

117TH CONGRESS
1ST SESSION

H. R. 2156

To modify the project for Central and Southern Florida to include public health considerations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2021

Mr. MAST introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To modify the project for Central and Southern Florida to include public health considerations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prioritizing Revised
5 Operations To Eliminate Cyanobacteria Toxins in Florida
6 Act” or the “PROTECT Florida Act”.

7 **SEC. 2. MANAGEMENT OF THE CENTRAL AND SOUTHERN**
8 **FLORIDA SYSTEM.**

9 (a) IN GENERAL.—The Assistant Secretary of the
10 Army for Civil Works shall direct the Army Corps of Engi-

1 neers to modify water infrastructure management in Cen-
2 tral and Southern Florida to ensure public health shall
3 overlay all authorized project purposes. Such authorized
4 project purposes shall include—

- 5 (1) flood control;
- 6 (2) navigation;
- 7 (3) water supply for agricultural irrigation, mu-
8 nicipalities, industry, and Everglades National Park;
- 9 (4) regional groundwater control, and salinity
10 control;
- 11 (5) enhancement of fish and wildlife; and
- 12 (6) recreation.

13 (b) PUBLIC HEALTH.—For the purposes of this Act,
14 the term “public health” is defined as follows:

15 (1) Managing Lake Okeechobee and the Central
16 and Southern Florida system—

17 (A) to minimize the potential of toxic
18 cyanobacteria and other harmful algal blooms;
19 and

20 (B) prevent discharges containing
21 cyanobacteria or related toxins into the St.
22 Lucie and Caloosahatchee watersheds, down-
23 stream users, and other areas where such
24 cyanobacteria or related toxins will cause or ex-
25 acerbate public health risks.

1 (2) Ensuring the integrity and stability of the
2 Herbert Hoover Dike.

3 (3) Maintaining all provisions of applicable
4 State, Federal, and Tribal water quality laws, poli-
5 cies, and regulations.

6 (4) Ensuring necessary water volume and qual-
7 ity reaches the greater Everglades, Tribal lands, Ev-
8 erglades National Park, Florida Bay and
9 Caloosahatchee Watershed to restore the natural
10 habitat.

11 (c) MODIFICATION OF OPERATIONS.—The Secretary
12 of the Army shall modify operations of all current project
13 elements to ensure that public health of all citizens, in-
14 cluding downstream users, shall overlay the operating re-
15 gimes of these various elements.

16 (d) MASTER OPERATIONAL MANUAL.—The Sec-
17 retary of the Army shall update or develop a Master Oper-
18 ational Manual, in cooperation with the State of Florida,
19 to ensure that all of the various existing operational
20 project elements of the Central and Southern Florida
21 project shall be managed as a system to protect public
22 health and Everglades Restoration. As new elements are
23 completed and added to the project, the Master Oper-
24 ational Manual shall be updated to include the new fea-
25 tures.

1 (e) STUDY.—The Secretary of the Army, in conjunc-
2 tion with the National Academies of Sciences, shall under-
3 take a study of the legacy of pollution and nutrient loading
4 as well as the impacts of soil amendments from current
5 and past operational regimes. The study shall include—

6 (1) the components of the nutrient load and soil
7 amendments, and how this nutrient loading is and
8 will continue to impact Everglades restoration ef-
9 forts; and

10 (2) proposed solutions to ameliorate the impacts
11 of this pollution to downstream watersheds.

12 (f) SCOPE.—Nothing in this section shall be con-
13 strued to alter or amend—

14 (1) the Water Rights Compact between the
15 State of Florida and the Seminole Tribe of Florida;

16 (2) the water quality standards of the
17 Miccosukee Tribe of Indians of Florida;

18 (3) State water quality standards, applicable
19 National Pollutant Discharge Elimination System
20 discharge permits, and Everglades Forever Act wa-
21 tershed permits; or

22 (4) the schedule for completion of the Central
23 Everglades Planning Project or Comprehensive Ev-
24 erglades Restoration Plan projects authorized on or
25 before enactment of this Act.

1 (g) PROHIBITION ON USE OF RESTORATION
2 FUNDS.—No restoration funds shall be used by the Sec-
3 retary to undertake Deep Well Injection (DWI) of flood
4 or any other excess waters.

5 (h) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated such sums as are nec-
7 essary to carry out the provisions of this Act.

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