



THE FLORIDA SENATE
SENATOR JOE NEGRON
President

MEMORANDUM

TO: All Senators
FROM: Joe Negron, President
SUBJECT: Protecting Coastal Counties from Polluted Discharges
DATE: January 26, 2017

I greatly appreciate the support many of you have provided over the last several years as my home community and others across our state have been flooded with billions of gallons of polluted water that destroys our estuaries and harms our local economies. Today Senator Bradley filed Senate Bill 10, an act relating to water resources, to begin the formal process of purchasing land to increase water storage south of Lake Okeechobee. This legislation provides a clear plan to address this plague on our communities in a manner that respects the interests of the agricultural community and private land owners.

While I have had the opportunity to discuss this critical issue with each of you, I wanted to provide a brief summary of how we arrived at this solution as well as a summary of Senator Bradley's legislation.

Background:

Record rainfall this past year resulted in unseasonably high water levels in Lake Okeechobee, which threatened the integrity of the Herbert Hoover Dike. To maintain safe water levels, the Army Corps of Engineers authorized the release of billions of gallons of water from the Lake to the St. Lucie and Caloosahatchee Rivers. Such freshwater discharges cause significant environmental damage by lowering the salinity levels of the estuaries and introducing pollutants into coastal waters. Due to the discharges this summer, massive amounts of toxic algae that originated in Lake Okeechobee were sent to the estuaries and coastal waterways.

The extent and severity of the blooms resulted in Governor Scott declaring a state of emergency in four Florida counties.

These algal blooms have occurred before and will occur again unless high volume discharges from Lake Okeechobee are stopped and pollution in the Lake Okeechobee basin is abated. Algal blooms are not simply an unsightly nuisance for residents and tourists. They bring real health risks to humans and wildlife and result in severe economic damage to local businesses.

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As a result of the high volume discharges, coastal communities experienced enormous harmful algal blooms with devastating impacts not only to the ecology of local waterways, but also to residents, fishermen, and local businesses.

Despite the sincere efforts of our state and federal government to plan and fund long-term solutions to address rising water levels and pollution in Lake Okeechobee, year after year as the Lake levels rise, the solution is to flood my community and many others across our state with billions of gallons of polluted water.

From Governor Jeb Bush's historic support of the bipartisan Comprehensive Everglades Restoration Plan (CERP) in 2000 to the recent University of Florida Water Institute study commissioned by the Senate and completed in 2015, for nearly two decades, there has been scientific consensus and recognition by state leaders that additional water storage south of Lake Okeechobee is necessary to stop this ongoing problem. This sentiment was reiterated as speaker after speaker addressed our Appropriations Subcommittee on the Environment and Natural Resources calling for increased storage south of the Lake.

Senate Bill 10 authorizes bonding a portion of proceeds from the Land Acquisition Trust Fund, set aside by the voter-approved Water and Land Conservation Amendment (Amendment 1, 2014), to purchase land and construct a reservoir south of Lake Okeechobee to reduce harmful discharges to the St. Lucie and Caloosahatchee estuaries.

Senate Bill 10 Summary:

Senate Bill 10 authorizes the issuance of bonds to raise over a billion dollars to acquire 60,000 acres of land and build a reservoir south of Lake Okeechobee to reduce harmful discharges to the St. Lucie and Caloosahatchee estuaries. The reservoir is expected to hold 120 billion gallons of water, approximately as much water as was discharged from Lake Okeechobee into the St. Lucie Estuary between January and May of 2016. The creation of significant storage capacity south of the Lake will help manage Lake levels in anticipation of periods of high rainfall like this year's predicted El Nino weather pattern. Storing water during the wet season provides the additional benefit of allowing water to be sent south to hydrate the Everglades and Florida Bay, or for agricultural use, during the dry season.

The estimated cost of a reservoir on 60,000 acres of land providing 120 billion gallons of storage in the area south of Lake Okeechobee is roughly \$2.4 billion. With the federal government paying at least half of the cost of such a reservoir, the state's commitment would be \$1.2 billion. The bill authorizes the use of approximately \$100 million of documentary stamp tax revenue set aside by the Water and Land Conversation Amendment (Amendment 1, 2014) annually over the next 20 years to finance land acquisition and construction of the reservoir.

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The bill directs the South Florida Water Management District (SFWMD) to begin the formal process of purchasing land from willing sellers. The project is subject to Congressional approval to secure the 50/50 cost sharing agreement authorized for other CERP projects.

If the SFWMD is unable to identify sellers of land appropriate for a reservoir through an open solicitation by the end of 2017, the legislation authorizes the Board of Trustees to exercise the option with U.S. Sugar entered into in 2010 to buy 153,000 acres of land in the Everglades Agricultural Area, for the purpose of securing the 60,000 acres necessary for the reservoir and to begin planning the construction of the reservoir.

If the state is ultimately unable to purchase land for the reservoir by November 30, 2018, the legislation increases the ongoing Legacy Florida appropriation by an additional \$50 million for the CERP, which includes a reservoir in the Everglades Agricultural Area as a key component. This is in addition to Legacy Florida's existing commitment of \$200 million. Legacy Florida also requires preference among these projects to be given to projects that reduce the harmful discharges from Lake Okeechobee to the St. Lucie or Caloosahatchee Estuaries.

As we move forward, I have a personal mission to work with the agricultural community, to work with Florida's best scientists, and to work with every member of the Legislature, to protect our estuaries, to protect our lagoons, and to put the harmful discharges from Lake Okeechobee that destroy our environment and harm our economy into the past pages of history instead of the daily front pages of newspapers. I appreciate your consideration of this proposal and look forward to discussing it further in the days and weeks ahead.