STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In re: WEKIWA SPRING AND ROCK SPRINGS RUN BASIN MANAGEMENT ACTION PLAN
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OGC CASE NO. 25-1049

FINAL ORDER ESTABLISHING THE WEKIWA SPRING AND ROCK SPRINGS BASIN MANAGEMENT ACTION PLAN

Pursuant to Sections 403.067(7), Florida Statutes, this Final Order adopts the attached Basin Management Action Plan ("BMAP") for certain surface waterbodies within the Middle St. Johns River Basin. The adopted BMAP, entitled "Wekiwa Spring and Rock Springs Basin Management Action Plan" (hereafter referred to as the "Wekiwa Spring BMAP") and dated June 2025, is attached hereto and incorporated herein as Exhibit 1. The 2025 BMAP builds upon the previous BMAP and adds new management strategies and analyses that continue the restoration efforts to date. This updated BMAP (Exhibit 1) supersedes and replaces the previous BMAP in its entirety.

Surface waters in the Wekiwa Spring BMAP are designated as Class III waters in accordance with Chapter 62-302, Florida Administrative Code ("F.A.C."). Water quality for Class III waters is meant to be suitable for recreational use and for the propagation and maintenance of a healthy, well-balanced population of fish and wildlife.

The Wekiwa Spring basin is located in Lake, Orange and Seminole Counties. The Florida Department of Environmental Protection ("department") established a TMDL for certain waters addressed in this BMAP within Rule 62-304.506, F.A.C Excessive nitrate is the primary pollutant contributing to the impairments. Table 1 in the attached Exhibit 1 identifies the applicable TMDLs addressed in this BMAP.

The department worked closely with the affected stakeholders, including local and state agencies, in updating the Wekiwa Spring BMAP to achieve the associated TMDLs. Beyond direct work with the affected stakeholders, the department encouraged public participation to the greatest practicable extent by providing routine updates in technical meetings and requests for comment at technical meetings on the Wekiwa Spring BMAP. The department held a noticed public meeting on April 17, 2025, to discuss the BMAP and receive comments.

The Wekiwa Spring BMAP represents the collaborative effort of stakeholders to identify current and planned management actions to achieve the required pollutant load reductions. The adopted BMAP documents the projects and management actions that have been, or will be, undertaken by stakeholders to reduce discharge of pollutants in the watershed. The projects and management actions (completed, ongoing, and planned) identified in the BMAP address known sources of pollutants, facilitate

investigation of unknown sources, prevent new sources, and address future loads associated with growth and land use changes in the basin.

The specific pollutant reduction allocations, projects and management actions required of individual entities are set forth in Section 2 and Appendices B, C, E, G, I and J of the BMAP. Unless otherwise noted in the BMAP, all requirements of this BMAP are enforceable upon the effective date of this Order.

This Final Order and incorporated BMAP are enforceable pursuant to Sections 403.067, 403.121, 403.131, 403.141, 403.161, 373.119 and 373.129, Florida Statutes.

THEREFORE, IT IS ORDERED that the attached Exhibit 1 is hereby adopted as the Wekiwa Spring Basin Management Action Plan.

NOTICE OF RIGHTS

The Wekiwa Spring Basin Management Action Plan shall become final unless a timely petition for an administrative proceeding is filed pursuant to the provisions of Sections 120.569 and 120.57 of the Florida Statutes, before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the department's proposed agency action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions must be filed within 21 days of publication of the public notice or within 21 days of receipt of this order, whichever occurs first. Under Section 120.60(3), Florida Statutes, however, any person who asked the department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57 of the Florida

Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the department's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

(c) A statement of when and how the petitioner received notice of the agency decision;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

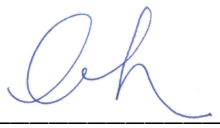
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the department's final action may be different from the position taken by it in this order. Persons whose substantial interests will be affected by any such final decision of the department on the petition have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

A party who is adversely affected by this order has the right to seek judicial review under Section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the department in the Office of the General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this order is filed with the clerk of the department.

DONE AND ORDERED this 27 day of June 2025, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Alexis Lambert
Secretary

Marjorie Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

FILED ON THIS DATE PURSUANT TO § 120.52, FLORIDA STATUTES, WITH THE DESIGNATED DEPARTMENT CLERK, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED.



CLERK

06/27/2025

DATE