



# Toxic Algae and the Local State of Emergency Talking Points

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*"For more information on EPA Health Advisories and other regulations, please visit: <https://www3.epa.gov/>*

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## First: What you need to know

On June 29<sup>th</sup>, 2016 the City of Stuart joined Martin County in declaring a local state of emergency in response to confirmed toxic algal blooms (i.e., microcystins/cyanobacteria) in the St. Lucie River. Governor Rick Scott subsequently issued Executive Order No. 16-155 declaring a State of Emergency in Martin and St. Lucie Counties. Following this order, a State Coordinating Office was established to manage interagency communications and operations between local, state, and federal partners. Both the Florida Department of Health and Department of Environmental Protection have also been tasked by the Governor in providing specialized assistance. The State Emergency Response Team through Emergency Support Function-18 has in addition, activated the Florida Virtual Business Emergency Operations Center (FLVBEOC) to provide additional relief for affected local businesses.

## Why have the discharges not stopped?

The United States Army Corps of Engineers (USACE) is responsible with managing Lake Okeechobee water levels to ensure the Hoover Dike is not structurally impacted in such a way that it fails or causes regional flooding to communities surrounding the Lake. Even when Lake levels are below the 18 foot threshold established by the 2008 Lake Okeechobee Regulation Schedule (LORS), the USACE must achieve a level of 12.5 feet in preparation for "wet-season" months in the latter half of the year. Following record annual rainfall from the 2015 storm season, the USACE was forced to drain the Lake at a high rate and for a longer period of time to achieve levels sufficient to maintain stability.

## Why is the water polluted?

The St. Lucie River and Estuarial System is historically a delicate "brackish" ecosystem; balancing both fresh and salt water levels naturally. The extreme rate and volume of freshwater discharges permeating the St. Lucie system as a result of Lake Okeechobee releases has destabilized this balance at a time where water temperatures are perfect for blue-green algae growth. The pollution in this freshwater however, is directly related to agricultural runoff (particularly phosphate) from farming industries south of Orlando and surrounding the Lake itself. There are also additional concerns of septage leeching into the system locally.

## Why are these pollutants allowed into our water?

Although the U.S. Congress established a basic structure for regulating the discharge of pollutants into waters of the United States through the 1972 Clean Water Act, not all pollution is effectively captured with modern EPA policies. Typically any government, industry, or entity that pollutes water systems requires a National Pollutant Discharge Eliminations System (NPDES) permit. The EPA is tasked with monitoring this permit system and establishing technology and water quality limitations of pollution effluent.

In 2008 however, the EPA established a new “Water-Transfer Rule,” which effectively deregulated the process of transferring polluted water from one system into another non-polluted system (thereby spreading pollution). EPA officials claimed at the time that all ‘Waters of the United States’ comprise a “unitary” system - completely altering what had been historical judicial interpretation and common law. The federal agency similarly concluded that this water transfer action by any industry or agency no longer required an EPA (NPDES) permit; and instead would be subject to water resource management agency oversight and other state authorities. Without strict EPA oversight, effluent pollution and its proliferation across water systems has gone unchecked since the rule change.

## What are the adverse health effects of the toxins?

All residents and citizens are advised to not have direct contact with water determined to be toxic. Direct contact with toxic blue-green algae can lead to a host of allergen-like symptoms and digestion of water containing microcystin is also linked with gastroenterological complications, liver disease, and possibly permanent neurological damage. Citizens should contact their health professional if they believe to have complications resulting from direct exposure. Local, state, and federal health officials are also monitoring the toxins and studying possible negative health implications for inhalation of hydrogen sulfates surrounding large algal blooms.

## What action is the City of Stuart taking?

The City of Stuart is collaborating with Martin County, the local legislative delegation, federal representatives, and other state agencies in providing prompt and accurate information for our residents. The City is committed to finding both short and long term solutions to this highly complex problem and will continue to work at all levels until a permanent solution is found. Stuart is also helping to build a coalition of counties and municipalities throughout south Florida that are directly impacted by Lake Okeechobee discharges and severe pollution in regional waterways.

## Where to go for more information

- ❖ For City of Stuart news and information please visit: <http://cityofstuart.us/>
- ❖ For more information on EPA and agency Health Advisories please visit: <https://www3.epa.gov/>