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EPA's water action unfair to Florida

Agency proposes 'arbitrary' nutrient standards

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A great deal of misinformation is being circulated about efforts by water management districts, numerous cities and counties, utilities in Florida and industries across the state in response to efforts by the U.S. Environmental Protection Agency to impose arbitrary nutrient standards for nitrogen and phosphorus in Florida waters.

The dispute has been characterized by some as an agricultural issue, but the concern is far broader than that, affecting industries, local governments and other agencies in their programs to restore the quality of Florida's waters.

What is particularly ironic about the situation is Florida is recognized as a national leader in aggressively implementing permitting and stormwater management programs to protect its water bodies.

These programs have dramatically limited nutrient discharges into lakes and rivers, and the Florida Department of Environmental Protection has spent tens of millions of dollars in the last decade alone evaluating the quality of Florida's surface waters so measures relying on sound science can be put into place to reduce pollution further.

Yet the EPA, in an effort to settle a lawsuit against it brought by Earth Justice, is proposing to preempt DEP's science-based approach to cleaning up our water bodies by imposing arbitrary numeric nutrient standards on numerous lakes, streams and water bodies throughout Florida.

No other state is being asked to accept similar arbitrary regulatory action by the federal government, and there is widespread scientific disagreement as to what the appropriate standards should be or whether the new standards are even attainable.

There is, however, general agreement that imposing those standards would carry a hefty price tag — millions and possibly billions of dollars — and would be borne by citizens and businesses.

Local governments, and the taxpayers who fund these governments, would be hit particularly hard as retrofits to public utilities and drainage facilities would have to be undertaken.

From a public safety standpoint, it is unclear whether the EPA proposal would enable Florida to continue its longstanding practice of doing prescribed burning to reduce the wildfire threat that we face virtually every year.

Long recognized by professional land managers and conservationists as vital to protect lives, property and wildlife, burning the underbrush that contributes to wildfires inevitably sends pollutants into the air, and some of them settle in or around bodies of water.

And yes, agricultural producers, too, would be impacted, perhaps to the point that many of our locally grown food products could be replaced by food coming from offshore sources whose safety standards are far more lax than ours.

The sensible solution to this situation is to allow DEP to continue developing, through a transparent public process, science-based nutrient standards that consider the diverse, unique qualities of Florida's waters.

A decision between two parties behind closed doors that rushes this process to an arbitrary conclusion, that fails to consider the extensive scientific data and water quality expertise that Florida possesses, and that was arrived at without open public discussion and participation by all interested parties is not the way to address this important issue.
