

What a SWOT Analysis says about Water Related Issues

by Sarah Ashton & Jim Metzler, DDWS Advocacy Committee Co-Chairs

It is hard to believe that only 18 months ago the J.N. “Ding” Darling National Wildlife Refuge was devastated by a massive red tide outbreak. Even though our water currently appears clean, the fundamental problems that led to the red tide outbreak have not gone away.

Now that the tourist and legislative seasons are over, it is an opportune time to do an analysis of where we stand relative to critical water related issues. Our analysis will discuss numerous factors that impact the quantity and quality of our water resources and will categorize each factor as being a strength, weakness, opportunity, or threat. Given the complexity of the issues we are facing, several factors fit into multiple categories.

Strengths

Support from Gov. DeSantis

At the beginning of his term in office, the governor signed [Executive Order 19-12](#), which laid out a broad agenda of actions designed to protect Florida’s water and natural resources. Examples of his additional support for the environment include:

- A September 2019 request to the Florida legislature to provide \$625 million in annual funding for three years for Everglades restoration and protection of Florida’s water resources.
- Establishment of the [Blue Green Algae Task Force](#) and the [Harmful Algal Bloom Task Force](#). The goals of these task forces include evaluating current policies and procedures and identifying actions and making recommendations. The recommendations of the task forces were a major input for [Florida Senate Bill 712](#), which was passed in the recent Florida legislative session.

Florida Forever

In its recent session, the Florida legislature provided \$100 million in funding for [Florida Forever](#), a program that puts land into conservation.

Trump Administration

President Trump included \$250 million for Everglades restoration projects in the in the federal budget for fiscal year 2021. This was a \$50 million increase over the current federal budget.

Public Awareness

Since the red tide attack of 2018, there has been strong public support for government, particularly Florida’s state government, to take steps to improve Florida’s water resources. This support is critical to getting legislators to act.

Climate Change

- Thanks to the advocacy of Sen. Rodriguez (D-Miami) and Rep. Vance Aloupis (R-Miami), the Florida legislature passed the first bill in a decade that deals with climate change. [The bill will require state planners to account for sea level rise](#) before investing taxpayer dollars in coastal construction projects.
- In July 2019, the governor [appointed Florida’s first Chief Resiliency Officer \(CRO\)](#), Dr. Julia Nesheiwat.

Comprehensive Everglades Restoration Plan (CERP) Projects

Several [CERP](#) projects are expected to be completed in the next few years. [When complete, these projects](#), -- which include the Kissimmee River Restoration Project, the Caloosahatchee (C-43) Reservoir, and the Old Tamiami Trail Removal -- will significantly improve our water resources.

Weaknesses

Lack of Support for the Governor

As noted, the governor requested that the Florida legislature provide \$625 million in annual funding for three years of Everglades restoration and protection of Florida's water resources. The legislature did not go along with the recommendation for multi-year funding.

Florida Forever

- Starting in 1990 and continuing for roughly the first 20 years of its existence, this program and its predecessor received [annual funding of \\$300 million](#). Funding has since plummeted. While \$100 million that the legislature recently allocated is more than the program has received in recent years, it buys dramatically less land than \$300 million did in the 1990s.
- A Democratic senator and a Republican representative each filed a bill with the Florida legislature to permanently fund Florida Forever at \$100 million annually. Neither bill reached the floor of their respective chambers.

Climate Change

- In the recent Florida legislative session, legislators from both parties filed more than [30 climate and clean energy bills](#). Only one bill passed, and several bills didn't get a single committee hearing.
- [Florida's CRO resigned after just over six months on the job](#). The role of CRO has been added to Florida DEP Secretary Noah Valenstein's role, [but it is unclear how long that situation will last](#).

Water Quality Legislation

Almost all the money that the Florida legislature allocates to water projects is for infrastructure to store and move water. In the previous legislative session, the legislature did not pass any bills designed to stop pollution from entering Florida's waterbodies.

As noted, in the recent legislative session, the legislature passed a single water quality bill – Senate Bill 712. One thing the bill accomplishes is that it takes the responsibility for regulating Florida's 2.7 million septic tanks away from Florida's Department of Health and gives it to Florida's Department of Environmental Protection. However, the bill does not mandate strict nitrogen reduction standards for septic systems. One of the chief criticisms of the bill is that it continues the practice of leaving it up to farmers to enforce whether they are following best practices relative to minimizing nutrient runoff. See [more](#).

Opportunities

Act Locally

- Sanibel has implemented several programs, which other municipalities could mimic, that enable each of us to take steps that have a positive impact on our environment. Examples of this include establishing a fertilizer ordinance, implementing a golf course report card program, establishing native plant protection and sod limitations, converting virtually all the island from septic to

central sewer, creating the Jordan Marsh water quality treatment park, and upgrading the Donax wastewater reclamation facility.

- Another example of a program Sanibel has implemented that enables citizens to have a positive impact is the Sanibel Communities for Clean Water Program. As part of this program, the Sanibel-Captiva Conservation Foundation (SCCF) collects water samples from roughly 80 lakes, ponds, and stormwater collection systems on Sanibel. The city of Sanibel then makes best management practice recommendations for all individual communities, based on the data collected, that would work best to improve water quality in their respective waterbody. For more information, see [here](#).

Lake Okeechobee System Operating Manual (LOSOM)

The Army Corps of Engineers has the mandate to manage releases from Lake Okeechobee in a manner that balances demands that are sometimes in conflict, including flood control, water resources, recreation, navigation, and environmental effects to fish and wildlife. The corps is in the process of creating a new operation plan for managing Lake O that will be referred to as the Lake Okeechobee System Operating Manual (LOSOM). Details on how you can provide input to the corps can be found [here](#).

Contact Legislators

Contacting legislators and letting them know how you feel about environmental issues is a key way to make a difference. This [tool](#) allows you to identify your federal and state legislators, and it provides their contact information. Another option is to respond to calls to action put out by many groups, [including SCCF](#), and the “Ding” Darling Wildlife Society.

Threats

Reduced Funding

- The fact that Florida’s water- related projects recently received significant funding from both federal and state governments can be attributed partially to this being an election year. As such, everything else being equal, it is reasonable to expect that next year’s funding will be less.
- But all is not equal, and the coronavirus will force both the federal government and the Florida legislature to make significant cuts to existing or proposed new programs, no matter how important those programs are.

Delayed Projects

If appropriate funding isn’t provided, several projects that will significantly improve our water resources in the near future, such as the three previously mentioned CERP projects, may get delayed.

Public Awareness

- The coronavirus pandemic will potentially divert people’s attention away from environmental issues.
- It is difficult to keep enthused about projects to improve our water resources when those projects usually [take years to complete](#).

Population Growth and Growth Management

- Florida’s population is growing by roughly a thousand people a day and is expected to continue to grow by that amount until 2025, at which time it is expected to grow by roughly 700 people a

day. See [more](#). That kind of growth has the potential to significantly degrade Florida's environment both by developing more land and by creating more sources of pollution.

- Beginning in 1928, Florida has made various attempts [to manage growth](#). However, in 2011, [according to WFSU](#), lawmakers characterized state oversight of development as bad for business and said rolling back the regulations would boost job creation. As a result, in 2011 the Florida legislature implemented a growth management law that shuttered the state agency that had been in charge of scrutinizing new development, the Department of Community Affairs. There has not been any significant change to Florida's growth management laws since 2011.
- 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 tolled road corridors through rural Florida. This includes the [Suncoast Connector](#), the [Northern Turnpike Connector](#), and the [Southwest-Central Florida Connector](#). Environmentalists are concerned that M-CORES will put at risk rural communities, vulnerable lands and waters, and wildlife. Their concern is both with the highways themselves as well as with the unmanaged growth they would generate. For more information, see [here](#).

Savings Clause

There is a clause in the Water Resources Development Act (WRDA) of 2000 called the "savings clause" that states CERP projects must not interfere with the legal allocation of water that was in affect when WRDA 2000 became law. U.S. Rep. Alcee Hastings and Sen. Rick Scott are working to add language to WRDA 2020. That language would usurp the process that the corps is currently going through to create new guidelines for managing Lake O by applying the savings clause to how the Army Corps manages Lake O, even though the process of managing Lake O is not a CERP project. They want the Corps to have to keep the water in the lake at the same high levels as back in 2000. Keeping the lake at those high levels creates several environmental threats, including increasing the likelihood that the corps will have to make the kind of massive water releases that occurred in 2018 and which contributed significantly to the 2018 red tide outbreak.

One federal legislator who opposes this lobbying effort is U.S. Rep. Brian Mast. "The goal of this lobbying effort is to circumvent public comment and scrutiny in favor of locking in a failed water distribution scheme from the year 2000 that prioritized private profit over public water users," according to Mast,. See [more](#).

Wetlands Permitting

Florida is looking to become only the third state to take over wetlands permitting from the U.S. Army Corps of Engineers. Florida's goal is to assume authority to administer the dredge and fill permitting program under the Clean Water Act. The concerns of many environmentalists is summarized by Tania Galloni, managing attorney for the Florida office of the nonprofit environmental law firm Earthjustice: "The Florida Department of Environmental Protection doesn't have the proper capacity to take over the wetlands permitting that has been run by the U.S. Army Corps of Engineers for decades." See [more](#).

In Case You Missed It: There is a possibility that the construction of the EAA reservoir could be delayed by a year or more. See [more](#).