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Interim Committee Week 5 – 2014 Session

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Broward County Submits Comments to DEP Beach Project Funding Ranking Lists

On December 23, 2013, the Department of Environmental Protection (DEP) released a draft list ranking of beach projects statewide. Based upon a competitive application, the rankings are used to prioritize project funding during the appropriations process. There are forty-seven different funding requests for a variety of shore protection and beach projects for FY 2014-15. Broward County's Segment II renourishment was the twenty-second ranked project. The forty-seven projects would cost roughly \$74 million dollars. DEP solicited official comments for two weeks after the draft list was released.

Environmental Protection and Growth Management (EPGM) and The Office of Intergovernmental Affairs & Professional Standards (OIAPS) met the January 9th comment deadline to express serious concerns with the application process and how projects were scored. For example, DEP holds that hurricane damage is not considered in the determination of whether a beach is severely eroded. Furthermore, the application fails to consider property values, tax revenue generation, or other real-world indicators of economic value. Instead, the scoring criteria considers project property zoned as commercial or recreational as beneficial to the economy and worthy of protection. It is clear a more detailed approach is needed as not all economic activity, based upon zoning alone, is equal. Further, the list includes projects that identify the DEP Parks Department as a local government project sponsor. This directly contradicts how the Beach Management Assistance Program has traditionally been administered and creates a situation that is inappropriate for competing projects. These issues were clearly expressed to DEP.

E911 Fee Legislation Passes First House Committee

Legislation attempting to capture E911 fees from prepaid wireless providers passed the House Energy and Utilities Subcommittee on Wednesday, January 8, 2014. HB 175 – Emergency Communication System, by Rep. Greg Stuebe, provides a mechanism for collection of E911 fee on prepaid wireless services by retailers at the point of sale and establishes a new category in the E911 Trust Fund for revenues derived from the fee. The bill does not change the process for fee collection by tradition cell service providers

but it does lower the E911 fee at \$0.46 for all providers. This number includes traditional post-paid voice communications services and prepaid wireless service for each retail transaction.

The bill also expands the list of authorized county expenditures, such as training and GIS systems, for which E911 system funds may be used. HB 175 increases funds to be distributed to counties and provides that 35 percent of the monies in the new prepaid wireless category will be retained by the Board to provide counties grants. Awards may be utilized for the purpose of upgrading and replacing E911 systems, developing and maintaining statewide 911 routing and mapping systems, and developing and maintaining next-generation 911 services and equipment.

Bill Promoting Freight Transportation Starts Legislative Journey

HB 3 – Freight Logistic Zones, by Rep. Lake Ray, creates s. 311.103, F.S., defining a “freight logistics zone” as a grouping of activities and infrastructure dealing with freight transportation within a specific area. It allows a county, or two or more contiguous counties, to designate a freight logistics zone and gives projects within freight logistics zones, which are consistent with the Department of Transportation’s (DOT) Freight Logistics and Trade plan, priority in state funding for certain incentive programs. Currently, freight logistics zones are not defined or designated. The bill unanimously passed the first committee of reference for the 2014 Legislative Session. Similar legislation died in the Senate last year.

Bill Would Give Local Governments Ability to Restrict Smoking in Playgrounds

SB 342 – Florida Clean Air Act, by Sen. Rob Bradley, authorizes municipalities and counties to restrict smoking in municipally or county owned playground areas. The bill defines the term “playgrounds” as “a designated independent area in the community or neighborhood that is designed solely for children and has one or more playground structures.” The bill requires that the restricted areas be identified by “No Smoking” signs. The bill, as passed in the Senate Regulated Industries Committee on January 9, 2014, requires law enforcement to first direct the violator to stop smoking and to advise him or her of the penalties before issuing a citation. The maximum fine for a first time offense is \$100.

DEP Presents Legislative Budget Request to Senate General Government Appropriations Subcommittee

Every year, state agencies submit legislative budget requests to the committees that have preliminary budget authority over the respective agency. On January 9, 2014, DEP presented its budget request before the Senate General Government Appropriations Subcommittee. DEP requested a total budget of \$1.4 billion “to protect Florida’s natural

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resources.” This request represents a 6% increase from the previous year. The Department identified a few major budget priorities. Those priorities include \$75 million for the Everglades, \$40 million to Florida Forever, \$15 million dedicated to springs restoration, \$19 million for state parks repairs and renovations, \$25 million for beach restoration, and \$125 million for petroleum tanks clean up. Several of these budget priorities are consistent with priorities identified in Broward County’s 2014 State Legislative Program. However, the County will advocate strongly for significantly more funds dedicated to beach renourishment.

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