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"Ding" Darling Wildlife Society - Friends of the Refuge

Looking Forward to Florida's Legislative Session

by Jim Metzler, DDWS Advocacy Committee Co-Chair

Last year was a very challenging year for several reasons, most notably the pandemic. The discussion of those challenges often superseded the discussion of environmental issues. However, the water-related issues that have impacted the J.N. "Ding" Darling National Wildlife Refuge in the past remain and they still threaten our Refuge. With that in mind, this article will review some of the topics that will be discussed at the upcoming Florida legislative session and will end with a note of optimism relative to the recovery of the Everglades.

Budget

Responding to water-related challenges requires a lot of money. In late January, Gov. Ron DeSantis announced his [FY 2021- 2022 budget](#). The \$96.6 billion dollar budget proposal includes \$714 million [for environmental projects including:](#)

- \$625 million for Everglades restoration
- \$64 million for the Everglades Agricultural Area (EAA) reservoir project
- \$25 million to combat harmful algal blooms.

The proposed budget also includes \$50 million for Florida Forever, the state's leading mechanism to acquire both land for conservation and conservation easements. This is half of the funding in the previous budget and less than 20% of the funding levels 20 years ago. See [more](#).

The governor's proposed budget for environmental projects is likely to meet opposition in the Florida legislature in part because, as explained below, there is some resistance in the legislature to funding the EAA reservoir.

The EAA Reservoir

In [a previous article](#), we described the impact that the EAA reservoir will have on both the Everglades and the Refuge. That article quoted the South Florida Water Management District as saying that when combined with other water projects under construction and in the planning stage, the EAA reservoir will cut the volume of Lake O discharged by about 56% and the number of discharge events by 63%.

In December 2020, Florida [Senate President Wilton Simpson](#) called the EAA reservoir a mistake. Instead of building the EAA reservoir, he is advocating for building [Aquifer Storage and Recovery](#) wells (ASRs) north of the lake. U.S. Rep. Brian Mast strongly disagrees with Simpson. He called the EAA reservoir "the single most important project" for restoring the Everglades and curbing harmful Lake O discharges to the St. Lucie and Caloosahatchee rivers. See [more](#).

A big part of the argument for ASRs is that, ignoring ongoing operating costs, ASRs cost less and can be built more quickly than a traditional reservoir. The argument against them includes that it is unlikely that they can be of any help providing flood control. Another concern highlighted by the National Academy of Science (NAS) is that if you pump polluted water underground, it doesn't necessarily get clean. The NAS

also stated that the water may experience chemical interactions with the rocks underground and come out of the ASRs more toxic than it was when it entered them. See [more](#).

Resiliency

In August 2019, Gov. DeSantis [announced the appointment of Dr. Julia Nesheiwat](#) as Florida's first Chief Resilience Officer (CRO), and he charged her with preparing Florida for the environmental, physical, and economic impacts of sea level rise. Roughly six months later, Nesheiwat resigned and the position has not been back filled.

In January 2021, Sen. Ray Rodrigues, R-Estero, filed a proposal to establish an Office of Resiliency, which would be part of DeSantis' office. The proposal (SB 514) would also set up a nine-member Sea-Level Rise Task Force to create baseline projections on expected sea-level rise and its flooding impact on Florida's coastlines. During the 2020 legislative session, a similar proposal drew unanimous support in the Senate but failed to get through House committees. See [more](#).

In January 2021, Rep. Chip LaMarca, R-Lighthouse Point, filed a similar bill (HB 315) in the Florida House. "Climate change isn't a tomorrow issue, it's a right now issue," says LaMarca. "Banning offshore drilling, investing in shore protection and beach re-nourishment projects, and supporting clean energy solutions are important, but we need smarter investment so that we can develop science-based solutions to this growing problem. Resiliency is a climate issue, it's an environmental issue, and it's a financial issue. It's time that Florida becomes a leader on climate change." See [more](#).

M-Cores

The [Multi-Use Corridors of Regional Economic Significance](#) (M-CORES) program was signed into law by Gov. DeSantis in May 2019. M-CORES authorizes the design and construction of three new toll road corridors through rural Florida. This includes the Suncoast Connector, the Northern Turnpike Connector, and the Southwest-Central Florida Connector.

The [Southwest-Central Florida Connector](#), which connects Collier and Polk counties, is of particular concern to the Refuge because the proposed road, which would have to cross the Caloosahatchee River, would result in increased harmful nutrients entering the river watershed. In a typical year, the majority of the excess nutrients in the water that surrounds the Refuge comes directly from that watershed and not from Lake Okeechobee. Hence, ensuring the health of the Refuge requires reducing the current flow of nutrients into the Caloosahatchee and ensuring that additional sources of nutrients are not created.

In November 2020, task forces chartered with evaluating each of the three connectors issued their reports to Gov. Ron DeSantis. All three reports came to the same conclusion: "The Task Force did not reach a conclusion, based on the information available at this time, that there is a specific need for a completely new greenfield corridor or modifications of existing facilities through the study area to achieve the statutory purpose." In addition, the reports express "a preference for improvement or expansion of existing major highway corridors." See [more](#).

The fact that M-CORES is projected to cost \$25 billion is causing opposition to the program to grow. Recently, Republican Senate President Simpson [stated that he is not a fan of the proposal](#). Democrat Nikki Fried, Florida's agriculture secretary, wants to put a halt to the project, [stating that the three reports](#) mentioned in the preceding paragraph demonstrate that the project will "put an unnecessary strain on the state's ability to fund urgent priorities."

An Optimistic Sign for the Everglades

Historically, water flowed south from Orlando down to Florida Bay, and along the way it nourished the Everglades. Due to myriad attempts to develop the Everglades that stretch back about a hundred years, today the vast majority of that water flows east-west once it reaches Lake Okeechobee.

The shifting of huge quantities of water away from the Everglades is one of the primary reasons why the Everglades is in such poor condition. According to [a 2020 assessment](#) of the Everglades National Park by the International Union for the Conservation of Nature (ICUN), “Major issues with water quantity, quality, distribution and timing, invasive species and climate change continue to create over-riding impacts to the system, and the continued deteriorating trend of so many values put the park’s World Heritage values in a critical situation.”

The critical condition of the Everglades creates a concern that the Everglades may never return to health. However, [a recent article](#) discussed why there is reason to believe that with proper stewardship the Everglades might recover. The author of the article recounted what she saw in late January as she waded through parts of Everglades National Park. She stated that the heavy rains that South Florida experienced in the last four months of 2020 resulted in more food and habitat for fish and invertebrates, which resulted in her seeing several species of wading birds.

The author highlighted the fact that a combination of Everglades restoration projects and changes to water management policies also contributed to the increase in wading birds. She also expressed her belief that, on a going-forward basis, a new water management plan, the [Combined Operational Plan](#), will enable large flocks of wading birds by preventing harmful droughts that lead to the loss of peat soils, the foundation of many Everglades habitats.

In Case You Missed It:

Nikki Fried has asked incoming Environmental Protection Agency Administrator Michael Regan to reconsider a recent EPA decision that shifted federal permitting authority to Florida for projects that affect wetlands. See [more](#).

Florida agrees to buy more conservation land in Hendry County. See [more](#).

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