

December 2020

MANATEE DEATHS PROMPT NEW DIS- CHARGE ORDERS

Judge Donald Middlebrooks, with the U.S. District Court for the Southern District of Florida, recently ruled that the Army Corps of Engineers violated the Endangered Species Act following the release of highly nutrient-rich water from lake Okeechobee and ordered the federal agency to reinstate consulting with the U.S. Fish and Wildlife Service in order to prepare a biological assessment on the effects of overflow releases into Florida estuaries and waterways.

The ruling came after the judge reviewed FWS data that showed a high number of manatee deaths were directly attributed to increased red algae exposure from lake releases.

The Army Corps will reevaluate the effects of the Lake Okeechobee Release Schedule on blue-green algae and red tide, and the effect of harmful algal blooms.

The assessment requirement should also minimize seagrass die-off as well as protect species such as manatees, sea turtles, smalltooth sawfish, piping plovers, wood storks, and red knots.

The ruling was related to a 2019 lawsuit, filed by the Center for Biological Diversity, Calusa Waterkeeper and Waterkeeper Alliance through the National Environmental Policy Act and the Endangered Species Act.

Naples Area Board of REALTORS®

Water Quality Advisory



As the voice of REALTORS® in the Naples area, NABOR® has and will always advocate for action to reduce or eliminate any man-made or environmental threats to home ownership, property values and the living standards in Florida.

BIENNIAL WATER BILL TO FASTRACK WATER PROJECTS

A new version of the Water Resources and Development Act – recently approved by the U.S. House – includes a provision designed by U.S. Representative Brian Mast that requires the Army Corps of Engineers minimize harmful Lake Okeechobee discharges to the St. Lucie and Caloosahatchee rivers, and consider prohibiting discharged into the St. Lucie river altogether.

Overall, the bill is a win for the environment as it will create a mechanism for ensuring the Army Corps of Engineers gives nature-based solutions a fair look as part of any feasibility study for new flood projects and requires the agency incorporate the most current sea level rise projections into future coastal investments.

Mast's amendment also requires the Corps accelerate construction of the Everglades Agricultural Area reservoir by not considering it a "new start" project. It is estimated that the project – a 10,100-acre, 78.2-billion-gallon reservoir – will be completed in eight years.

Other key features of the new bill include:

- Removing barriers that impeded the reuse of sand and sediment being dredged from rivers,
- Significantly increase authorized federal spending for water infrastructure upgrades,
- Create a 10-year pilot program focused on reducing storm and flood risks for economically disadvantaged communities,
- Provide frontline and repeatedly flooded communities easier access to technical assistance, and
- Expand consultation requirements with Tribes and Indigenous groups.

MARCO REQUESTS FUNDS TO CONNECT TWO BASINS

Members of the Marco Island City Council requested \$425,000 from the state to help it fund the installation of dual 48-inch pipe culverts and an inlet structure under San Marco Road using an existing easement to link two large water basins separated by the roadway. The funding would supplement an additional \$325,000 in city funds earmarked for the project. The basin connection would increase the amount of oxygen in the canal waters, which will improve fish and wildlife habitats, and reduce street flooding.

Despite notice from Florida's Department of Environmental Protection that the City of Marco Island's waterways are impaired and in need of a corrective plan, State Senator Kathleen Passidomo said budget deficits caused by COVID-19 will hamper the state's ability to provide funding for many projects in 2021.

PROPOSAL TO REDIRECT FUNDS TO NORTH STORAGE

At an Okeechobee County Legislative Delegation hearing on Dec. 9th, Florida State Senator Ben Albritton shared with county officials his plan to make a request during the 2021 Legislative session that the senate redirect funds currently earmarked to the Everglades Agricultural Area Reservoir located south of the lake to treatment facilities and reservoirs located north of the lake.

As reported by Katrina Elksen in a December 10th article in South Central Florida Life, Senator Albritton feels it is more important to have the ability to treat water that goes into Lake Okeechobee and store it in an aquifer located north of the lake so it can be held back and not be just free-flowing into Lake Okeechobee where it currently compounds problems.

As noted in the article, an issue that could hinder the Senator's proposal is that geological research has found deep storage reservoirs would not work north of the lake. Five years ago, the Water Institute at the University of Florida studied south Florida water management needs and concluded about 1.6 million acre-feet of additional storage would be needed north, south, east and west of Lake Okeechobee.

The original Comprehensive Everglades Restoration Plan (CERP) envisioned 333 aquifer storage and recovery (ASR) wells. But hydrogeologist Robert Verrastro has since determined that 140 ASRs are possible in South Florida. Of those 140 total wells, 80 could be located in the Lake Okeechobee watershed. However, even this number creates a deficit of 200,000 acre-feet necessary, which amounts to about 65 billion gallons of water that cannot be treated or stored.



Naples Area Board of REALTORS®

2021 PRESIDENT CLEAN WATER ADVOCATE

On December 2nd, NABOR® installed its 2021 Board of Directors and Officers and newly installed President Corey McCloskey will continue to advocate for water-quality issues on behalf of NABOR®.



RED TIDE ALERT

Beaches in Collier County are currently experiencing a red tide bloom. Visitors may experience respiratory irritation. Dead fish are present at several beaches and back bays between Tigertail Beach and Barefoot Beach.

RESOURCES

[Calusa WaterKeeper](#)

[Captains for Clean Water](#)

[Collier County WaterKeeper](#)

[Collier County Watershed Management Plan](#)

[Daily Red Tide Reports](#)

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