing all irrigation water from a single well source will increase the cone of depression around these wells and negatively impact water levels.

Water from a well is better for irrigation because it's lower quality than water treated to public supply standards. Contractors do not recommend that their customers run treated water to their irrigation systems.

3. Financial Burden and Small Business Impact

The regulation could result in significant financial strain from property owners who are forced to connect to public water systems. These systems often come with higher utility rates and installation fees making it more expensive than maintaining a private well. This could disproportionately affect homeowners in rural or lower income areas where access to such infrastructure may not be readily available or affordable.

This rule will greatly impact small businesses leading to a substantial loss of income for Water Well Contractors and other small businesses while increasing income to municipalities. Again, in both instances you are using the same amount of water and it comes from the same source: the Floridan Aquifer.

4. Enforce Current Rules

Is there a way to expand on the current rule and how that may be a better solution? An alternative solution to tracking irrigation is to enforce current rules, which would require additional staff and provide job opportunities to the state. Our industry, through the Florida Ground Water Association which I am a member, has been lobbying for better enforcement for several years.

For the reasons explained above I oppose DEP's current proposed rule language for 62-42.300 Minimum Flows and Levels and Recovery and Prevention Strategies as published in the Lower Santa Fe and Ichetucknee Rivers Minimum Flows and Levels Rule Development Workshop Draft Regulatory Strategy on July 31, 2024. This regulation attempts to protect the Floridan Aquifer, but does so at the expense of property rights, financial fairness and practical water access for individual homeowners. Our business, Tampa Well Drilling, established in 1963 and being a licensed Water Well Drilling Contractor strongly urges the agency to reconsider the adoption of this proposed rule, as its negative consequences outweigh its perceived benefits.

Thank you for considering my comments.

Sincerely,


Roy Lillard – Owner

Tampa Well Drilling Inc.