## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HM 1131 Indian River Lagoon South Restoration Project
**SPONSOR(S):** Harrell
**TIED BILLS:** **IDEN./SIM. BILLS:**

| REFERENCE | ACTION | ANALYST | STAFF DIRECTOR |
|---|---|---|---|
| 1) Environment & Natural Resources Council | 16 Y, 0 N | Palmer / Perkins | Dixon / Hamby |
| 2) Rules & Calendar Council | | | |
| 3) | | | |
| 4) | | | |
| 5) | | | |

## SUMMARY ANALYSIS

The memorial urges the United States Congress to fully fund the implementation of the Indian River Lagoon − South Restoration Project as authorized in the Water Resources Development Act of 2007.

As a House Memorial, HM 1131 has no fiscal impact.

## FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Present Situation

On October 10, 2005, Governor Bush announced the Lake Okeechobee and Estuary Recovery Plan. The Plan is designed to reduce pollution and better manage the flow of water from Lake Okeechobee to the St. Lucie River, thence to the Indian River Lagoon, while meeting South Florida's flood control and water supply needs.

The Indian River Lagoon is not a river but a type of estuary called a lagoon. A lagoon is a body of water separated from the ocean by barrier islands which has limited exchange of water with the ocean through inlets. The Indian River Lagoon (lagoon) is located along Florida's Atlantic coast − from Ponce De Leon Inlet to Jupiter Inlet − extending about 150 miles through five coastal counties. The lagoon varies in width from one-half mile to five miles and averages only three feet in depth. It straddles the climate divide between the subtropical zone to the south and the temperate zone to the north.[1]

The Indian River Lagoon is recognized as North America's most diverse estuary with more than 2,200 different species of animals and 2,100 species of plants. It serves as a spawning and nursery ground for many different species of oceanic and lagoon fish and shellfish and has one of the most diverse bird populations in United States. Nearly one-third of the nation's manatee population lives in or migrates through the lagoon. The ocean side of the barrier islands provides one of the densest sea turtle nesting areas found in the Western Hemisphere.[2]

Environmental degradation in the south lagoon, resulting from human settlement and the construction of canals in the lagoon watershed over the past 100 years, threatens the fragile balance of lagoon life. The problems are complex, ranging from changing water flow patterns to excessive nutrient loading that has affected the number and types of plants, fish and wildlife found in the lagoon. The complexities of this lagoon system are what cause it to be a valuable resource. However, it is in peril of losing its unique character and wealth. Work is ongoing to achieve a scientific understanding of the lagoon's ecosystems and dynamics in the hope that the lagoon might be restored and maintained in a healthy state.

Both the South Florida Water Management District (SFWMD) and the U.S. Army Corps of Engineers (USACE) have stated[3] that the southern Indian River Lagoon ecosystem is in imminent danger of an ecological collapse. The estuary system has been degraded by large and frequently occurring discharges of freshwater, and by excessive accumulation of muck in estuary and lagoon bottoms. This has resulted in a reduction in water clarity and salinities reduced below the tolerances of submerged vegetation and benthic animals. Because so much of the income of Martin and St. Lucie Counties relies on recreational and commercial fishing and other marine-related activities, further degradation of the lagoon ecosystem may have a direct adverse impact on the regional economy.

[1] Florida Oceanographic Society, 2007. http://www.floridaoceanographic.org/environ/Indian_River.htm.
[2] Id.
[3] USACE, 2004. *Final Integrated Project Implementation Report*.

To avert this eminent environmental disaster, the SFWMD has developed the Indian River Lagoon – South (IRL-S) Restoration Plan as one of the highly interrelated components of the Comprehensive Everglades Restoration Plan (CERP). CERP is a joint federal-state effort to restore and preserve the Everglades and associated areas. The IRL-S Restoration Plan provides for restoration of physically and biologically degraded areas in the southern Indian River Lagoon area, while allowing for other water-related needs of the region, including a sustainable agricultural water supply and maintenance of existing flood protection. The IRL-S Restoration Plan seeks to improve water quality within the St. Lucie Estuary and the Indian River Lagoon by reducing the damaging effects of watershed runoff, reducing high peak freshwater discharges to control salinity levels, reducing nutrient loads, pesticides and other pollutants. The project will provide a water supply for agriculture to offset reliance on the Floridan aquifer by building and operating approximately 12,600 acres of new reservoirs and approximately 8,700 acres of new stormwater treatment areas, restoring natural hydrology on approximately 92,000 acres in the watershed, restoring approximately 3,100 acres of floodplain wetlands in the North Fork of the St. Lucie River, and muck removal and habitat restoration actions inside the estuaries. This effort will involve Martin, St. Lucie, and Okeechobee Counties.[2]

The Plan includes building pumps, levees, canals and other water control structures to interconnect the new reservoirs as a means to redirect stormwater discharges. As a result, there will be a significant reduction in harmful discharges into the estuaries, water quality improvement will be achieved, native wetland and upland habitat in the watershed will be restored, and there will be improved habitat for natural populations of flora and fauna, including threatened and endangered species.[4]

The Indian River Lagoon South Restoration Project was authorized by Congress in the Water Resources Development Act of 2007.

Effect of Proposed Memorial

The memorial urges the United States Congress to fully fund the implementation of the Indian River Lagoon South Restoration Project as authorized in the Water Resources Development Act of 2007. The memorial is to be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

C. SECTION DIRECTORY:

N/A

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

[4] SFWMD, 2007. http://www.evergladesplan.org/index.aspx.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The United States Congress authorized the IRL-S Restoration Plan in the Water Resources Development Act of 2007. However, the implementation of the IRL-S Restoration Plan is contingent on the appropriation of funds by the United States Congress.

## III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to require cities or counties to spend funds or take actions requiring the expenditure of funds, nor does it appear to reduce the authority that cities or counties have to raise revenues in the aggregate, nor does it appear to reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

This memorial urges the Congress of the United States to fully fund the implementation of the Indian River Lagoon South Restoration Project as authorized in the Water Resources Development Act of 2007. The state of Florida has a long history of supporting restoration of ecosystems and with last year's Northern Everglades legislation, continues that support with water quality improvements to the St. Lucie River thereby, enhancing the water quality of the Indian River Lagoon.

Since the passage of the Water Resources Development Act of 2007, the Florida Legislature and the South Florida Water Management District have contributed a combined total of over $2.37 billion compared to the federal contribution of $363 million. It is time for the federal government to begin to make the same level of commitment that the Florida Legislature, Water Management District and Martin County have made to this important project.

## IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

None