UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW
ATLANTA, GEORGIA 30303-3104

October 16, 2020

Ms. Julie Espy
Director
Division of Environmental Assessment & Restoration
Florida Department of Environmental Protection
Mail Station 3000
2600 Blair Stone Road
Tallahassee, Florida 32301

Dear Ms. Espy:

The U.S. Environmental Protection Agency has completed its water quality standards review of the document titled *Nutrient TMDLs for Lake Gem (Orange County) (WBID[1] 2997V) and Documentation in Support of the Development of Site-Specific Numeric Interpretations of the Narrative Nutrient Criterion*. The Florida Department of Environmental Protection (FDEP) submitted the Lake Gem Total Maximum Daily Load(s) (TMDLs) and revised Chapter 62-304, Florida Administrative Code (F.A.C.),[2] including the numeric nutrient criteria (NNC) for the subject water, in a letter to the EPA dated September 3, 2020 as TMDLs and as new or revised water quality standards (WQS) with the necessary supporting documentation and certification by FDEP General Counsel, pursuant to Title 40 of the Code of Federal Regulations part 131.

The NNC was adopted under Chapter 62-304.505(26) as site-specific numeric interpretations of paragraph 62-302.530(48)(b). As referenced in paragraph 62-302.531(2)(a), the FDEP intends for the submitted NNC to serve in place of the otherwise applicable criteria for lakes set out in paragraph 62-302.531(2)(b)(1). The total nitrogen and total phosphorus TMDLs for Lake Gem would also constitute site-specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(48)(b) for this water segment.

The FDEP submitted the nutrient TMDLs for Lake Gem to the EPA for review pursuant to both Clean Water Act (CWA) sections 303(c) and 303(d) since the TMDLs will also act as Hierarchy 1 (H1) site-specific interpretations of the State's narrative nutrient criterion pursuant to 62-302.531(2)(a)1.a. The enclosed WQS decision document summarizes the EPA's review and approval of the WQS contained in the TMDL document. The EPA's decision document memorializes the EPA's review and approval of the WQS, in accordance with section 303(c) of the CWA; nothing herein should be construed to constitute a review or approval of the TMDL submitted pursuant to section 303(d) of the CWA. The EPA will conduct its review of the TMDL following this approval of the WQS.

In accordance with section 303(c) of the CWA, I am hereby approving the revised WQS for total nitrogen and total phosphorus. Any other criteria applicable to these waterbodies remain in effect,

[1] WBID refers to **w**ater**b**ody **id**entification
[2] Unless otherwise stated, all rule and subsection citations are to provisions in the Florida Administrative Code.

especially those related to chlorophyll *a* and in paragraph 62-302.531(2)(b)(1). The requirements of paragraph 62-302.530(48)(a) also remain applicable.

If you have any comments or questions relating to the approval of the H1 WQS, please contact me at (404) 562-9345, or have a member of your staff contact Dr. Katherine Snyder in the WQS program at (404) 562-9840.

Sincerely,

JEANEANNE GETTLE

Digitally signed by JEANEANNE GETTLE
Date: 2020.10.16 13:09:34 -04'00'

Jeaneanne M. Gettle, Director
Water Division

Enclosure

cc: Mr. Kenneth Hayman, FDEP
Mr. Daryll Joyner, FDEP
Mr. Ken Weaver, FDEP