

Answers to Common Concerns

This amendment would lead to a proliferation of lawsuits.

It will not. We know this because that hasn't happened in other states with similar amendments. Historically, there are a handful of lawsuits per year in these states. In time, there will be less need of lawsuits as agencies change their harmful ways.

This amendment will be a field day for lawyers looking to get rich.

Not true, because lawsuits brought under this amendment aren't about monetary damages. When plaintiffs win, courts order agencies to remedy violations—to stop the harm to our waters.

This amendment will cause taxes will go up.

There are legal and financial reasons this won't happen, but point out that Floridians are already paying billions in taxes to clean up waters primarily polluted by industries. Who is paying \$ billions for Lake O projects? We are.

The legislature will only undermine the intent and effectiveness of the amendment.

With the help of some of Florida's best environmental lawyers, it has been written to protect against that. It is self-executing and doesn't require implementing legislation by our legislature.

We already have enough laws to protect our waters.

If we did, our waters wouldn't be chronically polluted. At the very least, we need this constitutional right to compel the agencies to enforce good environmental laws that currently aren't being enforced.

Basic Petition Gathering Script

Opening

Are you a registered voter in Florida?

Would you sign our petition to make clean water a fundamental right in the Florida constitution?

Great. Please write legibly and use the signature that is listed on your driver's license and voter registration.

Your next step: check the petition for readability and completeness.

Closing

Thank you! Have a great day.

Key Tips

Be friendly and positive. Remember that you are an ambassador for the campaign and you want everyone to leave feeling good about their interaction with you.

Ink only, preferably blue or black. No pencils.

Don't alter in any way the signature or date of signature fields. We can correct other fields.

Don't engage in long conversation. Productivity demands moving on quickly to the next voter.

Before petition gathering, consider highlighting the fields on the petition where voters have to provide information.

Know how a RTCW could help water pollution issues in your region. (See our FAQs on website.)

Don't engage in heated debate.

Enjoy yourself and be safe in the sun and heat.



the Right to Clean Water

Petition Gatherer's Quick Guide

Key information Basic script and tips Answering common questions

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FloridaRightToCleanWater.org



The Problem

Our state regulatory system isn't working. It fails to adequately protect us and our waterways from pollution.

- Excessive nitrogen impairs 80% of Florida's 1,000 springs.
- Fecal bacteria impairs nearly a million acres of estuaries and 9,000 miles of streams and rivers.
- Tens of thousands of acres of seagrass beds have died in the past decade.
- Seagrass loss due to pollution was a major factor in the deaths of nearly 2,000 manatees in 2021 and 2022.
- Red tides have increased dramatically in frequency, duration, and intensity of over the past thirty years.
- Blue-green algae blooms, linked to neuro-degenerative diseases, are on the rise in Florida.
- Over fifty species of fish off the Keys are swimming in circles until they die.
- No state has more acres of polluted lake water.
- No State has lost more acres of wetlands: 9.3 million.

(Documentation at FloridaRightToCleanwater.org.)

The Causes

Florida's constitutional provision for protecting our waters is only a policy, not an enforceable right of the people.

- Special interests have undue influence over state legislators, agencies, and environmental policy.
- The state legislature increasingly uses deterrence tactics, like the "sprawl law," and preemptions of local government authority to discourage and prevent citizens from protecting our waters.
- Current laws favors corporate interests and government agencies, not the rights of citizens to flourishing ecosystems. "Private interests" are often regarded as "Public interests."
- Environmental laws often go unenforced.

The Solution

Amend the state constitution in 2026 to recognize every Floridian's fundamental right to clean and healthy waters.

- Fundamental rights provide the highest protection under law.
- Twenty other states are pursuing similar amendments. Six states already have them.
- In Florida, approximately 900,000 signed petitions are required to qualify the for the 2026 ballot .

The Right to Clean and Healthy Waters

Enables citizens to hold state executive agencies accountable when through action or inaction they fail to protect our waters.

- Only fundamental rights can trigger strict scrutiny and enable courts to examine deeply a state action or inaction that harms or threatens harm to our waters.
- Any person, to include non-profits, tribes, businesses, and government entities, would have standing to take state agencies to court when this right is violated.
- Agencies must have a compelling state interest for harming our waters—something *more* important to the public interest than clean and healthy waters.
- Permissible harm must be narrowly tailored—as minimal as possible.
- Courts shall give deference to the best available scientific information.
- State agencies do not have the discretion to ignore the state constitution and must comply with court orders.
- **Clean and healthy waters promote important public interests, including health, prosperity, and quality of life. The purpose of this amendment is to advance these public interests.**