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ENVIRONMENT

Lake's polluted water trial begins

A lawsuit claiming state water managers have been pumping polluted water into Lake Okeechobee for decades went to trial Monday.

By Curt Anderson

Associated Press

Trial began Monday in a Miami federal lawsuit filed by environmental groups and an Indian tribe challenging the decades-old practice by state water managers of pumping billions of gallons of contaminated water into Lake Okeechobee.

The lawsuit contends that the South Florida Water Management District should be forced to get federal permits for the pumping under the federal Clean Water Act, which could force the district to cleanse the polluted water or divert it elsewhere.

"Lake Okeechobee is a drinking water supply and ecological treasure," said David Guest, who is representing the Florida Wildlife Federation in the lawsuit. "These pumping operations are ruining the water supply and threatening to kill the lake with pollution."

CONTAMINATION

Since the 1970s, the water district has pumped water from nearby sugar-growing lands into the lake for flood control and to boost lake water supply during drought. The discharge is contaminated with agricultural chemicals and runoff from nearby towns, contributing to the poor quality of water in the 730-square-mile lake.

The water district, joined by the U.S. Environmental Protection Agency and U.S. Sugar Corp., argues that the Clean Water Act does not apply because the pumping involves moving water from one location to another with state approval. No pollutants or contaminants are added and protections are in place for drinking water, they say.

"Congress never intended to have this layer of permitting on state transfers of water," said Scott Glazier, litigation manager for the water district. "These groups are trying to misapply the program."

A ruling that the Clean Water Act does apply could affect water management throughout the country, especially in the West, Glazier said. It could mean that water pumps would be considered the same as other sources of pollution, such as industry.

The other plaintiffs in the case are the Fishermen Against the Destruction of the Environment and the Miccosukee Tribe of Indians, which considers the Everglades south of the lake its traditional home. The trial before U.S. District Judge Cecilia M. Altonago is expected to last about three weeks.

Gov. Jeb Bush in October announced a \$200 million cleanup plan for the lake, in part to reduce the discharges of huge amounts of poor-quality water into the fragile St. Lucie and Caloosahatchee estuaries downstream. The Everglades is in the midst of an \$8 billion restoration plan that is the largest of its kind attempted worldwide.

CONSEQUENCES

If the lawsuit is successful, water managers say that could cause delays in these restoration plans and diverted precious government money and resources away from them.

"We think these are very serious consequences," Glazier said.

Environmentalists, however, say the polluted water contributes to toxic algae blooms in the lake that kill fish and could be linked to tests showing the presence of cancer-causing compounds in drinking water in South Bay.

"Lake Okeechobee is dying as a result of fertilizer pollution and urban runoff," said Manley Fuller, president of the Florida Wildlife Federation. "There are other ways to deal with agricultural wastewater. . . ."