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EPA Petitioned to Protect Floridians, Wildlife From Toxic Algae Blooms

ST. PETERSBURG, *Fla.*— Five conservation organizations petitioned the Environmental Protection Agency today to set limits on the dangerous algae bloom toxins that now routinely threaten the health of Floridians and wildlife.

Today's action comes five years after the Center for Biological Diversity and allies petitioned Florida regulators to establish criteria for the cyanotoxins that are linked to liver disease and increased neurodegenerative risks in people.

In response to Florida's failure to act, today's petition asks the EPA to use its authority under the Clean Water Act to step in and set water-quality standards for the harmful toxins.

"The state's refusal to set limits on these dangerous toxins suggests it's more concerned about avoiding responsibility for algae blooms than providing necessary protections for Floridians," said Jason Totoiu, a senior attorney at the Center for Biological Diversity. "As someone who grew up on the Treasure Coast, I know how important it is to our families, visitors and local economies for the EPA to put standards in place that can guide our efforts to clean up this toxic mess."

Recognizing the need to set standards, the EPA issued draft recommended criteria in 2016 and final recommended criteria in 2019 for two of the most common cyanotoxins plaguing Florida's waters — microcystins and cylindrospermopsin.

Although states are not required to adopt the EPA recommendations, they must at a minimum explain their reasoning for not adopting the criteria as part of their triennial reviews of water-quality standards, which are required. But Florida is years overdue in completing its three-year water-quality review and has not given the EPA a reason for failing to set criteria for the algae.

The standards sought in the petition are designed to help the state more effectively monitor water quality and identify and clean up waters impaired by cyanotoxins. The standards would also help state officials better notify the public of the health risks of swimming, wading or boating in waters with high cyanotoxin levels, which are often present before and after they are visible.

"It is unacceptable that the state of Florida is not willing to adopt numeric cyanotoxin standards," said James Evans, CEO at the Sanibel-Captiva Conservation Foundation. "The recurring cyanobacteria blooms in Lake Okeechobee and the Caloosahatchee and St. Lucie estuaries pose a significant risk to human health, wildlife and our local economies and underscore the need for enforceable standards. This is a growing problem impacting a number of states throughout our nation and will be amplified by climate change."

"Lake Okeechobee, the Caloosahatchee River and many waters in Calusa Waterkeeper's work area have experienced microcystis blooms of increasing scope and severity," said Codty Pierce, Calusa Waterkeeper. "It is long overdue for the state of Florida to become a leader in regulating water quality and its impact on human health. Many states such as Ohio, Oregon, Minnesota and Vermont have proactively established numerical cyanotoxin action levels and there is a critical need to do so in Florida."

"As toxic algae blooms have become a near-annual threat, it's no longer enough to irregularly monitor Florida's waters with the naked eye," said Eve Samples, executive director of the Friends of the Everglades. "Routine testing and an enforceable toxin standard would force government agencies to alert the public to the unseen threats that lie below the surface. These overdue standards also would give communities plagued by toxic algae a tool for combating bad water-management and water-policy decisions that put the public in harm's way."

"Being in, on and near the water is central to Floridians' way of life," said Casey Darling Kniffin, Florida Wildlife Federation's conservation director. "We should feel confident that when we do so, it is safe. Toxic algae blooms threaten our health, harm wildlife and degrade freshwater, estuarine and marine habitats. Now is the time to act. These standards are necessary to keep Floridians, wildlife and our waterways safe and healthy."

Florida's lakes, rivers, springs and estuaries have some of the nation's worst algal blooms, costing local economies hundreds of millions of dollars. The blooms are fueled by nutrient pollution from domestic, industrial and agricultural wastes, as well as climate change and shortsighted water-management decisions.

People exposed to cyanotoxins through direct contact with algae, drinking polluted water, or inhalation may experience health consequences such as a higher risk of liver disease. There is also growing concern that people and marine mammals exposed to waterborne B-methylamino-L-alanine, which is derived from cyanotoxins, may have an increased risk of neurodegenerative diseases.

The U.S. Army Corps of Engineers routinely discharges algae-laden water from Lake Okeechobee into the Caloosahatchee and St. Lucie rivers and estuaries. But the state, not the Corps, is principally responsible under federal and state law for managing its own water quality.

Water-quality criteria would also help optimize planning, protection and restoration in watersheds like Lake Okeechobee and the Caloosahatchee and St. Lucie estuaries by establishing specific standards for the uses of each body of water — including drinking water, recreation and fish and wildlife protection.

More information about Florida's toxic algae problem is available here.

The Center for Biological Diversity is a national, nonprofit conservation organization with more than 1.7 million members and online activists dedicated to the protection of endangered species and wild places.

The Sanibel-Captiva Conservation Foundation is dedicated to the conservation of coastal habitats and aquatic resources on Sanibel and Captiva and in the surrounding watershed.

The mission of the Calusa Waterkeeper is to protect and restore the Caloosahatchee River from Lake Okeechobee to the coastal waters.

Friends of the Everglades' mission is to preserve, protect and restore the only Everglades in the world.

The Florida Wildlife Federation's mission is to conserve Florida's wildlife, habitats, and natural resources through education, advocacy, and science-based stewardship.

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