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Tidings

The Newsletter of the Friends of Perdido Bay

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www.friendsofperdidobay.com

WELCOME TO 2015

Thank you for being a member of our long-term, totally independent, environmental group. We are beginning our 28th year of existence. We are supported entirely by your dues which makes us different from most environmental organizations who rely on big corporate sponsors for their support. Our mission is to protect Perdido Bay and the surrounding watershed. Protection may be done through education- through publication of newsletters and maintenance of a website. Protection may also include advocacy, either through writing letters to our politicians and writing letters to the editor to make our views known, or legal action. Legal action is often expensive and has not yielded satisfactory results. But legal action is one tool. We intend to continue our mission in 2015 and beyond. Thanks for being a member!

BACK ON WATCH

After a post-Christmas vacation in Ecuador, I am back on watch. Over the past year we have had numerous people report to us on conditions in various parts of Perdido Bay. Our crab watch program, also painted a picture about conditions in the bay. Of course, not everyone is interested in life in the bay. Some people just like to sit and look at the bay. If you look at the bay from afar, it doesn't look too bad. The foam which used to get pretty bad at times, is a little better. The water has been fairly clear this winter until it rains. If you live anywhere but near the International Paper outfall into Tee and Wicker Lakes, the bay has looked pretty good. People living in the northern end of the bay near Ramsey Beach have reported worsening conditions. Dark, smelly water is generally what they see. The rest of us haven't had this problem.

If you are interested in life in the bay, like fish, shrimp, crabs, the story is different. One of our members who lives about mid-bay, watches for things like fish, etc. He said

this past summer, there were absolutely no fish. This was the worst summer he had ever seen. He has a light on the end of his dock and he goes down to see what is there at night. He reported that this past summer, the water looked barren. Recently (this winter) things may be improving, because oysters have begun growing on the rocks under his dock. I suspect that oysters have begun showing up in the lower bay because the rainfall has been so low this winter.

People in the crab watch program, reported far fewer blue crabs than in past years. Crab larvae generally migrate into the bay in the early spring. They grow to adulthood in the bay (after numerous molts), and then migrate back out into the Gulf to spawn in the fall. I am sure many of you have seen the adult, female crabs with a “sponge” of eggs tucked under their abdomens in the fall in the Gulf of Mexico. In the upper bay last summer, we saw one juvenile crab at our beach and only three adult crabs the whole summer. The migration of the blue crab larvae back into the bay in the Spring may have been thwarted by the very heavy rain at the end of March. In general, the Perdido River (the main source of fresh water to Perdido Bay) was flowing very strongly outward for several months. It may have been very difficult for a crab larvae to swim back into the bay against this outward flow.

Shrimp? Well, there are some, especially in the lower bay, like Bayou St. John. But it appears that the days of shrimp boats shrimping above the Lillian Bridge are over. Clams? Our beach in the northern end of Perdido Bay on the Florida side used to be paved with clams. We used to try and make clam chowder out of these clams. They were metallically tasting so we stopped using them in our clam chowder. When we found out that the metals in the sediments of Perdido Bay were fairly high, we wondered what we had eaten. We are no longer tempted to use clams from our beach for clam chowder. Why? Because there are no clams anymore and because we found out that it was against the law to eat clams collected in Perdido Bay. Perdido Bay is not “open” for harvesting shellfish. And according to the Alabama Dept of Conservation and the Florida Fish and Wildlife folks, it is against the law to eat shellfish in waters which are not approved for shellfishing. Alabama has an oyster gardening program where people can grow oysters off their docks. Oysters help to keep the water clear through their filtration system. We inquired about starting this program in Perdido Bay but Alabama declined. They said Perdido Bay was not approved for shellfishing and so they could not promote the program in this bay. When we inquired about getting Perdido Bay approved for shellfishing, Alabama Dept of Conservation said there was no funding for it. The truth is - Perdido Bay probably would not be able to become shellfish certified because, at times, the level of harmful bacteria is too high. End of story.

In a survey of the clams in the upper Perdido Bay last summer, a few clams are showing up over at Grassy Point in Alabama. This is the area which had vibrant looking seagrasses for years until 2000 when all seagrasses in upper Perdido Bay disappeared. The seagrasses have not returned but some rather large estuarine clams are now there.

The Alabama side of the upper bay is bathed by the water coming from the Perdido River and tends to be much less polluted than the Florida side of the upper bay. What this all means is that things have NOT improved in Perdido Bay. Maybe it looks a little better, but biologically it is worse.

FAILING TOXICITY TESTS

In September 2014, International Paper submitted their application to renew their 5-year permit to operate their wastewater treatment system. Their current permit expires March 2015. If the permit is renewed, it would allow the mill to operate legally until 2020. Permits are not supposed to be issued unless the applicant is complying with environmental rules.

International Paper is not complying now and their predecessors, Champion and St. Regis, never complied with environmental rules for as long as environmental rules had been in place (1972). So how does this large industry get away with breaking the rules for 50 years? Well, the state regulators (and their bosses, the politicians) figured out a way to bypass the requirement of compliance with environmental rules. You issue a Consent Order. This Consent Order is a legal document between the state regulators and the industry which says the industry agrees to “work on coming into compliance”. In the Consent Order, there are usually specific steps which must be achieved by a certain time to “achieve compliance”. The problem is these steps never achieve compliance because as soon as the paper mill gets its new permit and a Consent Order, the mill changes its process or increases its production and the characteristics of the effluent change. The changes are always beneficial to the paper mill and usually always harmful to Perdido Bay. This has been the pattern. The industry has its cadre of experts and scientists who know where not to look to see the problem. Environmental agencies have really no oversight over these industries so the public is at the mercy of these industries. To International Paper’s credit, they are honest enough to point out the rules they are not able to meet.

In the most recent permit application, International Paper (IP) discusses the problem with toxicity in their effluent. IP must run toxicity tests on two different types of organisms - a water flea and a minnow larvae. The toxicity tests measure survival of these organisms living in undiluted effluent over 96 hrs or seven days. Reproduction of the water flea and growth of the minnow larvae are also part of the toxicity test. Reproduction and growth in 100% effluent are compared with reproduction of water fleas and growth of minnow larvae raised in background water. IP effluent is harming (decreasing) the reproduction of water fleas as compared with the water fleas raised in non-effluent water. Both the water flea and the minnow larvae used in these tests are pretty hardy organisms. When you consider that these organisms will live in very organically enriched effluents which have sulfates which measure above 500 ppm (yes, that is 108,000 pounds of sulfate a day), you know that they are tough little organisms.

It is not at all surprising to me that IP is having toxicity problems. For one thing, they have increased their production in the past 5 years. In the last permit cycle, the paper mill, owned by IP and Champion was producing 1,500 air dried tons of pulp a day. When IP went to producing mainly brown paper and then switched its effluent disposal to wetlands instead of Elevenmile Creek, their production rose to 2,217 air dried tons of pulp a day - 593 tons of bleached pulp and 1,624 tons of unbleached pulp a day. They use only pine trees for pulping. Yes, IP is still bleaching pulp, and the increased production is significant. Increased production coupled with a decrease in the aeration of the treatment ponds is definitely going to cause some toxic components of the pine trees to show up in the final effluent. Pine trees produce many, many different types of natural chemicals, some of which may still be

unidentified. At one time, a natural hormone coming from pine trees was causing the masculinization of mosquito fish in Elevenmile Creek. The issue of masculinized females has been ignored.

At first, IP thought that the 5 million gallons of domestic wastewater which they were getting from the Escambia County Utilities Authority was causing the toxicity. But after more testing, they found that the toxicity was coming from some chemical in the IP effluent. IP's solution to the problem - change their point of testing for toxicity and change the requirements of the test. If this doesn't work, they will at least have five more years to operate, most likely still having toxicity in their effluent. The approach is - we will try and make the problem go away without decreasing production or increasing treatment of the effluent, which would cost money. IP is saying that this toxicity in the effluent is not that important because the wetland flora and fauna does not appear to be affected. IP has said nothing about toxic effects on Perdido Bay, although it has appeared to many of us that Perdido Bay is certainly affected by toxicity. Just ask yourself - why doesn't Perdido Bay have oysters while other similar bays have oysters? Why were oysters once found in Perdido Bay as seen from relic oyster bars, while today there are none?

International Paper's permit application also admits that the effluent is currently causing water quality violations in the wetlands. The violations are for pH, specific conductance, dissolved oxygen and turbidity water quality parameters. These are the same violations which their effluent caused in Elevenmile Creek! The effluent is causing dissolved oxygen violations in the marine waters of Tee and Wicker Lakes. IP's solution to these violations - try and obtain site specific alternative criteria for these parameters; in other words, change the parameters, not fix the problem.

The DEP has not issued any permit or any comments to IP. The way the rules work, IP can continue to legally operate the mill until the Florida DEP acts. This may be years. If you remember back to the 1990's, the then-owners of the mill, Champion, operated from 1994 when the old permit expired, until 2010 on an administratively continued permit. The DEP continued to ask for more information and never deemed the application complete. It could happen again. We will keep you informed.

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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