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just the **FACTs**

This fact sheet is provided as a reference to encourage a greater understanding of the various issues related to managing water in South Florida.

MEDIA QUESTIONS

Randy Smith
Media Relations
(561) 682-6197

OFFICE OF COUNSEL

Sheryl G. Wood
General Counsel
(561) 682-6976

James Nutt
Senior Practice Expert
(561) 682-6253

District Opposes Extension of Federal Permitting Over State Water Transfers

The S-2, S-3 and S-4 pump stations on the south shore of Lake Okeechobee help provide critical flood control and water supply to the region.

- The U.S. District Court in Miami has reviewed the permitting requirements for backpumping at the S-2, S-3 and S-4 pumping stations and determined that a **National Pollutant Discharge Elimination System (NPDES)** permit is required.
- Authorized by federal law in the Clean Water Act, NPDES permits are used to control water pollution by regulating discharge of pollutants into U.S. waters.
- A group of plaintiffs (Friends of the Everglades, Fisherman Against Destruction of the Environment & the Miccosukee Tribe of Indians of Florida) sued the South Florida Water Management District, stating that a NPDES permit is required to move water for public welfare.
- The District believes the NPDES permitting process does not apply to the water management activities described here. Congress never intended NPDES permitting be used to deal with the movement of water for public protection within a state. Its focus is in controlling point-source pollution.
- The District's position is supported by the United States of America, represented in this case by the U.S. Department of Justice. Additionally, water resource entities from other states also support the District's position.
- State permits and protections are already in place to ensure a safe water supply for communities in the region. In its water management activities, the District is in full compliance with the requirements of these state permits.
- Introducing NPDES requirements to the occasional, flood-control need for back-pumping into Lake Okeechobee will significantly impair the progress now being made in Everglades restoration.
 - The \$10.9 billion cost of the Comprehensive Everglades Restoration Plan (CERP) would increase if movement of all surface waters was subjected to NPDES permitting.
 - The District's accelerated CERP projects (Acceler8) and its Lake Okeechobee & Estuary Recovery plan (LOER), which are moving ahead at an impressive pace, would be brought to a virtual halt by the expense and time required for additional permitting.
- To date, the State of Florida has spent \$1.5 billion in Everglades restoration, representing a long-term commitment to improving the region's water resources and natural areas.
- With extensive water quality controls already being implemented and others being developed—in addition to the ambitious progress in phosphorus reduction already being achieved—the expansion of NPDES permitting would only impair, not improve, ecosystem recovery in South Florida.



sfwmd.gov
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33406
561-686-8800 FL WATS 1-800-432-2045
www.sfwmd.gov

MAILING ADDRESS: P.O. Box 24680
West Palm Beach, FL 33416-4680