

## Groups decry water plan

By [Craig Pittman](#), Times staff writer

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A bill that would make it easier to rip out thirsty sod and put in landscaping that needs less water and fertilizer might seem like something the state's environmental groups would cheer.

But they don't like Senate Bill 2080, not at all.

"The governor needs to veto this foul thing," said Charles Lee of Audubon of Florida.

The problem with SB 2080, they say, is a last-minute amendment from Sen. J.D. Alexander. The amendment hands over the power to issue state permits — for water use and for wetlands destruction — to just five people.

"They've essentially created a five-member statewide water board," said environmental attorney John Thomas, who was scrambling Friday to mobilize opponents to the bill.

Right now, if a bottling company wants to take millions of gallons of water from the aquifer, or a developer wants to wipe out hundreds of acres of swamps, the permit must be approved by one of five water management district boards. The vote takes place in a public meeting where residents can speak to the issue.

If it becomes law, SB 2080 would take that power away from the public body, and the decisions would no longer be made in open meetings, Lee said.

Instead, the bill says "the governing board shall delegate to the executive director all of its authority to take final action on permit applications."

So the five executive directors will have the final say — as long as they say yes. If they choose to deny a permit, the final decision goes to the governing board.

Environmental activists said they worry about handing that much power to just five people.

"A single person making these decisions is many times more subject to pressure from profiting industries," Linda Bremer of the Sierra Club wrote in an e-mail.

"It does scare me a little bit, to be given that much authority," said David Still, who as executive director of the Suwannee River Water Management District would be one of the five.

Still he said he worries about the public being shut out of the decisionmaking process "because then you're not doing a service to the public."

Neither Alexander, R-Winter Haven, nor Gov. Charlie Crist responded to requests for comment Friday.

The Suwannee River board's vice chairman, David Flagg, said if Crist signs the bill into law, his board has discussed ordering its director to deny every permit. That way the governing board will still have the final say on all of them.

"We're going to have to be creative about how we circumvent this," said Flagg.

But another of the five executive directors — Dave Moore of the Southwest Florida Water Management District, the agency commonly known as Swiftmud — said he didn't see a problem. The board hires him and would set the rules by which he would approve the permits, he said.

Moore noted that he and his staff already approve the smaller permits. Only the ones for pumping more than 500,000 gallons of water a day out of the ground, or for destroying more than an acre of wetlands, go to the board for a vote. Between 2004 and 2007, the Swiftmud board dealt with about 600 wetland permits out of 15,000 total, and 161 water-use permits out of more than 2,600.

"I don't think it's a big change," Moore said.

Kirby Green, executive director of the St. Johns River Water Management District, agreed, although he added, "We're going to have to be a little more diligent about making sure the public understands the permitting process and how they can best have input."

Thomas, the environmental lawyer, said something that happened to Moore last year shows the real danger behind handing the authority to the five executive directors.

The state Senate must confirm the hiring of the executive directors. Last spring, four of the five were confirmed — but not Moore. His confirmation was held up temporarily for unexplained reasons. Swiftmud board member Neil Combee said then that someone in Tallahassee was signaling his or her displeasure with Moore's actions on some issue.

"Sometimes messages are sent, and sometimes they're subtle or not so subtle," Combee said at the time.

SB 2080 has also upset some homeowners' associations because it would prevent them from enforcing rules requiring sod-only lawns. Instead, homeowners could legally rip out their St. Augustine grass and put in Florida-friendly landscaping that would consume less water.

The idea of making it easier to get water-use and wetland permits was sparked early in the session by House Speaker Ray Sansom, prior to his indictment by a grand jury over his ties to a Panhandle developer and a community college. Sansom contended that streamlining the permitting process would help revive the construction industry and jump-start the state's economy.

### **Get some background**

To read the full text of Sen. J.D. Alexander's amendment and for previous coverage, go to [links.tampabay.com](http://links.tampabay.com).

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