The background of the slide is a photograph of a river at dusk or dawn. The sun is low on the horizon, creating a warm, orange glow that reflects on the calm water. In the foreground on the left, a dark, silhouetted fishing net is visible, hanging vertically. The text is overlaid on the right side of the image.

# Wild, Scenic and Sometimes Toxic Myakka River

Michael and Betty Regan



A scenic sunset over a body of water. The sky is filled with soft, orange and pink clouds, transitioning into a clear blue at the top. The sun is low on the horizon, casting a warm glow across the water and the silhouetted shoreline. The water reflects the colors of the sky, creating a shimmering effect. The shoreline is dark and silhouetted, with some trees visible on the right side.

# Tuesday March 31<sup>st</sup>, 2009

- Called Ranger John Chassey
- 57 dead fish



# Friday April 3<sup>rd</sup>, 2009

- Phone conversation with Ranger John Chassey in which he indicated it was far worse than what we had seen
- Called FWC fish kill hotline  
800 636 0511





Saturday April 4<sup>th</sup>, 2009

River inspection

Snook Haven to Border Road

Michael and Betty Regan



# Dead Hogchoker



26

SNOOK MIN.

27

REDFISH MAX.

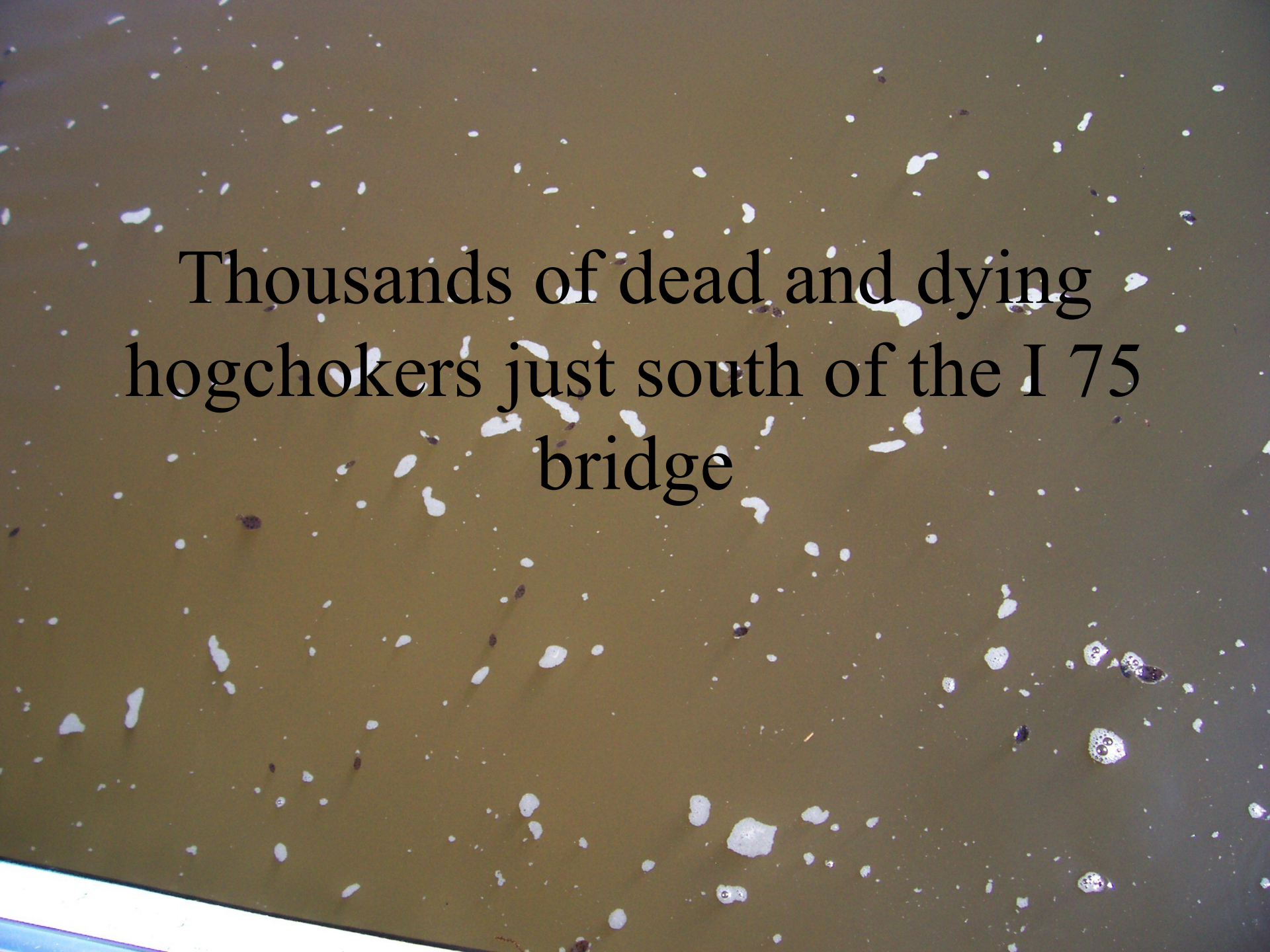
28

AMBERJACK,  
GREATER

30

CUBERA SNAPPER  
OVER 30" BAG 2



A photograph showing a large number of dead and dying hogchokers (fish) floating in the water. The fish are scattered across the frame, appearing as small, silvery, elongated shapes against the dark, murky water. The text "Thousands of dead and dying hogchokers just south of the I 75 bridge" is overlaid in the center of the image.

Thousands of dead and dying  
hogchokers just south of the I 75  
bridge





Dead Snook





Dead turtle





Dead Snook





Turbid water



Dead fish everywhere





A photograph of a mangrove swamp. The water is murky and greenish-brown. In the foreground, there is a pile of fallen branches and debris. Several dead fish are visible in the water, some near the debris. The background shows more mangrove trees and their roots.

We saw thousands of dead and  
struggling fish



A photograph taken from a boat looking down a river. The water is dark and murky. On the right bank, there are mangrove trees with prominent prop roots. Several dead fish are visible floating in the water, some near the roots. A wooden paddle is visible on the left side of the frame, partially submerged. The date "Sunday April 5th, 2009" is overlaid in white text at the top left.

Sunday April 5<sup>th</sup>, 2009

- River Inspection
- Border Road north to power line crossing





Dead pig – we spotted several





Much of the same north of  
Border Road



# Observations from April 4<sup>th</sup> and 5<sup>th</sup>, 2009

- The discharge point was ground zero for turbidity, death and odor
- The sewer odor at the discharge point was intense and caused an irritating burning sensation in our eyes and throats
- Turbid water and death were observed from just north of Snook Haven, all the way to the power line crossing where the water began to clear
- Thousands of gallons of turbid, toxic, slurry entered the River daily from the discharge point
- After speaking with several home owners and fishermen, this was not the first time that this has occurred.
- **PROMISE** We are all stewards of our environment. On Sunday April 5<sup>th</sup>, 2009, I made a promise to myself and the River that I would do everything possible to make sure what we witnessed never has to be witnessed again.



# Monday April 6<sup>th</sup>, 2009

- Accompanied Ranger Chassey, Park Environmental Specialist II Natalie Balcer and County Environmental Specialist Kathy Meaux to the discharge point
- Observed abnormal alligator behavior – lethargic and disoriented
- Kathy's comments- water was non toxic and safe
- My comments – I instructed Kathy to tell that to the fish. I then asked her what caused the alligator to act so strangely and what killed the pigs and turtles



**April 7<sup>th</sup>, 2009**

- Article in the Herald Tribune by Kate Spinner with regard to the fish kill
- The fish kill was characterized as a naturally occurring event caused by an algae bloom resulting in low oxygen levels
- Excerpt- “low oxygen remains the most likely cause, Meaux said”
- The article did not mention the dead pigs or turtles and also did not mention the discharge entering the river from the old dolomite mine
- I called Kate Spinner and asked her why there was no mention of the above



## **April 8<sup>th</sup>, 2009**

- Got a call from Catalina Brown, Fish Kill Hotline Coordinator
- She informed us that the fish kill was not caused by a toxic algae bloom. There was little or no presence of algae in the water
- The water was markedly clearer and less odoriferous and the water flow entering the river from the discharge point was drastically reduced
- The ranger boat approached from the north. Inside were Ranger Chassey, Kathy Meaux and Bruce Maloney
- I informed them about the phone call we just received from Cat Brown. Bruce Maloney's comment was "how would she know"



Subj: **RE: Myakka update**  
Date: 4/8/2009 5:31:41 PM Eastern Daylight Time  
From: [Catalina.Brown@MyFWC.com](mailto:Catalina.Brown@MyFWC.com)  
To: [Panfishcookers@aol.com](mailto:Panfishcookers@aol.com)  
CC: [epeeble@marine.usf.edu](mailto:epeeble@marine.usf.edu), [Howie.Brown@MyFWC.com](mailto:Howie.Brown@MyFWC.com), [Theresa.Cody@MyFWC.com](mailto:Theresa.Cody@MyFWC.com),  
[Carli.Segelson@MyFWC.com](mailto:Carli.Segelson@MyFWC.com), [Mark.Cunningham@MyFWC.com](mailto:Mark.Cunningham@MyFWC.com), [Danielle\\_Stanek@doh.state.fl.us](mailto:Danielle_Stanek@doh.state.fl.us)

Good afternoon

Thank you for forwarding the latest update. I want to reiterate that FWC/FWRI has conducted several investigations, and that no algal blooms, or HAB's were found in the water samples collected from the Myakka River. No cyanobacteria, not blue green algae, no golden algae, nothing that indicates this fish kill is related to a HAB or algal bloom

Please let me know if you have any questions

Thank you

*Catalina E. Brown*

Biological Scientist  
Fish Kill Hotline Coordinator  
Fish & Wildlife Health  
Florida Fish and Wildlife Research Institute  
100 8th Avenue SE  
St. Petersburg, FL 33701  
(727) 896-8626

**Fish Kill Hotline: (800) 636- 0511**



Discharge point- April 8<sup>th</sup>, 2009





A photograph of a pond with a title overlay. The pond's water is dark and still, reflecting the surrounding trees and foliage. A bright, circular light source, likely the sun, is visible in the upper left corner, creating a strong glare. The water is covered with various floating debris, including small leaves, twigs, and plant matter. The overall scene is a natural, outdoor setting.

Discharge Point April 8<sup>th</sup>, 2009



A photograph of a river or stream. The banks are covered in dense, lush green trees and bushes. The water is calm, reflecting the greenery and the sky. The sky is a clear, bright blue. The text "April 9th, 2009" is overlaid on the upper left portion of the image.

# April 9<sup>th</sup>, 2009

It looked like they did a massive drain and flush over night. The river, which began to clear on April 8<sup>th</sup> was excessively turbid and the field of turbidity stretch almost two miles south of Snook Haven



A photograph of a dead fish floating in a river. The fish is light-colored with some darker patches on its head and body. It is positioned in the center-left of the frame. The water is dark and murky, with some small white foam or bubbles visible. In the upper left, there is a reflection of a tree. The date "April 15<sup>th</sup>, 2009" is overlaid in a large, black, serif font in the upper center of the image.

April 15<sup>th</sup>, 2009

- It rained again on April 14<sup>th</sup> and the river turned deadly again



A photograph of a mangrove swamp. The water is dark and murky. There are many green mangrove plants with small, oval-shaped leaves. Some bare, white roots are visible on the left side. A small, light-colored fish is swimming in the water near the center. The date "April 15th, 2009" is written in large, black, serif font across the top of the image.

**April 15<sup>th</sup>, 2009**

- Keep this date in mind



April 17<sup>th</sup>, 2009

- The death continues





April 17<sup>th</sup>, 2009





April 17<sup>th</sup>, 2009





April 17<sup>th</sup>, 2009





April 29<sup>th</sup>, 2009





A photograph of a dead turtle floating on its back in dark water. The turtle's plastron is visible, showing a mix of light and dark patches. Its four limbs are splayed out. A thin, light-colored stick or piece of debris is resting on its back. The background is dark and out of focus.

April 30, 2009

- Did a river inspection with Ernie Estevez, Director Mote Marine Laboratory. Found one dead turtle near discharge site and this critter



# SARASOTA COUNTY INTERGRATED WATER RESOURCE MANAGEMENT INSPECTION REPORT

May 4<sup>th</sup>, 2009

- **Investigators** Kathy Meaux and Bruce Maloney    **Date** April 15<sup>th</sup>, 2009
- There was no turbid or otherwise suspected illicit discharge from the ditch or other locations on the property observed during the inspection. **MISLEADING**
- There was no evidence observed to support the assumptions that any runoff from the lake or ditch to the river was the direct cause of the early April fish kill. **NOT TRUE**
- The flow observed from the ditch appears to be tidal water from the river that backs up during high tide and flushes out the ditch on the outgoing tide. **NOT TRUE**
- **SUMMATION:** Considering that algae blooms were observed farther upstream and dead fish were observed as far as 1 mile north of subject property, it is most likely that the 1.5 inch rainfall acted as a “first flush” effect that contributed high levels of nutrients to the river, which resulted in algal bloom “die/offs” that depleted the dissolved oxygen causing the fish kill **NOT TRUE – MORE LIES TO SUPPORT COVERUP**



## FACTS – WHAT WE KNOW

- The inspection report made **NO** mention of the deaths to the turtles, pigs and other mammals “the canaries in the coal mine”
- The fact the death was observed at such a distance from the discharge point is an indication of the magnitude, volume and toxicity of the discharge whose parameters were defined by death and turbidity.
- Snook Haven to I75 bridge- 1.68 miles (by boat) Snook Haven to discharge point- 2.9 miles (by boat) Discharge point to Border Road bridge- .25 miles (by boat) Discharge point north to power line crossing- 1.98 miles (by boat)
- pH readings, critical in determining water quality, were absent from the report
- During the Myakka River inspection conducted on March 26<sup>th</sup>, 27<sup>th</sup> and 30<sup>th</sup>, conducted by Natalie Balcer and John Chassey, there were no observations of algae blooms recorded. No water was observed flowing over Down’s Dam. Turbid water was observed from Border Road bridge to I75 bridge. Water was discharging from the old Dolomite mine and 26 dead fish were observed.
- No soil or sediment samples were taken during the inspection.
- MSDS- Dolomite (calcium magnesium carbonate) Incompatibility- reacts with acids to form CO<sub>2</sub>



- Carbon Dioxide is roughly 200 times more soluble than oxygen in water and can be toxic (hypercapnia)
- According to Dr. H.J. Roberts of the Palm Beach Institute for Medical Research Dolomite can also be a source of such toxic minerals as lead, arsenic, mercury and aluminum.
- Hydrogen Sulfide –  $H_2S$ - Ernie Estevez theorized that the strong odor was caused by Hydrogen Sulfide.  $H_2S$  is heavier than air and is both an irritant and a chemical asphyxiant. Low concentrations irritate eyes, nose, throat and respiratory system. Moderate to high concentrations can cause headache, dizziness, coma and death.
- During the initial investigation, FFW Research Institute requested information from Sarasota County. The County refused to cooperate and supplied “0” information.
- River inspection, April 28<sup>th</sup> and 29<sup>th</sup> by Natalie Balcer, Sally Braem and John Chassey. Algae bloom were observed in lower lake and other parts of the river north of Down’s Dam where **no** flow was present. (**FIRST FLUSH?**) Sulfur smell (Hydrogen Sulfide) was still present in the area of the Dolomite mine.



# MRMCC Meeting 9/18/2009

- After Kathy Meaux's presentation on a "fish kill" I asked a question (twice). Why were the pH readings so low at the time of the fish kill? Her response was that the low pH readings were the result of an equipment malfunction.



# RESEARCH TIME

- Since low pH's were discussed at the previous meeting, I emailed Natalie Balcher and asked her when she first learned of the equipment malfunction excuse. She heard for the first time when I did.
- The YSI650MDS meter, serial number 04J15525AA was repaired under warranty and shipped on August 28<sup>th</sup>, 2009. That is 147 days or just under 5 months after the low pH readings were taken on April 3<sup>rd</sup>, 2009.
- According to Brian Bendis, Regional Manager for YSI, Inc., turnaround time for repairs of this nature are generally 5 to 7 days



# ENTER JACK MERRIAM

Sarasota County Environmental Manager

- On Friday, Nov. 6<sup>th</sup>, 2009, Mr. Merriam called to discuss the fish kill. He indicated that the County had conducted a thorough investigation and that there were no facts or scientific evidence that supported my conclusion that the deaths were caused by the discharge.



# QUESTIONS FOR MR. MERRIAM

On Nov. 19<sup>th</sup>, 2009, I emailed Mr. Merriam several questions

- On April 6<sup>th</sup>, 2009 during an **incoming** tide why were the DO and temperature levels significantly lower at the discharge point?
- During an **incoming** tide water should have been slowly entering the ditch, however, on April 6<sup>th</sup> the discharge magnitude and volume was so great that it cooled the water as far north as the Border Road bridge. What would cause this?
- What were the pH readings taken during the property inspection on April 15<sup>th</sup> and why were they not included in the report?



- When was it first determined that you had an equipment malfunction or problem with your test meter?
- What killed the turtles, pigs and other mammals?
- Section 62C-36.008, Florida Administrative Code.  
The following standards apply to each entire new mine after October, 1986 and **to any new surface area disturbed after Jan. 1<sup>st</sup>, 1989 at existing mines.** Do Florida Mine Reclamation Standards apply to this property?



Mr. Merriam, Environmental Manager,  
Sarasota County holds a position of  
public trust and therefore is obligated  
to answer environmental questions  
from the citizens of Sarasota County  
who pay his salary. To date, Mr.  
Merriam has refused to answer any of  
my questions.



- On Dec. 18<sup>th</sup>, 2009, I received an email from Mr. Merriam. He indicated that it was clear to him that spending time, and resources trying to find out what killed the turtles and pigs was not a good investment of our funds. He also stated that they were going to revisit the property with **proper monitoring equipment.**



### MYAKKA RIVER METER READINGS

| Date     | Location           | Latitude | Longitude | Tide     | Depth ft | Temp C | Persat do | do_mgl | Sp_Cond_umho | Salinity | pH   |
|----------|--------------------|----------|-----------|----------|----------|--------|-----------|--------|--------------|----------|------|
| 4/3/2009 | Border Road Bridge | 27.12250 | -82.34998 | Incoming | 5.379    |        |           | 0.75   |              |          | 3.86 |
| 4/3/2009 | Border Road Bridge | 27.12250 | -82.34998 | Incoming | 2.781    |        |           | 0.85   |              |          | 4.23 |
| 4/3/2009 | Border Road Bridge | 27.12250 | -82.34998 | Incoming | 1.132    |        |           | 1.05   |              |          | 4.87 |
| 4/3/2009 | Snook Haven        | 27.10128 | -82.33322 | Incoming | 6.913    | 26.47  | 82.9      | 6.04   | 21098        | 13.16    | 5.66 |
| 4/3/2009 | Snook Haven        | 27.10069 | -82.33298 | Incoming | 1.48     | 26.52  | 81.6      | 5.87   | 22346        | 14.21    | 5.05 |

### MYAKKA RIVER METER READINGS

| Date     | Location            | Latitude | Longitude | Tide     | Depth ft | Temp_C | Persat do | do_mgl | Sp_Cond_umho | Salinity | pH   | Comments                         |
|----------|---------------------|----------|-----------|----------|----------|--------|-----------|--------|--------------|----------|------|----------------------------------|
| 4/6/2009 | Snook Haven         | 27.10069 | -82.33298 | Incoming | 3.161    | 26.49  | 90.3      | 6.71   | 23391        | 14.11    | 7.18 | Off of Boat Ramp                 |
| 4/6/2009 | Snook Haven         | 27.10128 | -82.33322 | Incoming | 3.667    | 26.5   | 91.1      | 6.77   | 23104        | 13.93    | 7.36 |                                  |
| 4/6/2009 | Snook Haven         | 27.10187 | -82.33605 | Incoming | 4.923    | 26.45  | 88.9      | 6.61   | 22016        | 13.21    | 7.43 |                                  |
| 4/6/2009 | Upstream of Snook I | 27.10356 | -82.33638 | Incoming | 3.542    | 26.36  | 83.6      | 6.24   | 19713        | 11.73    | 7.26 |                                  |
| 4/6/2009 | Upstream of Snook I | 27.10683 | -82.33794 | Incoming | 1.962    | 26.32  | 63.9      | 4.88   | 16896        | 9.89     | 7.09 |                                  |
| 4/6/2009 | Upstream of Snook I | 27.10884 | -82.34062 | Incoming | 5.082    | 26.23  | 49.4      | 3.66   | 14600        | 8.46     | 6.91 |                                  |
| 4/6/2009 | Upstream of Snook I | 27.11395 | -82.34384 | Incoming | 2.042    | 26.06  | 26.7      | 2.08   | 11813        | 6.73     | 6.83 |                                  |
| 4/6/2009 | Downstream of Disc  | 27.11356 | -82.34782 | Incoming | 2.144    | 25.6   | 15.3      | 1.21   | 10057        | 5.66     | 6.68 | Blackburn Canal Flowing to River |
| 4/6/2009 | Discharge Point     | 27.11991 | -82.3469  | Incoming | 1.00     | 22.89  | 8.5       | 0.77   | 7534         | 4.16     | 6.48 | Dolomite Mine Discharge Point    |
| 4/6/2009 | Border Road Bridge  | 27.12250 | -82.34998 | Incoming | 7.56     | 25.56  | 15        | 1.14   | 6830         | 3.73     | 6.79 |                                  |
| 4/6/2009 | Border Road Bridge  | 27.12250 | -82.34998 | Incoming | 3.56     | 25.62  | 12.5      | 1.01   | 6531         | 3.58     | 6.76 |                                  |
| 4/6/2009 | Border Road Bridge  | 27.12250 | -82.34998 | Incoming | 1.652    | 25.66  | 13.7      | 1.11   | 6474         | 3.53     | 6.74 |                                  |

# Myakka River Readings



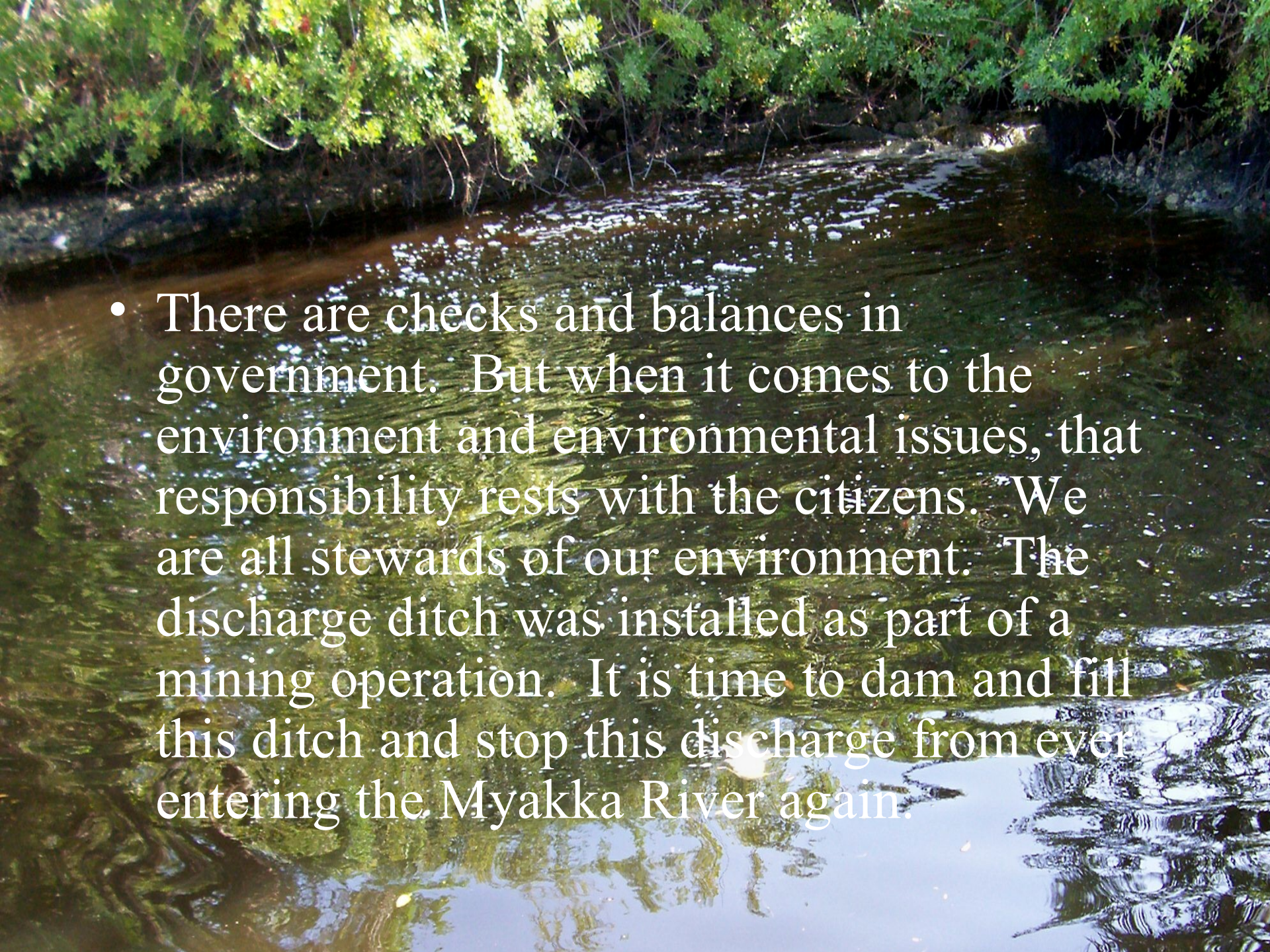
- In order to get answers to the questions on Dec. 21<sup>st</sup>, 2009, I filed a FOIA Public Records Request. The “Sunshine” Law 119.01 allows access to and personal inspection and copying of public records by any person.



# SUMMATION

- In conclusion, thousands upon thousands of gallons are discharged weekly from this site into the Myakka River. The magnitude and volume of the discharge does not appear to be significantly affected by drought and rainfall conditions and is neither controlled or regulated by tidal influences. In March and April of 2009, this discharge turned turbid, toxic and pungent.
- Sarasota County has made a conscious and deliberate effort to cover up the cause of this event and through media outlets has misled, misinformed and lied to the citizens of Florida and of Sarasota County. In doing so, they have violated the trust of their positions.



- 
- There are checks and balances in government. But when it comes to the environment and environmental issues, that responsibility rests with the citizens. We are all stewards of our environment. The discharge ditch was installed as part of a mining operation. It is time to dam and fill this ditch and stop this discharge from ever entering the Myakka River again.





# Discharge Point

January 18<sup>th</sup>, 2010 10:00 a.m.

Respectfully submitted  
Michael and Betty Regan