



ENVIRONMENTAL NEWS

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EPA Complies with Court Decision and Directs Florida to Restore Water Quality in the Everglades

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(ATLANTA – Sept. 3, 2010) – The U.S. Environmental Protection Agency (EPA) directed the state of Florida to take specific measures to restore water quality to levels that protect the Everglades. This action, known as an “Amended Determination,” complies with a decision by Judge Alan Gold of the U.S. District Court – Southern District of Florida following lawsuits by the Miccosukee Tribe of Indians and the Friends of the Everglades. The District Court’s April 14 decision directed EPA to give clear and comprehensive instructions to Florida by September 3, 2010.

“With this action, EPA is complying with the law and acknowledging that we must do more together to restore clean water to the Everglades,” said Stan Meiburg, Acting Regional Administrator for EPA’s southeastern region. “The State of Florida and the South Florida Water Management District have done much good work already and we hope to build on that by meeting both the substance and the spirit of Judge Gold’s decision with this plan, and to achieve clean water standards as soon as possible.”

As required by the court’s decision, EPA has notified Florida that clean water standards for phosphorus are not being achieved in all parts of the Everglades and that further reductions of phosphorus pollution are needed in the area south of Lake Okeechobee. Phosphorus is a naturally-occurring nutrient that, in excess, causes chemical and biological changes that degrade natural systems, such as wetlands, lakes and coastal areas. Excess phosphorus is being released into the Everglades as runoff primarily from farms to the north.

EPA has identified a comprehensive set of actions and milestones needed to meet clean water standards in the Everglades including a significant expansion of marsh treatment areas that decrease phosphorus levels in the runoff water before it is released to the Everglades. There are currently about 60,000 acres of these marsh treatment systems already in place or under construction. EPA’s actions call for another 42,000 acres of treatment area. EPA believes that this expansion can largely be accommodated using existing land currently in State ownership, together with additional land the South Florida Water Management District recently agreed to purchase from the U.S. Sugar Corporation.

The Amended Determination spells out several actions which the State of Florida and the District will need to take, with the first deadlines coming in the next 60 days. An important short-term action is to amend existing permits for the discharges to the Everglades so they conform to Judge Gold’s decision and incorporate discharge limits in the amended determination. Longer term actions include conducting environmental assessments, preparing engineering designs, and constructing new marsh treatment areas. The determination includes a detailed set of milestones for completing these tasks as soon as possible. Judge Gold has scheduled a hearing for October 7 on the amended determination.