

GUEST OPINION BY COMMISSIONER RAY JUDAH
JUDAH RESPONSE TO STATE LEGISLATIVE
EVERGLADES OVERSIGHT COMMITTEE

3-26-07

During a recent State Legislative Everglades Oversight Committee meeting at Florida Gulf Coast University, Representative Richard Machek, D-Delray Beach blamed Lee County government for the nutrient pollution of our waterways.

Disregarding well-documented excessive releases of polluted water from Lake Okeechobee, Representative Machek suggested that local septic tanks and discharge of treated wastewater effluent were the cause for the degradation of the Caloosahatchee River and coastal estuaries.

Interestingly, the South Florida Water Management District is also attempting to shift attention away from Lake Okeechobee as the primary source of nutrient loading and suggesting that it is local runoff that is the cause for the high concentration of phosphorous and nitrogen that is contributing to the increased frequency and duration of red tide, proliferation of red drift and blue-green algae and fish kills.

Representative Machek accused Lee County of discharging millions of gallons of processed sewage into the river and estuaries every day and that the County needed to reduce our reliance on septic tanks.

Representative Machek's comments were misdirected and misguided in that it is the State, not the County, that has jurisdictional oversight of septic tank permits and treated sewage discharge from wastewater treatment facilities into the river. I remain hopeful that Representative Machek will insist that the State take a more proactive position in restricting the issuance of septic tank permits and require wastewater reuse rather than continue to allow the direct discharge of treated wastewater effluent into our river. Local initiatives, such as Cape Coral's dual water system using reclaimed wastewater to meet irrigation needs and Lee County's continued expansion of an effective reuse program have substantially reduced point source discharge to the Caloosahatchee River.

It is important to place the issue of land-based nutrient runoff in proper perspective and a review of the Florida Department of Environmental Regulation records on Wastewater Treatment Plant discharge to the Caloosahatchee River provides an

interesting contrast between local pollutant loading and discharge from Lake Okeechobee. Unlike the Everglades where phosphorous is the limiting nutrient, nitrogen is the limiting nutrient on the west coast, and is the catalyst for stimulating algae blooms. Collectively, the five wastewater treatment plants in Lee County that are permitted to discharge to the Caloosahatchee River account for approximately 270 lbs. of total nitrogen per day.

In contrast, the South Florida Water Management District “Caloosahatchee River/Estuary Nutrient Issue” 2005 report, indicates that approximately 88-92% of total nitrogen loading into the Caloosahatchee River and our coastal estuaries is released east of the Franklin locks primarily from agricultural lands and Lake Okeechobee. In fact, the release of total nitrogen upstream of the Franklin Locks during the wet season averages 24,000 lbs per day.

Failed voluntary best management practices intended to treat surface water runoff from agricultural lands north and west of Lake Okeechobee and decades of backpumping into the lake from the sugar cane fields to the south have resulted in a buildup and massive release of total nitrogen from Lake Okeechobee.

During the current 2007 session, the State Legislature will be working on an amendment to the Lake Okeechobee Protection Act that would establish the framework to reduce pollution flowing from the agricultural lands through the lake and into the Caloosahatchee and St. Lucie River estuaries. The plan’s effectiveness is contingent upon mandatory best management practices.

Given the exceedingly high concentration of residual or legacy nitrogen in Lake Okeechobee, it is imperative that the State also focus on a storage flow way south of Lake Okeechobee in the Everglades Agricultural Area to provide for critical water storage and nutrient reduction to ensure a meaningful solution to restore our Everglades and coastal estuaries.