

A Blueprint for the Upcoming Advocacy Season

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The water surrounding the J.N. “Ding” Darling National Wildlife Refuge looks immeasurably better than it did a year ago. So, is this the time to celebrate the end of our water-related issues? Not even close. This is the time to be thankful for the progress that has been made to date and to get prepared for an advocacy season that will be hectic on many fronts and will require your ongoing involvement.

The water-related issues we face can be put into one of three categories:

1. The increasing load of nutrients entering our water bodies each year;
2. The infrastructure that stores, moves, and cleans our water;
3. The legacy load of nutrients that is already in our environment and will be for decades even if no new nutrients were added.

Numerous government organizations are tasked with responding to one or more components of our water-related issues. Below is a summary of the key advocacy issues currently facing some of those organizations.

The Florida Legislature

Governor DeSantis was successful last year in getting the Florida legislature to appropriate \$682 million, primarily for water infrastructure projects. However, the legislature didn’t pass any legislation to limit the pollution entering our waterbodies from sources such as ineffective septic systems, insufficient wastewater treatment, or the use of biosolids.

At [a recent water summit](#), a panel of Florida Legislators didn’t sound very confident that legislation addressing sources of pollution would pass in the forthcoming legislative session. Legislation of this type is complex and often take years to get passed, according to the panelists..

Governor DeSantis also spoke at the water summit. He sounded somewhat optimistic that the Florida legislature would continue to provide sufficient funding for water infrastructure projects. He also pointed out that he cannot achieve his environmental objectives on his own, that he needs the public to urge the legislature to support his goals. When the time is appropriate, we need to heed Governor DeSantis’ request and urge the legislature to pass legislation that reduces the pollution that enters our water bodies.

In addition to addressing sources of pollution such as ineffective septic systems, a critical way to reduce the load of nutrients that enters our waterbodies is to have the Florida legislature fund placing land into conservation. Florida Forever is Florida's premier conservation and recreation lands acquisition program. As pointed out in [a recent article](#), from its inception in 1990 through fiscal year 2008-2009, Florida Forever and its predecessor program were funded at \$300 million per year. After that, the funding ranged between nothing and \$20 million per year. In its last legislative session, the Florida legislature provided \$33 million of funding for Florida Forever – one tenth of what it was roughly 30 years ago. A reasonable goal for the upcoming legislative session is that the Florida legislature funds Florida Forever at its historic level of \$300 million.

The Army Corps of Engineers

As described in [a previous article](#), one of the primary determinants of the water level in the Caloosahatchee River is the Army Corps of Engineers’ water control plan, referred to as the Lake Okeechobee Regulation Schedule (LORS). Throughout this past year the Army Corps has been exerting more flexibility than it did previously when determining how much water LORS allows the Corps to

release out of Lake O. This new flexibility was used, for example, to keep the water level in Lake O at the start of the recent rainy season at its lowest level in memory.

However, the Corps has been subject to legal suits from parties on both sides of that argument. For example, the Center for Biological Diversity and others filed suit claiming that the Army Corps has failed to address human and wildlife concerns when releasing water out of Lake O. In addition, the United States Sugar Corporation filed a suit against the Army Corps of Engineers in an attempt to reduce the flexibility the Corps has under LORS.

While they deal with challenges relative to how they implement LORS, the Army Corps has begun a four-year study that will result in replacing LORS with new guidelines for the operation of Lake O, referred to as the Lake Okeechobee System Operating Manual (LOSOM).

Public outreach is a key part of the Corps' four-year study. For example, earlier this year the Corps held a series of 10 LOSOM scoping meetings around south Florida with the goal of engaging stakeholders in the process. The Corps also held a series of webinars to educate the public on a variety of topics related to LOSOM, such as the Kissimmee River Restoration. More recently, the Corps has begun a series of Project Delivery Team (PDT) meetings and a series of public workshops. See [here](#). The next PDT meeting is October 24. If you want to want to attend the meeting, either in person or via the web, click [here](#).

Because it will impact the Refuge for more than a decade, we all need to stay involved in the process of creating LOSOM and provide input to the Corps as appropriate.

South Florida Water Management District (SFWMD)

The Corps is in the process of constructing the C-43 reservoir. This reservoir will reduce the volume of discharges from Lake Okeechobee to the Caloosahatchee estuary during the wet season and provide a source of freshwater flow to the estuary during the dry season to help balance salinity levels and provide flows to plants and wildlife when needed.

Part of [Executive Order 19-12](#) that Governor Ron DeSantis signed in January directed the Florida Department of Environmental Protection to work with the SFWMD to add a stormwater treatment component to the C-43 reservoir. Because the goal of the stormwater treatment component is to improve the quality of water leaving the reservoir, this project directly impacts the Refuge. In September, the Corps held the first in a series of public meetings that will culminate in a final feasibility study and presentation some time in 2020. This is another instance where we all need to stay involved and provide input to the SFWMD as appropriate.



Conclusion

Unfortunately, very little is being done to address the issue of the legacy load of nutrients in Florida's water bodies. In contrast, while we need to be vigilant, good progress is being made on some key water-related infrastructure projects. There is no doubt that a lot of bills will be filed in the forthcoming legislative session that address reducing the amount of nutrients that enter Florida's waterbodies. The key question is: Will any meaningful legislation get passed? If you want to stay abreast of water-related bills, SCCF's [legislative tracker](#) provides critical insight.

In Case You Missed It: The "Ding" Darling Wildlife Society is hosting the annual conference of the Everglades Coalition this January at South Seas Island Resort. See [more](#).