

Cleaning up the water in Looking-Glass Land

By Diane Roberts, Special to the Times
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Fertilizer runs off into Florida's waterways and can cause algae blooms. For example, in this view from 2005, the east bank of the St. Johns River in Jacksonville and its expensive waterfront homes suffered through a large algae bloom.



The St. Johns, Florida's greatest river, is sick. Large sections of it are smothered in slime the radioactive green of a B-movie space alien, slime packing more than 100 times the World Health Organization's recommended limits for toxins. The Caloosahatchee River, the St. Lucie Estuary, Tampa Bay, Ichetucknee Springs, Wakulla Springs - all poisoned with runoff from sewage, fertilizer and manure, all stricken with toxic algae that can promote tumors, and cause liver damage, rashes and respiratory distress.

You would think Florida's governor would be leading the charge. Clean water is not merely necessary for life, a human right: It's the law. You would think Florida's business leaders would demand clean water. Our economy largely depends on tourism; we lose millions when the beaches are closed because of Red Tide or infestations of fecal bacteria.

Surely the state Department of Environmental Protection is on the case, going after malfunctioning sewage plants, dirty phosphate mines, MiracleGro-addicted golf courses and industrial dairy farms. Surely the Florida Legislature, the elected representatives of the people, has leapt into action to protect their constituents.

But this is Florida, Looking-Glass Land, where it takes all the running you can do to keep in the same place. Politics beats public policy. Dirty money trumps clean water.

Here's what happened: Way back in 1998, during the Clinton administration, the federal Environmental Protection Agency told the state to get its, er, manure together by 2004 or else.

Florida doesn't use numbers - that is, measurable parts-per-billion - to assess water pollution. The state employs a "narrative" standard. If the fish and the frogs ain't all dead, the water's fine, right?

Well, 2004 came and went. George W. Bush's EPA, busy letting polluters write pollution regulations, did nothing. So the Florida Wildlife Federation, the Sierra Club and other conservation groups sued and won. EPA entered into a consent decree with the plaintiffs and agreed to set real standards for clean water in Florida. Now the state is trying to worm out of the deal.

DEP head Mike Sole, who is supposed to protect our environment, is going around telling citizens to "be afraid" of water cleanup. But last year he was positively enthusiastic. On Jan. 16, 2009, Sole released a statement declaring, "New numeric nutrient water quality standards will help Florida improve the efficiency and effectiveness of its water quality."

Curiouser and curiouser, Sole and his corporate comrades now complain that EPA's numbers are "unscientific." But EPA used DEP's data to develop those numbers. EPA's recommended standards are, in most circumstances, the same or more lax than DEP's.

Sole's boss, Charlie Crist, who likes to style himself Florida's greenest governor, has faded out of the picture like the Cheshire Cat. Agriculture Commissioner Charles Bronson has gone apocalyptic, predicting that the EPA rules may spell the end of farming in Florida. And Big Business is behaving with its usual gravitas and maturity, screaming that the EPA will single-handedly destroy what's left of Florida's jobs; that cleaning up Florida's water will cost a gazillion dollars; and that our lawns will all turn brown as the feds come to pry our Scott's Turf Builder from our cold, dead hands.

This would be the same Big Business - Big Ag, Big Mining, Big Poop - which is largely responsible for the sad condition of our waters in the first place.

Not that you should let reality get in the way of a good tantrum. Barney Bishop, president of Associated Industries of Florida, called the EPA rules "onerous, stupid, ridiculous and idiotic." AIF took out a newspaper ad that made up for in size what it lacked in grammatical sophistication or metaphorical coherence: "Florida's Economy Killed 1845-2010" it hollered, charging the EPA with striking "directly at the heart of Florida by imposing unreasonable new water regulations that will choke off the state's economic blood supply," and labeling EPA's duty to ensure Florida takes care of its most vital resource a "Washington tax."

This is an odd way to talk about the Clean Water Act, the landmark law which was passed during the Nixon administration. It has been on the books for more than 30 years. How has it magically become a tax? Oh yeah: This is Looking-Glass Land where, as Humpty Dumpty said, "When I use a word, it means just what I choose it to mean - neither more nor less."

Which brings us to the Florida Legislature. They're hopping mad at the EPA, as if clean water is un-American. Socialist, even. There's not a lot they can do legally, except lobby Congress to make EPA change its numbers or just gum up the works: something they're good at.

Rep. Ralph Poppell of Vero Beach dismissed the EPA at its February hearing in Tallahassee, informing them that "in Florida, we understand water." Rep. Bryan Nelson demonstrated that the part of "no" that legislators don't understand is every part: He is sponsoring a bill that would make it nearly impossible for cities and counties to adopt stringent rules on fertilizers.

Trudi Williams, chair of the House Agriculture Committee, plans to create a committee to "study" the numeric standards since she doesn't think much of EPA's scientific expertise. Neither does Rep. Dave Murzin, R-Pensacola. He calls the numeric standards "arbitrary" and wants to "hold off for 60 days so we can do an actual study."

Since most of these particular legislators are on record as refusing to "believe" in evolution, their late embrace of science is, of course, welcome, but a trifle startling.

It gets worse. All the above (plus 46 more) have signed onto a House Memorial calling on Washington to butt out of Florida and stop bothering us with its commie-style centralized government (though we wouldn't say no to more stimulus money, thank you). The chief sponsor of HM 19, Rep. Ritch Workman of Brevard County, describes the federal government as a "foreign entity." One of his co-sponsors, Rich Glorioso, R-Plant City, reacted to the EPA rules by demanding that Florida sue the feds. "What do we do other than seceding from the Union?" he asked.

This is "Tenther"-talk, the Palin-oid cant of conservatives who either fear that Tea Partiers will dog their re-election campaigns or actually believe that the 10th Amendment to the U.S. Constitution allows states to strike out on their own any time they feel like it, over slavery, say, or clean water. As the Egg Man said to Alice, "The question is, which is to be master - that's all." Meanwhile, the slime keeps spreading.

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