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Challenge for Crist: Florida's environment

BY CARL HIAASEN

Charlie Crist campaigned on a promise to protect Florida's environment. He should start by beheading the so-called Department of Environmental Protection, which under Jeb Bush has morphed into an alibi factory for industrial and agricultural polluters.

Unwilling to force compliance with federal clean-water standards, the DEP has been fighting doggedly to impair the state's Impaired Waters Rule and let big corporations devise their own methods of testing.

The last thing Florida needs is dirtier, smellier water.

Ask the people living along the St. Lucie River, which was basically shut down to human activity last year after being blanketed with foul, neon-green algae.

Or beachgoers on the Southwest coast, where recurring red tides have killed turtles, manatees and thousands of fish, and caused respiratory problems for many coastal residents.

Or the families who use Hobie Beach along Biscayne Bay, a frequent site of fecal bacterial contamination from leaking submerged sewer pipes.

Or residents along the St. Johns River, which is used as a latrine by 33 sewer plants and a huge Georgia Pacific paper mill. Hundreds of tons of nitrogen-rich waste is flushed annually into the waterway, igniting massive algae blooms.

The St. Johns is Ground Zero for the DEP's water waffle. The agency has battled to lower the dissolved-oxygen standards for the river, asserting that 5 milligrams per liter is an unreasonable goal even under natural conditions.

Testing the DEP's thesis is nearly impossible because the only way to simulate "natural" conditions is to stop pumping crap into the water, an inconvenience that regulators are unlikely to impose on large, politically connected companies.

The Clean Water Network, an environmental advocacy group, says that winter oxygen levels in the St. Johns reach seven to nine milligrams per liter, though the number drops during the hot summer months.

I'm not a biologist, but it's difficult to comprehend how increasing the pollution load - and decreasing the oxygen content - is beneficial to aquatic life.

Last May, citizens packed a meeting in Jacksonville where the DEP attempted to explain why the St. Johns should be exempted from U.S. clean-water standards. Nobody thought it was a swell idea except the Florida Department of Agriculture, the Farm Bureau, the local utilities and, of course, Georgia-Pacific.

The plan was unanimously approved by the state's Environmental Regulation Commission, a panel of appointees with ties to ranching, developers and big-city utilities.

In September, that same group rubber-stamped DEP's latest rewrite of the Impaired Waters Rule, basically narrowing the statewide definition of pollution so that numerous tainted lakes and rivers will be magically declared healthy.

The effect is to help major polluters dodge U.S. clean-water rules, with a bonus of sparing the state the cost of cleaning filthy waterways, as would be ordinarily required by the federal government.

In deciding whether a lake, river or bay is safe enough for swimming and fishing, the DEP is supposed to consider not only oxygen levels but water clarity, salt content and the presence of bacteria, chlorides and other toxins.

Since 1999, when they arbitrarily tried to delete hundreds of waterways from the state cleanup list, top DEP officials have been on a mission to thwart the Clean Water Act. In recent years they found allies within the U.S. Environmental Protection Agency, which had been defanged by the pro-industry Bush administration.

Only after a sharp rebuke from a federal appeals court did the EPA order a close review of Florida's liberally diluted pollution standards.

The revised Impaired Waters Rule was crafted as a response to the court's ruling. To no one's amazement, EPA gave its approval. Also not surprising: Environmental groups have filed another lawsuit to nullify the changes.

The new DEP language allows polluting companies to offer different water-testing methods and scientific criteria than those currently accepted by EPA scientists. It's a gaping loophole that will be eagerly exploited by Florida's pulp mills, phosphate mines, power companies and sewage-treatment plants.

We'll know soon enough if Charlie Crist is really the environmental steward that he promised to be. The people running the Department of Environmental Protection should, for a change, make the agency live up to its name.

As governor, Crist has the power to make it happen. The question is, does he have the will?