

## FIRST STORM IS AN OPPORTUNITY

The recent tropical storm that visited South Florida on June 3<sup>rd</sup> and 4<sup>th</sup> brought much-needed rain to the area; but it also identified weaknesses in our existing water use and management. An average of six inches of rain were dumped on most of Southwest Florida; a drop in the bucket compared to what we may expect if/when we experience a direct hurricane hit this season.

Here are some proactive solutions homeowners can implement to reduce storm flooding and water-use issues in the home:

**1) Keep Ditches Clear:** Deep ditches along property lines allow water to flow toward canals or drains. Do not park or plant in these ditches and be sure culverts (pipes under driveways) are clear of debris.

**2) Control Water Collection:** Low areas on property hold water (puddles) and breed mosquitos. Fill low spots with soil. Be sure any item that can collect water such as wheelbarrows, garbage bins, or buckets are stored upside down. Clean gutters regularly.

**3) Practice Smart Watering:** Invest in a rain gauge or install rain sensors so your irrigation system doesn't run when it's raining. Most Florida lawns need only 3/4 inch of water per watering; this amounts to about 13-30 minutes of watering. Do not irrigate between 8am and 5pm. Most lawns require watering once every seven days during November to February and twice a week during

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# 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.

## TASK FORCE FINDS HANDS TIED BY LEGISLATURE

In April 2019, Governor DeSantis appointed a five-person Blue-Green Algae Task Force whose objective was to prioritize projects that are most urgent and identify solutions to effectively deal with nutrient overloads that lead to harmful algae blooms and exacerbate red tide.

But in April 2022, the task force gave lawmakers a “C average” on adopting the scientists’ solutions to curb and clean-up water pollution that sparks toxic blooms. Of the items the scientists recommended were cracking down on polluters, increasing water testing near pollution hotspots, and revamping the state’s Basin Management Action Plans.

While the task force admits that some action based on its recommendations has taken place (10-20%), major moves such as enforcing periodic inspections of sewage treatment and disposal systems have not.

Another important change that has not been adopted is to require all farmers to enroll in an honor system to reduce pollution from flowing off their land and maintain records showing they are implementing best management practices, such as avoiding nutrient-heavy fertilizers. But, according to investigations by journalists across Florida (as reported in TCPalm), hundreds of farmers around Lake Okeechobee ignored state warning letters to comply with the recommendation and instead, millions of pounds of phosphorus were added to farmlands. DEPs response: “We don’t have enough data to enforce the rules.”

Though progress has been made as a result of passing the Clean Waterways Act in 2020 as legislators agreed to a few of the task forces

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recommendations and implemented new septic tank regulations, essentially transferring oversight from health officials to the DEP. Plus, new plans have been implemented to control power outages at sewage disposal facilities to decrease the chance of untreated wastewater pollution spills. And sewage disposal facilities are also now required to provide financial records so DEP can track funds used on infrastructure upgrades.

The task force has publicly stated that more data from water-quality monitors are needed to track polluters in Florida. Other helpful solutions include caps on fertilizer use, more funding to hire inspectors, and actual enforcement by DEP on those who are not complying with the Basin Management Action Plans.

## DEFINING THE RIGHT TO CLEAN WATER

A bill to ban local governments from granting “any legal rights to a plant, an animal, a body of water, or any other part of the natural environment,” failed as a stand-alone bill, but this exact wording was added to the Clean Waterways Act in 2020.

But in a move to defend Florida’s water features (and increase their legal positions), many environmental groups and clean-water advocates are supporting a petition to include an amendment to the Florida Constitution in 2024 that provides for a right to clean water. The petition reflects an amendment that was passed in Orange County, Florida that essentially says “all Florida waters have a right to clean water, and that right shall include the right of those waters to exist, flow, be free from pollution, and maintain a healthy ecosystem.”

It sounds great!...in theory. But what could this mean? Some believe more lawsuits. If a “water rights” amendment passes, anyone in the state would be entitled to enforce the rights of water. That means all past, current, and future water quality projects in the state could be under fire.

Projects to improve, repair, or redirect water – as recommended or as part of an existing plan – may find a new type of opposition with this proposed amendment too. Discharge limits, fertilizer threshold levels, water management rules, deep well projects, and water treatment plant guidelines could face new scrutiny and delay progress.

Given this tool, anything that would divert natural waterways or impact a water feature’s ability to maintain a healthy ecosystem could be blocked. That may one day include living near, boating on, fishing in, and swimming under water.



March to October, except when it’s raining. Check and repair leaks in an irrigation system.

**4) Change Your Indoor Water-Use Behavior:** Flooding from storms is not the only water issue in Southwest Florida. Overuse or misuse of residential water supplies can cause problems too.

If you have a septic tank, have it inspected and/or pumped every 1 to 3 years, depending on its age. When rain soaks the soil, it’s more difficult for drain fields to disperse water, which could lead to backups in your home.

Consider installing instant water heaters in bathrooms and kitchens so you don’t have to let the water run while it heats up. Also, repair leaky faucets, drains, and insulate your water pipes.

Finally, use water from cooking (like boiling eggs or pasta) to water house plants.

## RESOURCES

[Calusa WaterKeeper](#)

[Clean Water Tips Flyer](#)

[Captains for Clean Water](#)

[Collier County WaterKeeper](#)

[Daily Red Tide Reports](#)

[protectingfloridatogether.gov](#)