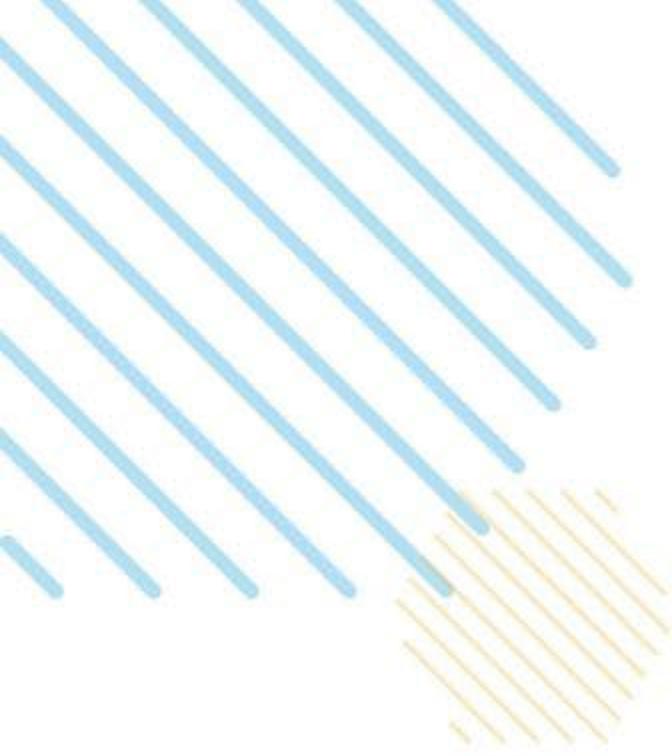




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**Natural Resources Division**

# **Warm Mineral Springs: Outstanding Florida Spring Designation**

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City Commission Meeting  
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# Purpose of Presentation

- Provide an overview of what Outstanding Florida Spring (OFS) designation means under state law
- Summarize benefits, drawbacks, and obligations
- Outline financial impacts to the City and residents
- Identify regional potential partners and required coordination
- Present alternative protection options
- Support Commission decision-making on next steps

# About Warm Mineral Springs

- Unique hydrogeologic, archeological, cultural, and ecological resource
- Classified as a third-magnitude spring
- Manatee habitat downstream & gopher tortoise uplands
- Part of the Myakka River Basin and Southern West-Central Florida Groundwater Basin
- Major recreational and tourism value to North Port
- On the National Register for Historic Places since Nov. 28, 1977
- Owned by City of North Port





# What is an Outstanding Florida Spring?

- Defined under the Florida Springs & Aquifer Protection Act (2016)
- Includes 24 first-magnitude + 6 named second-magnitude springs
- Statutory meaning of ***outstanding*** means significant to Florida's water resources, may be impaired or at risk, requiring special legal protections.
- Designation triggers:
  - Basin Management Action Plan (BMAP)
  - Priority Focus Area (PFA) designation
  - Minimum Flows & Levels (MFLs)
  - Stricter nutrient controls & permitting oversight

# Outstanding Florida Springs Past Discussion Timeline

Event	Date	Outcome
<b>1. MRMCC Discussion</b>	January 29, 2021	The Myakka River Management Coordinating Council (MRMCC) emphasized the ecological value of both springs and encouraged the City of North Port to pass a resolution supporting their designation as Outstanding Florida Springs.
<b>2. City Commission Discussion</b>	April 27, 2021	Commissioners reviewed the MRMCC request and agreed to bring a supportive resolution forward at a future Regular City Commission meeting.
<b>3. City Resolution (2021-R-26)</b>	July 27, 2021	The City Commission adopted Resolution 2021-R-26, formally supporting the designation of Warm Mineral Springs and Little Salt Spring as Outstanding Florida Springs by the Florida Department of Environmental Protection (FDEP).
<b>4. Legislative Strategy Discussion</b>	September 2, 2021	Commissioners discussed bill criteria and submission deadlines for the Sarasota County Delegation. Consensus was reached for Mayor Luke to coordinate with the City lobbyist and Florida League of Cities to draft the bill, with the City Attorney's office as a backup.

# Outstanding Florida Springs Past Discussion Timeline (Continued)

Event	Date	Outcome
<b>5. City Resolution (2022-R-75)</b>	December 13, 2022	The City Commission adopted a resolution supporting the designation of Warm Mineral Springs and Little Salt Spring as Outstanding Florida Springs by the FDEP. The resolution urged the local legislative delegation to back funding for springs protection and included provisions for recitals, transmittal, conflicts, severability, and an effective date. Consensus was reached to transmit the resolution to multiple regional and state partners and to encourage similar resolutions of support.
<b>6. Pause in Designation Effort</b>	March 9, 2023	The memorandum prepared for the City Commission outlined that designating Warm Mineral Springs as an Outstanding Florida Spring would require significant long-term commitments of funding and staff resources. It explained that adoption of a Basin Action Management Plan (BMAP) could add regulatory obligations and potentially affect growth and economic development in the surrounding area.

# Outstanding Florida Springs Past Discussion Timeline (Continued)

Event	Date	Outcome
<b>7. Pause in Designation Effort</b>	June 5, 2023	The updated memorandum advised the City Commission to pause pursuit of the designation during the 2023 Legislative Session. It highlighted concerns that adoption of a TMDL and BMAP tied to the proposed Public-Private Partnership could create financial and regulatory challenges, while recent court rulings showed FDEP's BMAP process may face multi-year delays due to legal challenges.
<b>8. Renewed Commission Direction</b>	February 25, 2025	The Commission voted to resume pursuit of OFS designation. A motion by Vice Mayor Emrich, seconded by Commissioner Langdon, directed the City Manager to explore all avenues for securing the designation.
<b>9. Conservation Easement Discussion</b>	May 27, 2025	Staff presented general terms for a conservation easement at Warm Mineral Springs and discussed how OFS designation requirements could align with long-term preservation goals.

# Can Warm Mineral Springs Qualify?

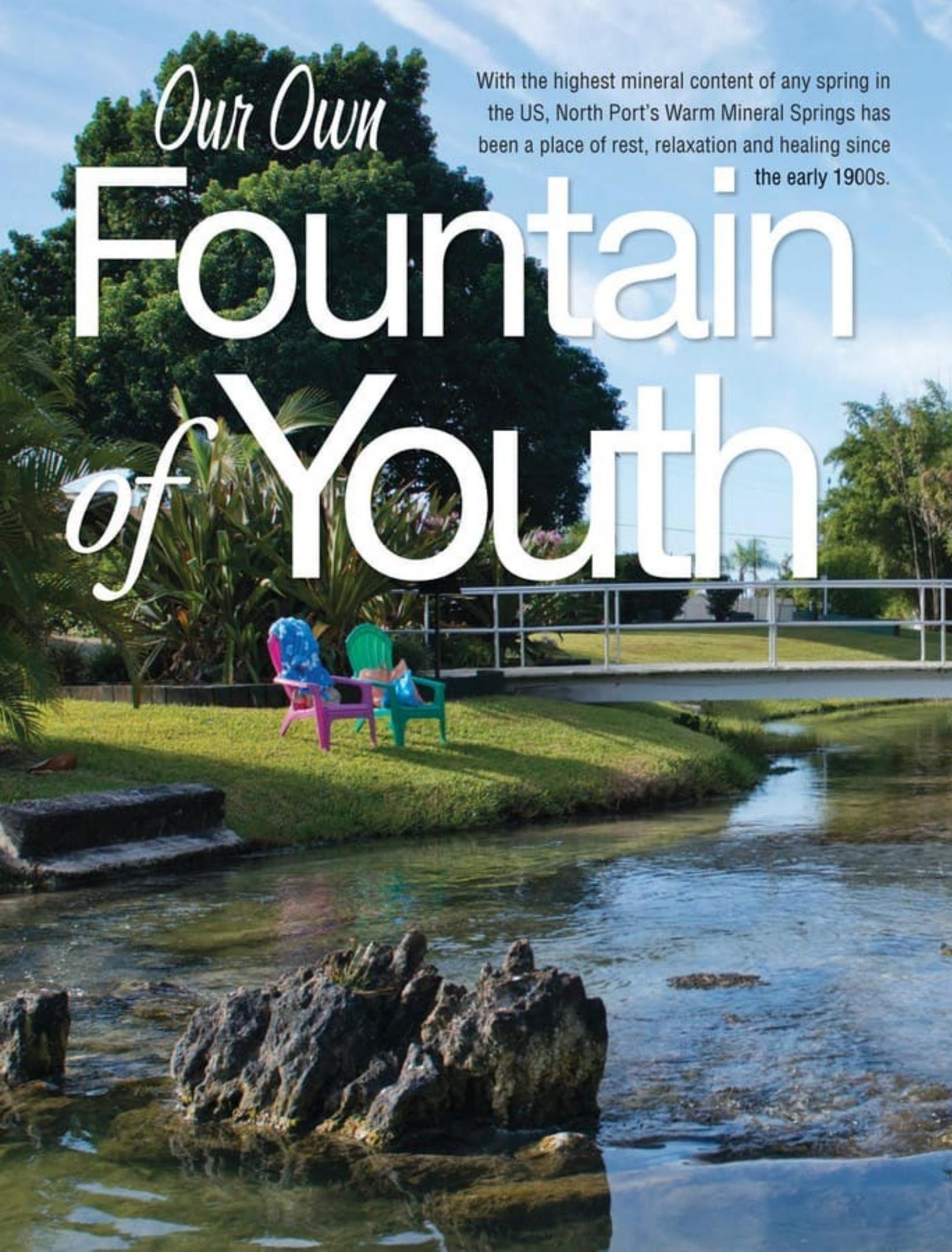
- Currently a third-magnitude, not automatically eligible by definition
- OFS law can be amended by Legislature to add additional springs
- Previous bills have been introduced to add WMS as an OFS, but have not passed
- Scientifically: hydrologically sensitive, ecologically important, unique
- Legally: Requires legislative support and potential multi-county and municipality coalition



# Priority Focus Area Characteristics

- Existing OFS springs
- Priority focus areas vary in size.
- Smallest: Gemini Spring – 3,089 acres.
- Largest: Troy Peacock Lafayette Blue Falmouth – 395,764 acres, spanning three river basins.
- WMS (Water Management Strategies)
- The BMAP (Basin Management Action Plan) could include:
  - All or part of the Lower Myakka River basin – 14,017 acres.
  - Potentially more than one basin, depending on FDEP's determination.





# Potential Benefits of OFS Designation

## Environmental Benefits

- Enhanced water quality protections
- BMAP-driven nutrient reduction strategies
- Improved long-term aquifer management
- Stricter oversight of wastewater and stormwater impacts
- Protection of manatee thermal refuge and surrounding habitat

## Operational/Political Benefits

- Raises profile of WMS statewide
- Supports public engagement and intergovernmental cooperation

# Potential Community Benefits

- Reinforces WMS as a natural, cultural, and historic asset
- May improve eligibility perception for state springs funding (not guaranteed)
- Encourages ecosystem restoration, recreation, and ecotourism
- Could provide political leverage against harmful development
- Formalizes regional stewardship



# Major Drawbacks of OFS Designation

## 1. Regulatory Burden

- Not automatically protective unless waterbody is impaired
- If future impairment is detected → mandatory BMAP
- New restrictions on development, water use, and wastewater discharges
- Possible limits on swimming or recreational uses

## 2. Governance Complexity

- Multi-jurisdictional requirements
- Coordination with Sarasota County, Charlotte County, SWFWMD, FDEP, and others



# City-Level Challenges

## 1. Financial Impacts

- BMAP implementation → potentially millions in wastewater, stormwater, and septic upgrades
- Matching funds likely needed for state/federal grants
- Possible sewer expansion into PFA if septic systems contribute nitrogen
- Increased long-term monitoring & reporting requirements

## 2. Administrative Impacts

- New permitting oversight workload
- More frequent coordination with FDEP, DOH, SWFWMD
- Potential reallocation of staff or need for added personnel



# Potential Costs to Residents

If OFS triggers a BMAP due to impairment:

- Potential requirement for nitrogen-reducing septic systems
  - Cost per home: \$12,000–\$22,000
- Septic-to-sewer conversion if PFA specifies
  - Cost to homeowner: \$5,000–\$15,000 (after grants)
- Higher utility bills if wastewater upgrades are required
- Fertilizer and irrigation restrictions
- Possible limitations to private wells within PFA

Note: Costs depend on final PFA boundaries and springshed impairment status.





# Potential City Costs

## Capital Costs

- Wastewater facility upgrades
- Stormwater retrofits
- Advanced treatment installation
- Hydrologic modeling, monitoring wells, sampling programs
- Habitat restoration projects
- Engineering + environmental consultant contracts

## Operational Costs

- Annual water-quality monitoring
- BMAP tracking & reporting
- Public outreach & enforcement
- Regional coordination meetings

## Estimated range:

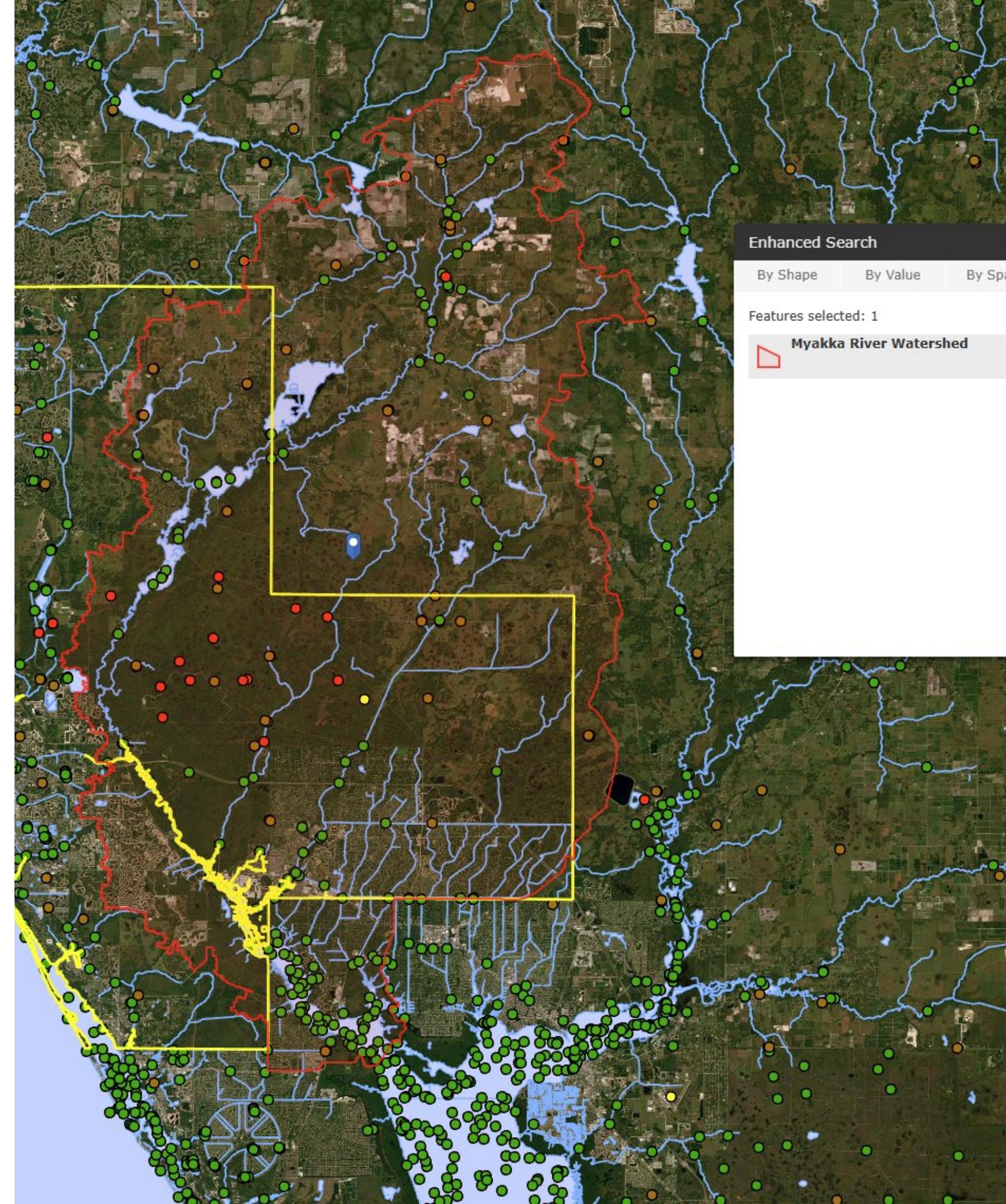
- Similar Florida BMAP municipalities report \$10M- \$40M+ over 20 years depending on the severity of impairment and infrastructure age.

# Municipalities Likely Involved

Because the spring shed/PFA will extend beyond city limits, regional partners would likely include:

- Sarasota County (upgradient lands)
- City of Venice (stormwater + groundwater basin tie-ins)
- Charlotte County (down-basin hydrology, utility & basin interactions)
- Southwest Florida Water Management District
- Florida Department of Environmental Protection
- Florida Department of Health

A BMAP would require coordination among all.



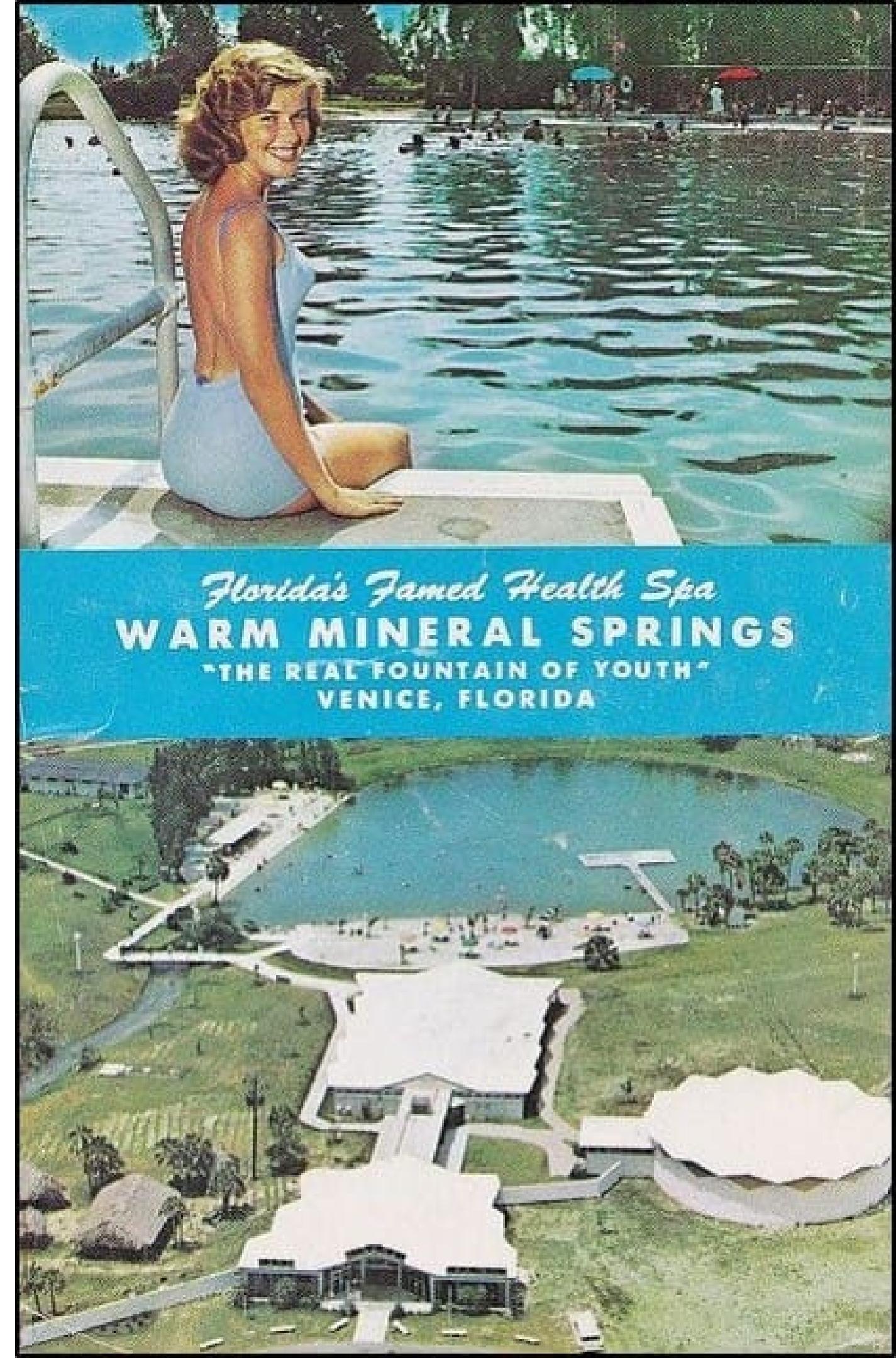
# What a BMAP Would Require



- Identification of nutrient sources (fertilizer, wastewater, septic)
- Project lists with nitrogen-load reductions
- Sewer expansions and retrofits where necessary
- Infrastructure upgrades with cost estimates
- 5-, 10-, 15-year compliance milestones
- Potential onsite sewage treatment system remediation plan
- Adoption of stricter local ordinances

# Minimum Flows & Levels (MFLs)

- WMD must establish flow thresholds
- If WMS falls below minimum → groundwater withdrawal limits
  - Could affect:
    - Utility pumping
    - Private wells
    - Commercial facilities
    - No MFL currently required for WMS (not impaired)



# Key Question from FDEP (April 2025 Meeting)

*“What specific outcomes does the City want from this designation?”*

FDEP's observations:

- OFS designation does not guarantee:
  - More funding
  - Stronger protection for land use
  - Automatic water-quality improvements
- OFS is most impactful only when impairment exists
- Increased obligations may outweigh benefits for non-impaired springs



# Alternative Local Protection Tools

1. Conservation Easements on Adjacent Land
  - 60-acre conservation easement already underway
  - Provides lasting land-use protection
2. Local water-quality ordinances
  - Fertilizer restrictions
  - Stormwater retrofits
  - Post-development nutrient controls
3. Interagency partnerships
  - SWFWMD
  - USGS
  - FDEP support without OFS designation
4. Grants independent of OFS status
  - City eligible for resilience and water-quality grants regardless



# Summary: Benefits vs. Drawbacks

## Benefits

- Stronger water oversight
- Regional collaboration
- BMAP structure for long-term protection
- Public recognition of importance

## Drawbacks

- High capital & operational costs
- Expanded regulatory obligations
- Multi-jurisdictional coordination required
- No guaranteed funding
- May introduce restrictions that conflict with recreation or development goals



# Decision Points for the Commission

- Does OFS designation align with the long-term vision for WMS and Activity Center 7A?
- Is the City prepared for potential BMAP obligations and costs if impairment is found later?
- Should local protections and regulations be strengthened first before pursuing OFS designation?
- Is regional partnership support (Sarasota County & neighboring jurisdictions) strong enough to justify legislative action?
- What specific outcomes does the Commission want from OFS? (FDEP's central question)



# Staff Recommendation Options

## Option 1 – Initiate Legislative Request

- Engage Greenberg Traurig, P.A., the City's State Legislative Lobbyist to assist the City Commission and begin regional coalition-building on an elected official level.

## Option 2 – Pursue Local Protection Strategy

- Focus on conservation easements, ordinances, and tailored solutions.

## Option 3 – Hybrid Approach

- Local protections now; OFS consideration later, pending more data on water impairment.





Thank you! Questions?