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Tidings

The Newsletter of the Friends of Perdido Bay

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A Tale of Two Bays

Actually this title should be called “One Bay, Two Parts. With the heavy rains the first weeks of August, Perdido Bay got flushed, at least the upper part. Perdido Bay is an estuary. An estuary is a place where fresh water and salt water mix, sometimes not too well. The freshwater source is mostly the Perdido River; the salt water is the Gulf of Mexico. For the people who live in the southern part of the bay, the water which you experience most of the time, is salty water from the Gulf. It is fairly clear. Folks living in the northern part of the bay (the upper bay) have a lot of freshwater from the Perdido River. As the weather becomes drier, more and more salt water is able to travel up the bay. Now, add to this mix, 26 million gallons a day of paper mill effluent with 8,000 pounds a day of oxygen consuming solids and thousands of pounds of toxic chemicals and dark water. This mix of chemicals enters the bay just where the Perdido River enters the bay. With lots of rainfall and flow from the Perdido River, the chemicals from the papermill are washed into the lower bay, into Big Lagoon and out into the Gulf. And I am sure, you folks in the lower bay saw the water turn dark, very dark, after the heavy rains. Not only was the water dark, but it was also full of plant nutrients, nitrogen and phosphorous, and lots of toxic chemicals from the paper mill. The nutrients caused a bloom of plankton, so the water also had a greenish tinge. Heavy rainfall brings yucky water to the folks in the lower bay and maybe even death of oysters and other things like blue crabs.

In the upper bay, the situation is reversed. With little rainfall, the papermill effluent does not get properly diluted. It tends to stay in the upper bay and the concentration of chemicals builds up. The tides, which are not very extreme in this area, tend to hold the papermill effluent in the bay. This is when, whatever life is left in the bay, dies. The small clams, snails, etc can not survive in the increasing chemicals from the paper mill. For the folks in the upper part of the bay, after the initial flush (which is dangerous) the additional flow from the Perdido River keeps the water “cleaner”. The water may be dark, but the chemicals from the paper mill are not as concentrated. They

are being sent into the lower bay. Even the bacterial counts in the upper bay tend to be lower after the initial first flush. So if you are going to swim in the upper bay, wait until the initial first flush, and then swim. The water may be completely fresh and you know the paper mill effluent is getting properly diluted.

The Health departments and Friends of Perdido Bay advise folks not to swim for perhaps three to four days after heavy rains (first flush). This is especially important in Perdido Bay. The adjoining land sources are literally washed. This means that all types of nasty things enter the water - cow poop, bird poop, stuff from septic tanks, etc. One very big source of “washed material” are accumulated solids from the paper mill. When I first saw the property onto which IP was going to discharge their effluent, I thought, “how can this be a wetlands”? It is too steep. But for the paper mill, it was a perfect place. Solids would settle out here for awhile, until a heavy rainfall. Then the accumulated solids would get washed out into the bay. No need to clean out accumulated solids, just let mother nature take care of it. These paper mill solids contain a lot of the dangerous chemicals. So bottom line - stay out of the water until these solids fall to the bottom or go into the Gulf. Then swim.

Some Important Dates

Alabama is having their annual Coastal BirdFest October 5 - 8, 2016. Beginning October 5, a series of workshops have been planned in different areas for different days. These workshop require preregistration and usually a fee. To get a complete list of all the workshops and to register, go to the website - www.AlabamaCoastalBirdFest.com, or call 251-625-0814. Registration is open from now until September 23. On Saturday, October 8, 2016 the John Borom 13th Annual Bird and Conservation Expo will be held from 9 AM to 4 PM at Faulkner State Community College at the Fairhope Campus. There will be exhibits, a raptor and snake show. Sounds like fun. Since the weather will have turned cooler by then, plan to enjoy the outdoors studying and looking at birds.

Another date we were going to remind everyone in Florida was August 30, 2016. This is (or was) the date of the primary election in Florida. There was an important amendment on the ballot, Amendment 4, which supported Solar Power installation in the state of Florida. Amendment 4 prohibited the tax assessors in Florida from imposing higher property taxes and ad valorem taxes on properties which installed solar power. We hope you voted for it. Even though Florida is ranked 4th in the amount of sunshine, it only ranks about 16th in the use of solar power. In trying to convert to cleaner forms of energy which emit less carbon, our government is trying to promote solar power. Why not! I went to an Earth Day Talk where a solar power vender, (I can't remember his name), said that for about \$12,000, you can convert to solar power and almost totally eliminate your use of conventional power. The savings would depend on your energy usage.

I happened to notice that Gulf Power (our local power company) is asking for a rate increase. In the newspaper article, they said that Gulf Power was asking for a rate increase because their business had not grown enough to keep up with the maintenance

demands. That started me thinking. As more and more people conserve energy or go to alternative forms of energy, will the conventional power companies have to increase their rates? That means that people who are not able to afford solar or better insulation will be paying higher power rates. More income inequality? That also started me thinking about competition. We have no competition for electricity or other forms of energy (natural gas). Both Florida and Alabama have “public service” commissions which “regulate” energy prices. Is this an efficient way to operate? It makes you wonder why there is no competition? But of course you already know - politics.

The Spirit of the Clean Water Act

Years ago when we were dealing with Champion, they told us that they were going to do more than the letter of the law, but they were going to follow the spirit of the law (The Clean Water Act).

Of course we were dumb enough to not ask what was the “Spirit of the Clean Water Act”. We thought that the spirit of the Clean Water Act was to eliminate discharge to surface waters - “Zero discharge”. After all, the NPDES permits which the Clean Water Act authorizes stands for “National Pollution Discharge Elimination Systems”. Zero discharge. In the 1970's, the federal regulators told the paper mill in Cantonment to “look at” going to zero discharge. They did but decided not to do it. Today, the new rules for paper mills which went into effect in 1998 said that paper mills, like the one in Cantonment Florida owned by IP, should be able to achieve “zero discharge” by 2016. But it turns out, zero discharge is an empty phrase; a goal which will never be achieved. If that means, ceasing discharge to waterbodies, well, IP has done that. They discharge to a wetland, not a waterbody like Perdido Bay. Never mind that the effluent flows over the wetland into Perdido Bay.

In Memoriam - Bob DeGraff, a longtime member of Friends of Perdido Bay, Board member and avid fisherman, passed away July, 2016. He will be missed
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Champion finally told us one day what “Spirit of the Clean Water Act” really was - a little bit. Congress allowed the industries to discharge “a little bit” of whatever that was. The paper companies were supposed to remove 95% of the pollution. Well, that 5% which is left over can cause a lot of damage, especially in little bays which do not flush. Five percent of solids could mean 10,000 pounds of solids a day would be allowed to be discharged into a body of water. This maybe O.K. for the Mississippi, but not O.K. for Perdido Bay. Similarly, thousands of pounds of chemicals can be legally discharged. This is more than just a little bit. To help define “a little bit”, EPA has established water quality standards. These are values which have been “scientifically” set and which industries and other dischargers must adhere to, either at the end of the discharge pipe or in the water body into which they are dumping. Since these limits were established in the early 1970's, there has been a nearly continuous attempt by dischargers to “adjust” the values in their favor. The criteria for heavy metals was adjusted to mean “free heavy metals” and not bound. Paper mills emit a lot of heavy metals and over the years have had a hard time meeting standards.

The water quality standards are supposed to be reviewed every three years. However, Florida and the EPA have not reviewed or renewed their standards since 1992.

Several years ago, EPA sought to regulate 39 chemicals which are currently not regulated. Florida decided to modify their list of water quality standards and began to reassess all current criteria. The result:

Wall Street Rumor - IP may be bought by Georgia Pacific (Koch Brothers)

DEP revised the criteria for 43 chemical constituents. Three of the polyaromatic hydrocarbons have totally been removed (those which the pulp and paper produce) and the permissible concentrations of many carcinogens has been increased. To establish these concentrations which are supposedly protective of human health, risk assessment models are used. But as we all know on Perdido Bay, many models are flawed.

Once Florida decided to modify their standards, they hurried up and developed a rule. The new rule was presented at three public hearings in May 2016 (closest to us was Tallahassee). On July 26, 1016, the rule was formally adopted at a hearing before the Environmental Regulation Commission. There was a loud outcry from the environmental community. Several newspapers carried editorials about the weakened rules. Fortunately, the rule has been challenged by the Seminole Tribe of Florida and by the City of Miami. Go guys. The Administrative Law Judge is Bram Canter, the same Judge who ruled for us in one hearing and against us in the other. He is a good judge. Hopefully, the Seminoles prevail and DEP will have to go back to the drawing board and develop better, safer standards.

In the meantime, we as a public, are going to have to elect people who are more concerned with protecting the environment for the public. Less government is fine as long as the public interest (the real public, not corporate public) is protected. What once seemed simple to lawmakers, a "little bit" has turned into a 50-year fight for protection of human health and the environment. Anybody for "zero" discharge!

Membership and Renewals

Tidings is published six times a year by Friends of Perdido Bay and is mailed to members. To keep up with the latest news of happenings on Perdido Bay, become a member or renew your membership. For present members, your date for renewal is printed on your mailing label.

Membership is \$10.00 per **year per voting member**. To join or renew, fill out the coupon to the right and mail with your check to the address on the front.

Friends is a not-for-profit corporation and all contributions are tax-deductible. Funds received are all used for projects to improve Perdido Bay. No money is paid to the Board of Directors, all of whom volunteer their time and effort.

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