2019 Legislative Update

Environmental Planning and Community Resilience Division
for the Climate Change Task Force Meeting
May 16, 2019
Governor’s Executive Order

• Issued January 10, 2019
• $2.5 billion (for 4 years) for Everglades and water resources protection – Legislature exceeded Gov request for $625M
• Establishment of Blue-Green Algae Task Force - done
• SFWMD to immediately start EAA Reservoir design – conceptual layout within next month
• Creation of Office of Environmental Accountability and Transparency - unclear
Governor’s Executive Order

• Move Environmental Crimes Enforcement Unit from FWC to DEP – HB 5401 APPROVED by Legislature
• Creation of Office of Resilience and Coastal Protection in DEP – received apparent budget increase
• Appointment of Chief Science Officer – Thomas Frazer, UF professor
• Appointment of Chief Resilience Officer – DEP accepting applications
HB 95 (SB 92)– C-51 Reservoir

- Allows SFWMD to negotiate for any portion of project not already committed to partners for water supply
- Clarifies purposes of operation of C-51 Reservoir Project
  - Phase I must accord with O&M agreement
  - Lake O water only available for CUP if SFWMD rules permit
- Allows Phase II funding via appropriation
- Dropped from original bill: SFWMD allowed to enter into agreements for unreserved capacity and request waiver of DEP loan
- APPROVED by Legislature
HB 325 (SB 446) – Coastal Management

• Revises criteria for beach management, erosion control, inlet projects

• APPROVED by Legislature
SB 796 (HB 797) – Public Utility Storm Protection Plans

• Transmission and distribution (T&D) storm protection plan to be part of storm hardening plan
• Overhead hardening, undergrounding, vegetation mgmt
• T&D plan to be paid for through new storm protection cost recovery clause
• APPROVED by Legislature
HB 3 – Preemption of Local Regulations

• Original bill prohibited virtually all regulations by local governments that affect businesses, killing or severely maiming local government home rule in Florida, including environmental ordinances
• Bill amended to apply only to local occupational licensing
• Approved by House; Sent to Senate; Died
• SB 1748, resembling original bill, assigned to committees but never heard
SB 82 (HB 145) – Vegetable Gardens

• Preempts local governments from regulating vegetable gardens on residential property
• Allows regulations not specific to vegetable gardens (e.g., water use, pesticide use)
• APPROVED by Legislature
Local Regulation of Containers/Bags/Straws

• HB 771 – Environmental Regulation
  – No adoption or enforcement of local regulations on single-use plastic straws before July 1, 2024
  – In the meantime: a study
  – Will scrutinize data and conclusions used for local ordinances
    – APPROVED by Legislature

• HB 1299, SB 588, HB 603 proposed similar straw preemptions
Local Regulation of Containers/Bags/Straws

• SB 88/HB 6033 – Preemption of Recyclable and Polystyrene Materials: would lift state preemptions
• SB 502 – Prohibition of Plastic Carryout Bags and Straws – stores/food businesses cannot distribute plastic bags and straws (w/exceptions)
• SB 694 – Disposable Plastic Bags: pilot programs
• No hearings; Died
Fracking Bills

• SB 146, HB 239, SB 314 – Advanced Well Stimulation Treatment
  – All slightly different, but all specifically ban matrix acidization
• HB 7029 – Committee bill
  – Banned some fracking, but not matrix acidizing
• SB 7064 – Oil Drilling
  – Similar to 7064, also established rules for drilling in Everglades Protection Area
• SB 314 and HB 7029 each passed 1 committee; both died
• SB 7064 passed 2 committees; died
• SB 146 and HB 239 received no hearings
SB 944 – Land Acquisition Trust Fund

- Sets aside $100 million per year for Florida Forever Trust Fund
- Bans use of LATF moneys for administrative/IT expenses in DEP, DACS, FWC, Dept. of State
- Passed 1 of 3 committees; Died
SB 78/HB 169 – Public Financing of Construction Projects

- Requires state-financed construction in coastal areas to first conduct a sea level impact project study, to be published and approved by FDEP
- Minimum 50-year horizon
- “Utilize a systematic, interdisciplinary, and scientifically accepted approach in the natural sciences and construction design in conducting the study”
- SB 78 passed 2 of 4 committees (0 last year)
HB 1369 - Florida Climate and Resiliency Research Program

- Establishes interagency program for “purpose of assisting the state in understanding, assessing, predicting, and responding to the effects of climate change.”
- Would develop statewide climate assessment every four years
- Participants: state agency heads or designees, representatives from regional collaboratives (incl. Compact)
- No hearings; Died
SB 1056 – Disaster Resilience Task Force

• “to evaluate ways to protect this state's remaining coastal ecosystems and natural habitats, increase coastal community resilience in the face of sea-level rise, and apply the best available science as to sea level rise and its anticipated impacts”

• DEP Secretary or appointee, 2 appointees each Governor, Senate President, House Speaker (expertise required)

• Report by July 1, 2022

• No hearings; Died
HB 63/SB 282 – Property Assessed Clean Energy

• Adds sewage treatment improvements to list of qualifying improvements
• Broward County opposes – violates principle that annual assessments should be financed by reduction in ongoing expenses
• No hearings; Died
SB 222 – Private Property Rights

• Allows property owners to produce and sell renewable energy to users on their property
• Up to 2.5 megawatts
• No hearings; Died
Renewable Energy Goals/Standards

• HB 1291 – State Renewable Energy Goals
• SB 1762 – State Renewable Energy Goals
• SB 1372 – Renewable Energy Standards
• No hearings; Died
Appropriations
Governor’s Budget Proposal

- $625 million for Everglades restoration and water resource protection - $682M
  - $360 million for Everglades restoration - ~$368M
  - $25 million for algal blooms - unclear
  - $150 million for waterbody nutrient reductions - unclear
  - $50 million for springs - $50M
  - $40 million for alternative water supply grant program - $40M
Governor’s Budget Proposal

• $50 million for beach renourishment - $50M
• $6 million for DEP Resilient Coastlines Program (incl. coral reefs) - $5.5M
• $2.5 million for waste tire removal (Osborne Reef) – $2.5M including coral reefs
• $10 million for Year 1 of State Mitigation Plan for VW settlement ($166 million total) - $10M
• $100 million for Florida Forever - $33M
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<tr>
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<tbody>
<tr>
<td><strong>Local Water Projects</strong></td>
<td>$55,567,286**</td>
<td>$30,123,311**</td>
<td>$49,082,803**</td>
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<td>(<strong>Amount as passed by Legislature; Governor usually vetoes many)</strong></td>
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<td><strong>Everglades Restoration</strong></td>
<td>$202,664,122</td>
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<td>- Restoration Strategies Water Quality Plan</td>
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<td>- Northern Everglades</td>
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<td>- Everglades Trust Fund</td>
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<td>- Comprehensive Everglades Restoration Plan</td>
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<td>- EAA Reservoir</td>
<td>n/a</td>
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<td>$43,824,918</td>
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<td><strong>Herbert Hoover Dike Rehabilitation</strong></td>
<td>n/a</td>
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<td><strong>Florida Forever</strong></td>
<td>$0</td>
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<td><strong>Springs Restoration</strong></td>
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<td><strong>Beach Projects (excluding hurricane recovery)</strong></td>
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<td><strong>Beach Projects - Hurricane Recovery</strong></td>
<td>$13,333,333</td>
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<td><strong>Water Protection and Sustainability Program Trust Fund</strong></td>
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<td><strong>Wastewater Treatment Facility Construction</strong></td>
<td>$142,688,031</td>
<td>$175,018,687</td>
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<td><strong>Drinking Water Facility Construction</strong></td>
<td>$97,645,073</td>
<td>$127,976,016</td>
<td>$125,547,958</td>
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<td><strong>Florida Resilient Coastline Initiative (including coral reef health)</strong></td>
<td>n/a</td>
<td>$3,600,000</td>
<td>$5,517,567</td>
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<td><strong>C-51 Reservoir (*$1M for Phase II, $30M for loan program for Phase I)</strong></td>
<td>$31,000,000</td>
<td>$0</td>
<td>$0</td>
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<td><strong>Reef Protection and Tire Abatement (Osborne Reef in FY 2017-18)</strong></td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$2,500,000</td>
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Questions and Discussion

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