

**STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS**

**TALLAHASSEE REGION  
ENVIRONMENTAL GROUP, INC.**

**Petitioner,**

vs.

**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION,**

**Respondent.**

**DOAH CASE NO.: 26-0109**

**AGENCY CASE No.: 25-1045**

**PETITIONER'S NOTICE OF SERVICE OF FIRST INTERROGATORIES UPON  
RESPONDENT**

The Petitioner, Tallahassee Region Environmental Group, Inc., through undersigned counsel, notice service of Petitioner's attached First Interrogatories upon the Respondent on the date of the Certificate of Service below.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that this Notice of Service and Petitioner's First Interrogatories were served via email through the DOAH filing system upon:

John Ryen Morgan-Ring, Esq  
Kenneth B. Hayman, Esq.  
Jay Patrick Reynolds, Esq.  
Office of the General Counsel  
Florida Department of Environmental Protection  
3900 Commonwealth Blvd., Mail Station 35  
Tallahassee, Florida 33299-3000  
Attorneys for the Respondent,  
Florida Department of Environmental Protection

on Tuesday, January 27, 2026.

H. RICHARD BISBEE P.A.

By: *H. Richard Bisbee*

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Attorney for Petitioner,

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Group, Inc.

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**PETITIONER’S FIRST INTERROGATORIES TO RESPONDENT,  
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

COMES NOW, the Petitioner, **TALLAHASSEE REGION ENVIRONMENTAL GROUP, INC.** and pursuant to Florida Rule of Civil Procedure 1.340, hereby propounds the following interrogatories upon the Respondent, **STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**, to be answered under oath within thirty (30) days after service of same:

**DEFINITIONS AND INSTRUCTIONS**

As used herein, the following terms are defined as indicated:

1. The terms “**Respondent**”, or “you and “your” or “DEP” as used herein shall mean the Florida Department of Environmental Protection and any Divisions, Sections, Bureaus, or other subdivisions of DEP (wheresoever located) and any agent, employee, attorney, representative, or other person acting or purporting to act on behalf of DEP. The term “**Petitioner**” as used hereto shall mean the **Tallahassee Region Environmental Group, Inc.**, and any agent, employee, attorney, representative, or other person acting or purporting to act on behalf of the Petitioner.

2. The word “**Document**” as utilized herein shall be defined to encompass, without limitation, all documents within the purview of Rule 1.350(a) of the Florida Rules of Civil Procedure, including the original and any non-identical copies (whether different from the original only because of notations made on or attached to such copy or otherwise) and all drafts, whether printed or recorded (in digital, analogue, or other means) or reproduced by any other mechanical process or written or reproduced by hand (whether prepared by you or by any other person) and whether found in business or personal files.

3. The word “Petition” refers to the Petition for Formal Hearing (and any amendments thereto) served by Petitioner in this cause.

4. The term “or” means both “or” and “and”.
5. Unless otherwise indicated, all words and terms used in these interrogatories shall have the same meaning as in the Petition.
6. The use of the singular herein shall be determined to include the plural and the masculine or the feminine as appropriate in the context.
7. The term “any” means “any” and “all”.
8. “Identify”, and its various verb forms means the following:
  - a). When used in reference to a natural person, “identify” means stating individual’s full name, his last known home and business address, and his last known job position
  - b). When used in reference to a corporation or other entity, “identify” means stating the full name of the corporation and the principal place of business and/or state of incorporation, date of incorporation, and chief executive officer.
  - c). When used in reference to a document or other written communication, “identify” means stating the date of preparation of the document, the author, title (if any), subject matter, nature (e.g., letter, memorandum, telegram, chart, computer input or printout, photograph, sound reproduction, etc.), present location, and present custodian of the document. “Identify” also markings or modification not on the original or for any other reason; and stating whether responsive documents no longer within Respondent’s access, possession, or control, are missing, lost, destroyed, transferred, or disposed of otherwise. For each missing, lost or transferred and each document disposed of otherwise, Respondent must state the circumstances and reasons pertaining to said disposition. For each disposed document, Respondent must identify each and every person who destroyed the document, participated in the destruction of the document and state the date or approximate date of destruction.
  - d). When used in reference to “communications,” the word “identifies” as utilized herein encompasses in-person meetings or discussions, phone calls, text messages, faxes, conference calls, and zoom conference calls.
  - e). When used in reference to a location “identify” means stating the street address, city, state, and the suite and/or room number pertaining to the location, as applicable.
  - f). When used in reference to non-documentary physical evidence, “identify” means providing a description of the physical evidence, identifying the

current custodian of the physical evidence, and identifying each person who has knowledge concerning the physical evidence.

9. “**And**” and “**or**” shall be construed conjunctively or disjunctively as necessary to make a specific interrogatory inclusive, rather than exclusive.

10. The phrases, “**Relating to**” or “**relate to**” means referring to, regarding, reporting, embodying, establishing, evidencing, comprising, connected with, commenting on, responding to, showing, describing, analyzing, reflecting, presenting, and consisting of or concerning.

11. You must answer each interrogatory as completely as possible.

12. If an answer to an interrogatory is withheld for any reason whatsoever, including privilege, you must provide sufficient further information concerning the reason for withholding the answer, or to explain the claim of privilege to permit the adjudication of the propriety of withholding the same.

13. These interrogatories seek all responsive information beginning from the date the Respondent began working on the Plan to the present date, unless otherwise indicated.

14. “**Expert**” means any person Respondent has retained as a witness or consultant in preparation for trial in this case, who has had special training or experience or possesses special skill or knowledge about the subject upon which he/she will be called upon to testify or has consulted with Respondent.

15. The term “**Plan**” shall refer to the Upper Wakulla River and Wakulla Spring Basin Management Action Plan and Final Order adopting same by the **FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**”), a copy of which is attached as Exhibit “1” to the Petition for Formal Hearing filed in this cause and which is the subject of this proceeding.

16. The term “**person**” shall be defined herein as set forth in section 1.01(3), Florida Statutes, to include individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, state agencies, and all other groups or combinations.

17. If a corporation, LLC., or other business entity is referred to these Interrogatories, please assume that this reference includes any officer, director, member, agent or employee of that corporation, LLC., or business entity.

18. If you object to responding to any interrogatory based on any asserted privilege, including the attorney-client privilege and the work-product protection, you shall so indicate. Each privileged communication shall be unambiguously described by setting forth at least:

- a.) The identity of all persons who initiated, received, or were privy to such privileged communication or work product;

- b.) whether or not any of such persons were legal counsel to you and were acting in such capacity, and if so, which ones;
- c.) the date such communication was made or work product prepared;
- d.) the subject matter of such communication or work product; and
- e.) a concise statement of the reasons for asserting the privilege or privileges.

## **INTERROGATORIES**

Subject to the foregoing definitions incorporated below by reference, please answer the Petitioner's interrogatories below:

1. Please identify each person who assisted in providing answers to these interrogatories, and by each person's name list which interrogatory that person assisted in answering:

**ANSWER:**

2. Please identify each person who possesses first-hand personal knowledge of the Respondent's Plan.

**ANSWER:**

3. Identify each person who:
  - a. was involved in drafting the Plan.
  - b. participated in the decision making process whether to approve the Plan.
  - c. was responsible for making the final decision to approve the Plan and issue the Final Order adopting same.

**ANSWER:**

4. Identify each person who performed any research which led up to the preparation of the Plan and describe what research each person performed.

**ANSWER:**



5. Does the Respondent dispute the Petitioner's allegation in paragraph 15 of the Petition that the Respondent "[failed] to implement and fully comply with the requirements of §403.067 and §373.807, Fla. Stat."? If your answer is in the affirmative, please explain each and every action undertaken by the Respondent to comply with §403.067 and §373.807, Fla. Stat.

**ANSWER:**

6. Identify any and all scientific studies or tests Respondent itself performed or were performed by any third parties upon which Respondent relied in the preparation of the Plan.

**ANSWER:**

7. Does the Respondent dispute any of the findings which are set forth in the "2020 Wakulla Springs Dark Water: Causes and Sources Phase III Study" referenced in Paragraph 22 of the Petition? If your answer is affirmative, please identify any findings Respondent disputes.

**ANSWER:**

8. With respect to each of the allegations below which are also set forth in paragraph 32. a. through h. of the Petition, please identify whether Respondent disputes the allegation and explain with specificity why the Respondent disputes that allegation.
- a. The WSRB BMAP does not identify sufficient management strategies and will not reduce nutrient loading to achieve the TMDL;
  - b. The WSRB BMAP does not include a financially feasible plan or set of projects.
  - c. The WSRB BMAP's cumulative load reductions for point and nonpoint sources of pollution are a very different percentage of the total load from the load reductions required by the TMDL Rule for the Upper Wakulla River and Spring River and springs.
  - d. The WSRB BMAP fails to establish the required allocation of the TMDL to point sources and categories of nonpoint sources.
  - e. The WSRB BMAP overestimates nitrogen reduction for projects and strategies.
  - f. The WSRB BMAP fails to identify a mechanism capable of addressing future nutrient loading so that the TMDL could be achieved within 20 years.
  - g. The Onsite Treatment and Disposal Plan in the WSRB BMAP is insufficient and does not "identify cost-effective and financially feasible projects necessary to reduce the nutrient impacts from onsite sewage treatment and disposal systems," nor include "a priority ranking for each system or group of systems that requires remediation."
  - h. The WSRB BMAP fails to include the information required for each project, including: a planning level cost estimate, an estimated completion date; the source and amount of funding by the agencies, an estimate of the project's load reduction, and an implementation plan designed to achieve the TMDL no more than 20 years after a BMAP is adopted.

**ANSWER:**

9. Does the Respondent intend to call any person as an expert witness at the Final Hearing? If your answer is in the affirmative, please identify:
- a. the names and addresses of each person you expect to call as an expert witness.
  - b. the subject matter on which each expert is expected to testify.
  - c. the substance of the facts and opinions to which the expert is expected to testify.
  - d. the summary of the grounds for each opinion that you expect the witness to testify to.

**ANSWER:**

FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

By: \_\_\_\_\_  
TITLE: \_\_\_\_\_

**CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC**

STATE OF FLORIDA   )  
COUNTY OF LEON   )

SWORN TO (OR AFFIRMED) AND SUBSCRIBED before me by means of ☐ physical  
presence or ☐ online notarization on this \_\_\_\_\_ day of \_\_\_\_\_ 2026, by  
\_\_\_\_\_, (name) as the \_\_\_\_\_ (title) of the Florida  
Department of Environmental Protection (   ) to me known; or (   ) who provided the following  
identification: \_\_\_\_\_.

\_\_\_\_\_  
(Signature of Notarial Officer)  
Notary Public for the State of Florida  
My commission expires: