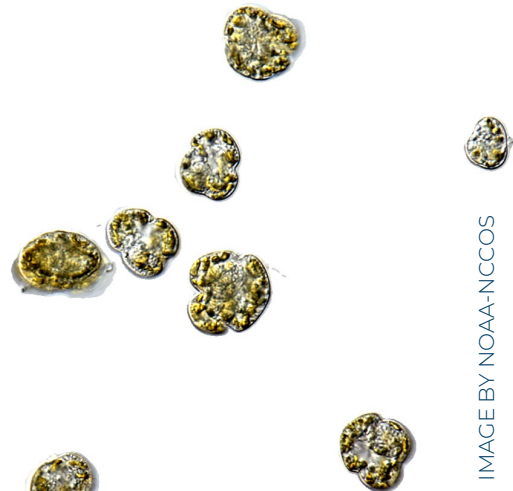


An aerial photograph of a coastal town situated on a narrow, elongated peninsula. The town is densely packed with buildings and is bordered by a wide, sandy beach on one side. The water surrounding the peninsula is a vibrant turquoise color, transitioning to a deeper blue further out. The sky is a clear, pale blue with a few wispy clouds. The overall scene is serene and picturesque, highlighting the natural beauty of the coastal environment.

MANAGEMENT & RESPONSE

Legislative Responses to Red Tide

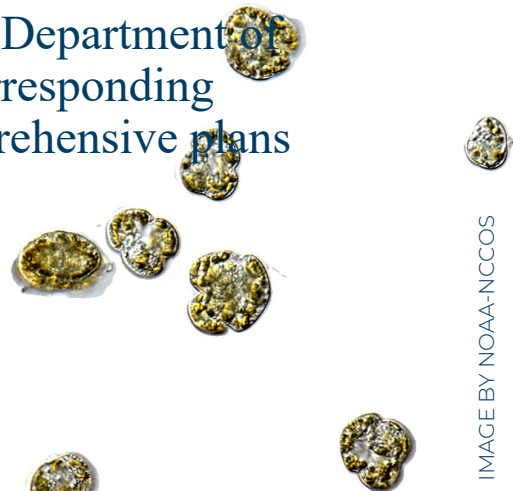
Jon Paul “J.P.” Brooker, Esq.
Director, Florida Program
Ocean Conservancy



INTRODUCTION

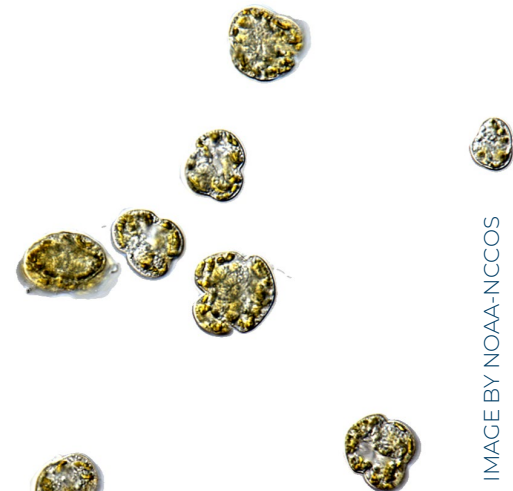
- Local Government Responses
- State Legislative Intervention
- Federal Intervention

In Florida, the federal government, state agencies, and local governments govern water law and policy. The federal government governs water use and quality through the Clean Water Act. The primary state agencies involved in governing water quality, water pollution, and water resource management are the Florida Department of Environmental Protection, the five water management districts, and the Florida Department of Health. Florida governmental entities regulate water through different Florida Statutes and corresponding Florida Administrative Code Rules. Local governments then govern water through their comprehensive plans and land development codes.

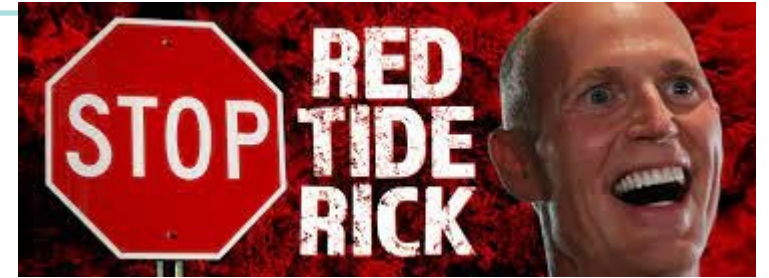


2010 – 2018: Systematic Dismantling of Existing Water Quality Regulatory Frameworks

- Dismantling of the Department of Community Affairs and undermining of the Growth Management Act
- Gutting of the FDEP – 600 employees fired, \$700 million in funding cut.
 - Under Jeb Bush, it took 44 days for FDEP to issue a permit; Gov. Scott declared that with his cuts, that was down to 2 days.
- Coinciding with some of the worst red tide events in recent memory, as well as significant blue-green algal events in Lake Okeechobee and associated watersheds; Also coinciding with astronomical population growth.



2017-2018: Red Tide a Campaign Issue for Senate Candidate Scott



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2018: Red Tide a Campaign Issue for Ron DeSantis

GOVERNOR-ELECT
RON DESANTIS

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Ron DeSantis: Protecting Florida's Environment on Day 1

Florida's natural resources are the backbone of our economy and are integral to the health and quality of life for every resident and visitor. As Governor, Ron DeSantis will be a champion for protecting our environment on day one.

Ron DeSantis will focus on our state's water quality and quantity, which include our beautiful springs, diverse wetland systems and winding tributaries. Decisions regarding Florida's environment will be made based on sound scientific evidence, not on political rhetoric or special interest desires. Ron DeSantis will lead with an approach that keeps our state beautiful for generations to come.

Ron DeSantis' plan to protect Florida's Environment will:

- ✓ Restore the Everglades, Stop Toxic Algae Discharges, and Send Clean Water South
- ✓ Protect our Beaches
- ✓ Expand and Protect our Water Supply
- ✓ Protect our State Lands, Parks, Springs, and Air

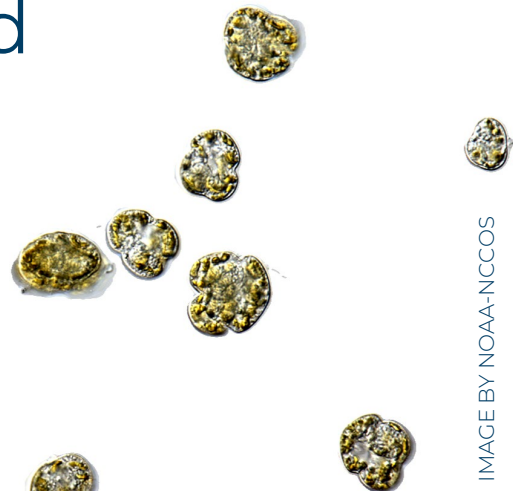


IMAGE BY NOAA-NCCOS



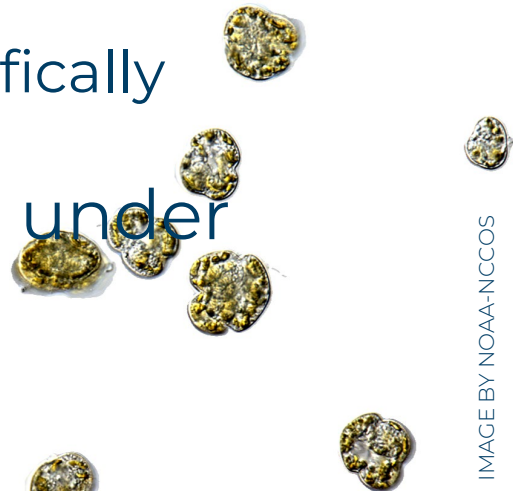
2019 – Attention on water quality

- DeSantis signs bill creating the Red Tide Mitigation and Technology Development Initiative at Mote.
- Appointment of Tom Frazer as the first Chief Science Officer of Florida with a special focus on water quality/red tide/blue green algae
- DeSantis executive order for \$2.5 billion for 4 years to restore Everglades, protect water resources, and establish Blue Green Algal Bloom task force



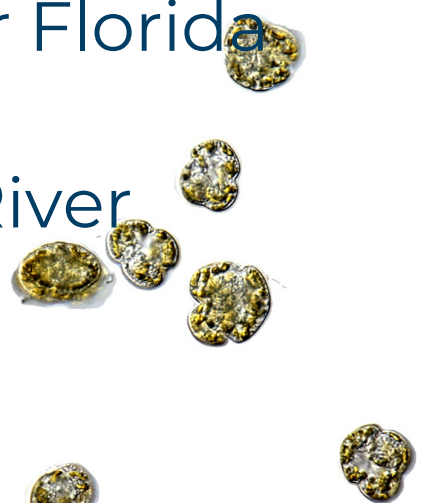
2020 – Clean Waterways Act, Increased Funding

- Most comprehensive water quality legislation in years
 - Intended to be iterative (was not)
 - Did not enshrine recommendations of the Blue Green Algae Task Force
 - Transferred septic tank oversight from DOH to DEP
 - Contingency Plans for power outage to minimize untreated wastewater discharges
 - Increase compliance in Best Management Practices for agricultural producers
 - Updated stormwater rules to enhance systems and specifically address nutrient pollution
- \$600 million in funding for DEP to claw back losses under governor Scott



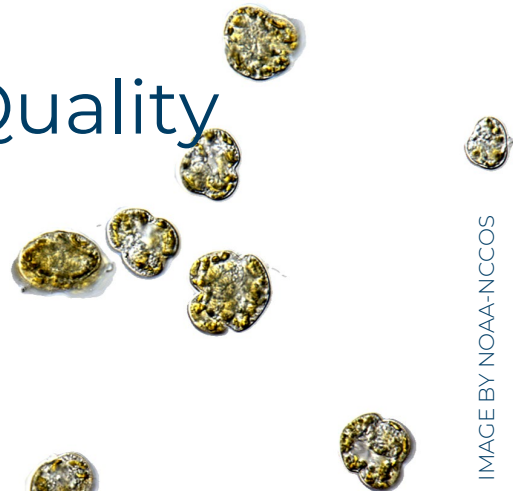
2021 – 2024: Increased funding for big ticket watershed initiatives, no new Comprehensive Water Quality Legislation

- Record funding for Everglades Restoration, increasing funding for Indian River Lagoon Projects.
- Repeated legislative Efforts to enshrine Blue Green Algae Task Force Recommendations; attempts to enhance BMAPs for all Florida watersheds, all failed.
- Mark Rains appointed new Chief Science Officer for Florida in 2021.
- 2023: HB 1379 strengthened some BMAPs (Indian River Lagoon) and invested in improved Septic systems



2025: Still Waiting for Comprehensive Water Quality Legislation

- SB978/HB861: Sen Berman and Rep Cross – Advanced Wastewater Treatment; requiring the DEP in consultation with WMDs and wastewater facilities to submit to the Gov and Leg reports on certain sewage disposal facilities
- SB 1120 (Sen Ingoglia) [Withdrawn]: facilitation septic construction, preempting local governments from regulating septics.
- SB1646 (Sen Berman and Rep Driskell): Water Quality Improvements in Special Flood hazard areas; implements some provisions of BGATF.



ACKNOWLEDGEMENTS

- Executive Council of the Environmental and Land Use Law Section of the Florida Bar**
- Florida Coastal and Ocean Coalition Steering Committee**

