

# **PALM BEACH COUNTY**

## **2020 STATE LEGISLATIVE AGENDA**

### ***ENVIRONMENTAL & NATURAL RESOURCES PRIORITIES***

#### **Board of County**

#### **Commissioners**

**Mack Bernard, Mayor**  
**Dave Kerner, Vice Mayor**  
**Hal R. Valeche**  
**Gregg K. Weiss**  
**Robert S. Weinroth**  
**Mary Lou Berger**  
**Melissa McKinlay**

**Verdenia C. Baker,**  
**County Administrator**

**Rebecca DeLaRosa,**  
**Legislative Affairs Director**



# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS



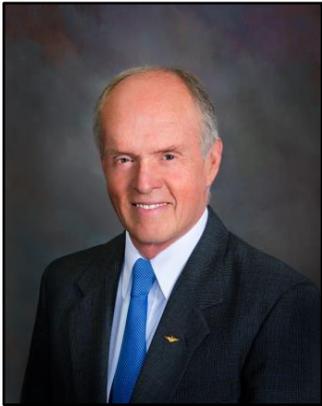
**MACK BERNARD**  
**MAYOR**  
**DISTRICT 7**  
561/355-2207

[MBERNARD@pbcgov.org](mailto:MBERNARD@pbcgov.org)



**DAVE KERNER**  
**VICE MAYOR**  
**DISTRICT 3**  
561/355-2203

[DKERNER@pbcgov.org](mailto:DKERNER@pbcgov.org)



**HAL R. VALECHE**  
**DISTRICT 1**  
561/355-2201

[HVALECHE@pbcgov.org](mailto:HVALECHE@pbcgov.org)



**GREGG K. WEISS**  
**DISTRICT 2**  
561/355-2202

[GWEISS@pbcgov.org](mailto:GWEISS@pbcgov.org)



**ROBERT S. WEINROTH**  
**DISTRICT 4**  
561/355-2204

[RWEINROTH@pbcgov.org](mailto:RWEINROTH@pbcgov.org)



**MARY LOU BERGER**  
**DISTRICT 5**  
561/355-2205

[MBERGER@pbcgov.org](mailto:MBERGER@pbcgov.org)



**MELISSA MCKINLAY**  
**DISTRICT 6**  
561/355-2206

[MMCKINLAY@pbcgov.org](mailto:MMCKINLAY@pbcgov.org)

## **2020 STATE LEGISLATIVE ISSUES**

### Contents

ENVIRONMENTAL/NATURAL RESOURCES.....	4
<b>Lake Okeechobee Operations.....</b>	<b>4</b>
<b>Lake Okeechobee Watershed Restoration .....</b>	<b>4</b>
<b>Loxahatchee River Watershed Restoration Plan .....</b>	<b>4</b>
GLADES REGION INFRASTRUCTURE IMPROVEMENT PROGRAM .....	5
BEACH AND INLET MANAGEMENT PROJECT APPROPRIATIONS.....	6
LOXAHATCHEE RIVER PRESERVATION INITIATIVE .....	7
LAKE WORTH LAGOON INITIATIVE .....	8
LAKE OKEECHOBEE RESTORATION .....	9
PHASE II OF THE J.W. CORBETT LEVEE SYSTEM IMPROVEMENT PROJECT.....	10
MOSQUITO BORNE DISEASE FUNDING.....	10
DEPARTMENT OF ENVIRONMENTAL PROTECTION - LAND MANAGEMENT .....	11
PROGRAMS AND PROJECTS TO IMPROVE WATER QUALITY.....	11
PROGRAMS AND PROJECTS TO SUPPORT CORAL REEF PROTECTION .....	12
PETROLEUM STORAGE TANK COMPLIANCE LOCAL PROGRAM FUNDING.....	12
MAINTAIN FUNDING FOR THE STATE PETROLEUM CLEANUP PROGRAM.....	13
RESILIENCE/SOUTH FLORIDA CLIMATE CHANGE COMPACT .....	13
EXPLORATORY OIL DRILLING OPERATIONS OPPOSITION .....	14
MODIFICATION OF THE STATEWIDE RECYCLING GOAL.....	14
EXPANSION OF RECLAIMED WATER.....	15
ALTERNATIVE WATER SUPPLY, WATER RESOURCE DEVELOPMENT AND INFRASTRUCTURE FUNDING.....	15
UTILITY WORKER SAFETY AND EMERGENCY RESPONDER STATUS.....	16
AUTHORITY TO ADDRESS AT RISK VESSELS BLOCKING INGRESS/EGRESS TO COUNTY RECREATIONAL AREAS .....	17
FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM.....	17
CENTRAL COUNTY INFRASTRUCTURE FUNDING .....	17

## ENVIRONMENTAL/NATURAL RESOURCES

### LAKE OKEECHOBEE OPERATIONS

Lake Okeechobee is a critical component in achieving environmental restoration, water supply, agriculture, tourism and recreation objectives in South Florida. The Lake is essential and interconnected to communities, businesses, public water supplies, and ecosystems. Palm Beach County residents, taxpayers and visitors depend on healthy and predictable lake levels to sustain a robust and diverse economy. As such, Lake Okeechobee operations are a high priority for the Palm Beach County Board of County Commissioners.

Palm Beach County **SUPPORTS** an open, transparent and inclusive public process to re-evaluate Lake Okeechobee operations. Palm Beach County is actively working with the U.S. Army Corps of Engineers on their re-evaluation of Lake operations, referred to as the Lake Okeechobee System Operating Manual or LOSOM.

Palm Beach County **SUPPORTS** efforts by the Florida Department of Environmental Protection, the Florida Department of Agricultural and Consumer Services and the South Florida Water Management District to ensure future Lake Okeechobee operations are appropriately evaluated, maximize the protection of water supplies, minimize the potential for water use restrictions, avoid widespread damage to the economy and ecosystems such as Lake Okeechobee, the Lake Worth Lagoon and the Loxahatchee River and comply with state law.

### LAKE OKEECHOBEE WATERSHED RESTORATION

Excess freshwater during the wet season and inadequate freshwater during the dry season along with excess nutrients in surface water bodies is a widespread, complex, multi-dimensional problem that requires focused investment and regional-scale and local-scale water storage infrastructure and water quality treatment strategies. The Comprehensive Everglades Restoration Plan (CERP) is the roadmap to addressing these issues. However, the pace of CERP implementation has been disappointingly slow, with many projects delayed indefinitely or re-formulated with reduced scopes.

No estuary or community should have to endure short-term toxic algae bloom conditions or long-term water quality degradation that have resulted due to the cumulative impacts of decades of excess stormwater flows via the regional water management system. Unfortunately, instead of looking toward a comprehensive regional strategy, much recent discussion has focused on drastically lowering Lake Okeechobee. Drastically lowering Lake Okeechobee has the potential to negatively affect public water supply utilities, businesses and communities throughout Palm Beach County.

Palm Beach County **SUPPORTS** a renewed focus on the implementation of regional-scale and local-scale water storage and water quality treatment projects in Lake Okeechobee tributary basins north of Lake Okeechobee consistent with the Comprehensive Everglades Restoration Plan.

### LOXAHATCHEE RIVER WATERSHED RESTORATION PLAN

In 1985, the U.S. Department of the Interior designated the Northwest Fork of the Loxahatchee River a National Wild and Scenic River. In 2000, the Comprehensive Everglades Restoration Plan (CERP) was authorized by Congress and included several projects to restore the river. The goal of the Loxahatchee River Watershed Restoration Plan is to improve flows to the Northwest Fork of the Loxahatchee River and restore wetlands that form the historic headwaters of the river.

Joint state and federal planning efforts related to the Loxahatchee River Watershed Restoration Plan began in 2003, were put on hold in 2011 and re-started in 2015, with a much reduced project scope. County staff have been engaged in every iteration of the Loxahatchee River restoration project including its previous incarnation, the North Palm Beach County Project. In addition, Palm Beach County has acquired and restored almost 28,000 acres of natural areas and wetlands within the Loxahatchee River watershed for the benefit of the ecosystem.

Unfortunately, there are many project elements and benefits that were envisioned in CERP, approved by Congress in 2000 that are not included in the current Loxahatchee River Watershed Restoration Plan. In addition, the County along with some local stakeholders have concerns with some of the proposed project features, the lengthy implementation schedule and the high cost.

Palm Beach County **SUPPORTS** efforts by the Florida Department of Environmental Protection and the South Florida Water Management District to collaborate with the U.S. Army Corps of Engineers, the County and other key local stakeholders to identify potential forward paths that would address County and stakeholder concerns with the proposed Loxahatchee River Watershed Restoration Plan.

Palm Beach County also **SUPPORTS** efforts to advance projects within Palm Beach County that provide benefits to the Lake Worth Lagoon, reduce potential flood damages, and increase the availability of water supplies, similar to those envisioned in CERP.

### **GLADES REGION INFRASTRUCTURE IMPROVEMENT PROGRAM: \$3,000,000**

Infrastructure in the Glades Region of Palm Beach County (including the economically distressed cities of Belle Glade, South Bay and Pahokee) suffers from a history of inadequate design, substandard construction, the utilization of improper materials and a severe lack of investment for replacement and repair. This results in the inadequate provision of water pressure and quality, chronic wastewater overflow issues due to infiltration of stormwater into the wastewater collection system, and the inability to provide adequate flows for fire protection. The continued deterioration of the infrastructure has resulted in threats to the health, safety and welfare of the citizens of the Glades Region and has also curtailed the ability of Palm Beach County and the municipalities of the Region to attract economic development and business expansion, as well as supporting residential and commercial development. As a result of the infrastructure deficiencies, and to develop a strategy for economic development for the Glades Region, the County finalized the Glades Region Master Plan, which detailed specific Infrastructure Improvement Projects (Projects) that are required in order to repair and restore the water, wastewater, stormwater, and transportation infrastructure of the Glades Region to a level that will protect the health, safety and welfare of the public and businesses of the Region and improve the economic development outlook for the citizens of the area. The Projects additionally include features designed to improve the resiliency of the infrastructure in the face of increased impacts from tropical storm events. The proposed projects are prioritized in the Glades Region Master Plan and are coordinated to provide a multi-faceted approach to foster economic development through the improvement of basic infrastructure throughout the Region.

2020 Session Funding Request		
Project Name	Estimated Project Cost	Requested State Allocation
Glades Region Infrastructure Improvement Program	\$25,000,000	\$3,000,000

**BEACH AND INLET MANAGEMENT PROJECT APPROPRIATIONS: \$1,798,726**

Florida’s beaches are the focus of our tourism industry and are critical in maintaining Florida’s tourism brand. Their role in providing upland property protection against storm damage makes them key components of our economy. The benefits to property values, tourism, and jobs by maintaining healthy beaches far outweigh the investment needed to combat coastal erosion. State matching grants are a critical component of the funding required to maintain this essential infrastructure, but state budgetary restrictions continue to force many communities to advance the necessary funding for projects without a guarantee of future reimbursements. The backlog of eligible funding requests continues to expand annually. The County is requesting inclusion of the following Palm Beach County shore protection projects in the State’s Beach Erosion Control Program:

2020 Session Beach & Inlet Management FUNDING REQUESTS					
No.	Project Name	Description	Grant Funding Request	Local Match	Estimated Project Cost
1	North County Comprehensive Shore Protection Project -Segment 1 (Jupiter/Carlin)	Monitoring	\$130,000	\$130,000	\$260,000
2	North County Comprehensive Shore Protection Project - Segment 2 (South Jupiter)	Feasibility, Design/Permitting	\$133,292	\$133,293	\$266,585
3	Singer Island Shore Protection	Monitoring	\$47,934	\$72,066	\$120,000
4	South Lake Worth Inlet Management	Design, Permitting, Construction, Monitoring	\$1,387,500	\$462,500	\$1,850,000
5	Ocean Ridge Shore Protection	Monitoring	\$100,000	\$100,000	\$200,000
	<b>TOTAL</b>		<b>\$1,798,726</b>	<b>\$897,859</b>	<b>\$2,696,585</b>

## **LOXAHATCHEE RIVER PRESERVATION INITIATIVE**

The Loxahatchee River is the southernmost tributary of the Indian River Lagoon and includes the North Fork of the Loxahatchee River, one of two nationally designated Wild and Scenic Rivers in Florida. Despite its Federal designation as a Wild and Scenic River and the protective status associated with classification as an Outstanding Florida Water, significant problems need to be addressed.

The Loxahatchee River Preservation Initiative (LRPI) is the outgrowth of a watershed management effort started by the FDEP in 1996. LRPI has a long history of working with both the South Florida Water Management District (SFWMD) and the Florida Department of Environmental Protection to request and receive legislative appropriations to complete essential restoration. SFWMD is a local presence in the region that understands the system and the benefit each of these projects provide to the River. Projects are ranked and prioritized by the LRPI Board, including representatives of the state agencies.

Palm Beach County **SUPPORTS** legislative funding for the priority list of projects as established by the steering committee of the LRPI.

No.	Project Name	Entity	Grant Funding Request	Local Match	Estimated Project Cost
1	Pennock Industrial Park Stormwater Improvements	Town of Jupiter	\$231,855	\$324,555	\$556,410
2	Cypress Creek Floodplain Restoration Project Phase I	Martin County	\$125,000	\$125,000	\$250,000
3	Section 7 Drainage Improvement Project	South Indian River Water Control District	\$321,500	\$321,500	\$643,000
4	Seminole Avenue Stormwater Basin	Town of Jupiter	\$870,000	\$2,800,465	\$3,670,465
5	Sims Creek Preserve Hydrologic Restoration	Town of Jupiter	\$350,000	\$400,000	\$750,000
	<b>TOTAL</b>		<b>\$1,898,355</b>	<b>\$3,971,520</b>	<b>\$5,869,875</b>

## LAKE WORTH LAGOON INITIATIVE

The Lake Worth Lagoon (LWL) estuary stretches 20 miles along the shores of 13 municipalities from North Palm Beach to Ocean Ridge and has been subjected to pollution and habitat losses for decades. The Lake Worth Lagoon Initiative is supported by Palm Beach County, South Florida Water Management District, Florida Department of Environmental Protection, Florida Inland Navigation District and the League of Cities, which have endorsed the LWL Management Plan to restore the Lagoon. This plan includes projects to restore sea grasses, mangroves and oysters, cap muck sediments and construct stormwater control projects and septic to sewer conversions. Revitalizing this important waterbody provides long-term environmental, recreational and economic benefits to the region.

The Initiative was created to define and evaluate the status of the entire LWL watershed and propose actions that would improve and protect the natural resources within the lagoon and watershed. Each State dollar is matched at the local level on a minimum 50:50 cost-share basis. Through this program, over \$22 million in State funds and \$65 million in local funds have been dedicated to restoring the Lagoon. The projects below were prioritized by Initiative members and funding partners.

Palm Beach County **SUPPORTS** legislative funding for the priority list of projects as established by the steering committee of the Lake Worth Lagoon Initiative.

2020 Session Lake Worth Lagoon Initiative FUNDING REQUESTS					
No.	Project Name	Entity	Grant Funding Request	Local Match	Estimated Project Cost
1	Lake Shore Drive Drainage Improvements	Town of Lake Park	\$700,000	\$700,000	\$1,400,000
2	Lake Worth Lagoon CAP Section 1135 Project	Palm Beach County	\$1,000,000	\$1,000,000	\$2,000,000
3	Singer Island Submerged Lands Acquisition	Palm Beach County	\$250,000	\$250,000	\$500,000
4	Lake Worth Lagoon Monitoring	Palm Beach County	\$229,500	\$229,500	\$459,000
5	Lake Worth Lagoon Preservation Project	City of Riviera Beach	\$500,000	\$500,000	\$1,000,000
6	Hypoluxo Septic to Sewer Conversion	Town of Hypoluxo	\$333,660	\$333,660	\$667,320
7	South Palm Park Water Quality Improvements	City of Lake Worth Beach	\$371,780	\$371,780	\$743,560
8	Wellesley Drive and 18 <sup>th</sup> Avenue North Lagoon Enhancement	City of Lake Worth Beach	\$287,850	\$287,850	\$557,700
	<b>TOTAL</b>		<b>\$3,663,790</b>	<b>\$3,663,790</b>	<b>\$7,327,580</b>

**LAKE OKEECHOBEE RESTORATION \$1,600,000**

Historically, the shoreline of Lake Okeechobee along Palm Beach County transitioned gradually from beaches and grassy waters into deeper water, serving as a natural barrier and filtration system. During construction of the Herbert Hoover Dike, the shoreline was significantly altered, inhibiting the natural flow of water and resulting in consequences to the ecosystem; habitat loss, increased turbidity and sedimentation. These changes impair the environmental resources upon which the adjacent communities depend on and negatively affect the economy. Palm Beach County is actively working with the US Army Corps of Engineers (USACE) on a large-scale project to restore nearshore habitat within the lake. A Final Integrated Feasibility Report & Environmental Assessment for Pahokee Restoration has been approved through the USACE’s Continuing Authorities Program, Section 1135. The report recommends a project to create islands/wetland habitat. A local match of 25% or \$3.2 million is needed to match the upcoming 75% federal appropriation of <\$10 million.

2020 Session Lake Okeechobee FUNDING REQUESTS			
Project Name	Grant Funding Request	Local Match	Estimated Project Cost
Lake Okeechobee Pahokee Restoration/Habitat Construction, USACE Continuing Authority Program, Section 1135	\$1,600,000	\$1,600,000	\$3,200,000

## **PHASE II OF THE J.W. CORBETT LEVEE SYSTEM IMPROVEMENT PROJECT**

In August 2012, Tropical Storm Isaac brought nearly 15 inches of rain over a 72-hour period in areas of central Palm Beach County, including communities served by the Indian Trail Improvement District. The South Florida Water Management District (SFWMD) took immediate action to respond to flooding in support of local relief efforts, including taking around-the-clock measures to strengthen the Indian Trail Improvement District berm that borders the J.W. Corbett Wildlife Management Area. In September 2012, Governor Rick Scott directed the SFWMD to convene a multiagency working group to determine a timely plan to further strengthen the integrity of the berm.

The planning efforts resulted in the J.W. Corbett Levee System Improvement Project that will enhance flood protection and safety for the residents of the Indian Trail Improvement District from waters impounded within the J.W. Corbett Wildlife Management Area, which includes adding a levee north of the existing berm. During the 2013 legislative session, \$4 million was appropriated to improve the J.W. Corbett Levee System and help improve water drainage and flow in the region. Approximately \$6 million in additional funding is required to complete the second phase of levee construction and provision of flood protection for the surrounding residents and commercial businesses. Palm Beach County was able to secure \$500,000 towards the second phase of the Project during the 2016 Legislative Session.

Palm Beach County **SUPPORTS** the Florida Department of Environmental Protection and South Florida Water Management District in securing the remaining funding to complete Phase II of the Project.

## **MOSQUITO BORNE DISEASE FUNDING**

Heightened concerns regarding mosquito-borne diseases such as Dengue, Chikungunya and Zika Virus continue to be especially challenging for local government mosquito control programs. The mosquito that transmits these three diseases is a daytime active container breeding mosquito species requiring daytime inspection of properties, elimination of artificial breeding sites, hand-fogging residences, immediate response to suspect cases, and public education. While reported cases of Zika virus appear to be on the decline, imported cases of Dengue have increased, requiring sustained attention given to the sources of those disease vectors. The virus that causes dengue occurs in four strains, with a recently discovered fifth strain, which means it will likely never result in the herd immunity that causes these other diseases to decline. Additionally, West Nile Virus (WNV) has reappeared after a many-year absence. This presents a need to re-establish protocols that have been in disuse since the last WNV outbreak in 2011-12.

Current staffing levels and the need for additional equipment and chemicals limits the ability of local governments to operate an integrated program as required under Chapter 388 F.S. in protecting the public's health. Although additional state funding in recent years has allowed mosquito control agencies to address short-term needs, an expanded dedicated funding commitment from the state would allow for long-term program planning and ensure the availability of well-trained staff.

Palm Beach County **SUPPORTS** increased state funding for mosquito control and the eradication of

mosquito borne diseases.

## **DEPARTMENT OF ENVIRONMENTAL PROTECTION - LAND MANAGEMENT**

Palm Beach County and its municipalities manage approximately 48,570 acres of conservation and preserve lands within its Natural Areas and Park properties. Statewide, local governments manage about 10% of the government owned lands. Funding management activities on these lands is an on-going financial commitment, particularly in South Florida where the subtropical climate allows exotic plant and animal species to thrive and necessitate continual treatment to maintain natural areas in their natural condition.

Palm Beach County **SUPPORTS** appropriations from the Land Acquisition Trust Fund for the management or restoration of natural lands of local government natural lands and adoption of an allocation method based on per acre shares of the available funding.

Palm Beach County **SUPPORTS** appropriations from the Land Acquisition Trust Fund for beach restoration, Everglades Restoration, efforts to benefit Lake Okeechobee, Lake Worth Lagoon, the Loxahatchee River, alternative water supply and regional multi-faceted projects that benefit the environment and inhabitants of Palm Beach County, as well as the inclusion of the Loxahatchee River and Lake Worth Lagoon in legislation establishing dedicated funding for Everglades Restoration, including those local projects under consideration and development as locally preferred projects.

Palm Beach County **SUPPORTS** legislation to provide greater flexibility in the ability of local governments to accomplish vital land management activities, including, but not limited to the expansion of the approved uses of funding under the Florida Communities Trust (Chapter 380, F.S.) to allow for funding of land management activities.

## **PROGRAMS AND PROJECTS TO IMPROVE WATER QUALITY**

Cyanobacteria, or “blue green algae,” on Lake Okeechobee and connected waterways has emerged as a significant issue in the past 6 years, resulting in serious impacts to water quality, public health, and economic viability of local businesses. The State of Florida has convened a Blue Green Algae Task Force focused on expediting water quality improvements in the next five years, with a key focus on “supporting key funding and restoration initiatives, prioritizing solutions, and making recommendations to expedite nutrient reductions in Lake Okeechobee and the downstream estuaries.” From this effort it is expected that priority projects to reduce nutrients will be identified and funded in partnerships between local, state, and federal entities.

Palm Beach County **SUPPORTS** legislation to provide for effective programs to further address water quality impacts, as well as appropriations to provide for vital water quality projects to address nutrient pollution and the impacts of harmful algal blooms, including the conversion of properties currently on septic systems to central wastewater in those areas impacted by harmful algal blooms and nutrient pollution, projects to reduce damaging freshwater discharges to the Lake Worth Lagoon, and mandated

state water quality improvement projects.

#### **SEPTIC TO SEWER CONVERSION**

Palm Beach County **SUPPORTS** local government grants for septic to sewer conversion assistance.

#### **PROGRAMS AND PROJECTS TO SUPPORT CORAL REEF PROTECTION**

In 2014 a coral disease outbreak of unknown origin was found offshore of Miami-Dade County and has continued to spread harming more than 50 percent of the coral species present in the Florida Reef Tract, from Key West in Monroe County to the northernmost coral reefs in Martin County. This coral disease has become an epidemic that has caused near total mortality on the vulnerable species, including species listed under the Endangered Species Act and is an increasing threat to fragile ecosystems that support Florida's fisheries and protect our coasts.

Palm Beach County **SUPPORTS** legislation that would reauthorize and modernize the Coral Reef Conservation Act of 2000 and legislation that provides for effective programs that address coral reef disease identification, intervention and restoration efforts.

#### **PETROLEUM STORAGE TANK COMPLIANCE LOCAL PROGRAM FUNDING**

Since 1988, PBC has contracted with the Florida Dept. of Environmental Protection (FDEP) to administer the Petroleum Storage Tank Compliance Verification Program. During 2012, FDEP moved towards a regional approach with the program and this resulted in PBC expanding its program duties into Martin and St. Lucie Counties. The current budget for FDEP's compliance program is \$5,900,000, a 41% budget reduction since FY 2010-11. The budget reductions have resulted in a dramatic decrease in the number of facilities being inspected annually. The rationale behind this reduction was that all petroleum storage tank systems are now double walled and less likely to leak, therefore requiring less frequent inspections. The reality is:

- Double-walled petroleum storage tank systems statewide are nearly 20 years old.
- Historical inspection records show that as tank systems age, equipment failures and maintenance issues occur more frequently. These issues are only discovered by regular site inspections and more comprehensively addressed due to the revised regulations of October, 2018.
- Reduced inspection frequencies has decreased compliance rates and increased the chances for petroleum discharges as equipment failures and maintenance issues persist for longer periods before being discovered by inspectors.

**SUPPORT** funding the Petroleum Storage Tank Compliance Verification Program at the local program level and maintain the current \$5,900,000 budget level resulting in approximately 43% of the facilities being inspected annually. Preferably, restore funding to the FY 2010-11 level of \$10,000,000 so all of the facilities can be inspected annually. The Storage Tank Compliance Program provides the first line of defense for protecting the State's drinking water supplies and early detection of leaks prevents costly clean-up efforts by the property owner.

## **MAINTAIN FUNDING FOR THE STATE PETROLEUM CLEANUP PROGRAM**

Palm Beach County's local petroleum cleanup program provides technical oversight and management of state contractors conducting assessment and remediation of petroleum contamination within the County to support development of impacted properties and protect local drinking water supplies. The Program also provides enforcement and oversight for non-eligible contamination cleanups. The County has a dedicated experienced team of professionals which include Professional Geologists, Hydrogeologists and Professional Engineers to oversee the many phases of the cleanup process in a timely and cost-effective manner. Palm Beach County's Department of Environmental Resources Management implements the Program throughout the County.

**SUPPORT** the Division of Waste Management Long Range Program Plan that implemented changes to the Petroleum Restoration Program (PRP), resulting in improved efficiency and cost effectiveness. The Palm Beach County Local Cleanup Program is committed to assisting the PRP strategic direction to have all remaining discharges assessed in five (5) years or less.

## **RESILIENCE/SOUTH FLORIDA CLIMATE CHANGE COMPACT**

Southeast Florida is one of the most vulnerable areas in the country to climate change and sea level rise. Recognizing their shared challenges, Palm Beach, Broward, Miami-Dade and Monroe counties ("Compact counties") adopted the Southeast Florida Regional Climate Change Compact ("Compact") in 2010. The Compact includes a commitment to develop and advocate for joint state and federal legislative policies. Accordingly, the Compact counties have adopted a State Legislative Program each year since 2011. The Compact has adopted as part of the Program State Legislative Principles to articulate the overarching goals for the Program, as well as State Legislative Priorities to identify those legislative issues that Compact members will support in the upcoming legislative session.

**Palm Beach County is committed to supporting the Principles and Priorities established by the Compact in its entirety. Current Priorities from the Compact Program are:**

**SUPPORT** funding for regional resilience projects and programs in Southeast Florida.

**SUPPORT** legislation requiring all state agencies to incorporate climate resilience in all aspects of capital planning and operations.

**In addition, the County has identified its top Principles from the Compact Program as:**

**OPPOSE** preemption of local environmental policies and regulations pertaining to energy, climate, or resilience issues and any infringement on local home rule authority to plan for and adapt to future climate conditions.

**SUPPORT** development of a statewide climate action plan which includes greenhouse gas emissions reduction, adaptation, and resilience measures.

**SUPPORT** all opportunities for renewable energy deployment and energy conservation in Florida, including policies to create renewable energy purchasing options, such as community solar and energy co-ops, and energy conservation incentives.

**SUPPORT** incentives for green and resilient construction standards to reduce greenhouse gas emissions and/or mitigate insurance costs in existing and future building stock.

**SUPPORT** additional funding for the DEP Office of Coastal Protection and Resilience and its local government assistance programs.

### **EXPLORATORY OIL DRILLING OPERATIONS OPPOSITION**

Kanter Real Estate LLC, a Florida for profit limited liability corporation (Kanter), has submitted an application for an oil drilling permit to the Florida Department of Environmental Protection seeking authorization to conduct exploratory oil well drilling operations on property in the Florida Everglades owned by Kanter.

Palm Beach County, along with many local agencies, have expressed substantial concerns about the potential harmful effect of the proposed drilling, including potential adverse impact that such drilling operations will have on the Florida Everglades fragile ecosystem comprised of water supplies, plant and vegetation, as well as the possible harm and injury to wildlife.

After decades of work on an Everglades restoration plan with billions of dollars invested, it would be unacceptable and hazardous to allow drilling for oil in the Everglades, Big Cypress, and other nearby ecosystem areas. Accidents, spills, and releases of air and water pollutants will likely occur.

Palm Beach County hereby **OPPOSES** any legislation that would allow or authorize more permits to allow oil drilling to expand in the Florida.

### **MODIFICATION OF THE STATEWIDE RECYCLING GOAL**

The Energy, Climate Change and Economic Security Act of 2008 established a statewide weight-based recycling goal of 75% by 2020. DEP has since acknowledged in a 2018 report that the goal is “aspirational” and that the recycling rate will likely fall short of the 2020 goal. Changes to collection methods, shifts in recycling markets including regulatory changes in international demand markets, and the use of lighter weight packaging have significantly impaired the ability of counties to meet the statutory goal. The Hinkley Center’s research has demonstrated that the integration of Sustainable Materials Management (SMM) decision making alone will not get the state to the 75% goal.

Palm Beach County **SUPPORTS** modification of the 75% recycling goal to acknowledge the current waste stream and recycling market challenges being encountered by local governments, and encourage efforts to keep as much material out of the landfill as possible.

## **EXPANSION OF RECLAIMED WATER**

As Florida continues to experience population growth and increasing demands on the water resources of the state, the efficient and effective utilization of reclaimed water is vital to expanding the water pie and providing for the increased impacts of our growth. Over the past few years, the Florida Department of Environmental Protection, the Water Management Districts, industry groups including the Florida Water and Environment Association Utility Council (FWEAUC), and multiple stakeholder groups have engaged in several efforts to improve legislative and regulatory requirements regarding the oversight and funding for alternative water supply projects. Currently, these stakeholders are engaged in the Potable Reuse Commission, which is looking to propose legislative and regulatory language to incorporate more detailed requirements regarding potable reuse into the existing frameworks regarding the traditional utilization of reclaimed water. Additional policy concepts include the clarification of the applicability of impact offset and substitution credits to alternative water supply projects, incentivization of approaches that promote efficiency in the utilization of reclaimed water, and other measures that will allow for the utilization of reclaimed water in the best time, place and manner as suits a given geographic area and local government.

Palm Beach County **SUPPORTS** the legislative concepts proposed by the FWEAUC and concepts offered by the Florida Department of Environmental Protection and other stakeholders that will promote the continued effective and efficient implementation of reclaimed water throughout Palm Beach County.

## **ALTERNATIVE WATER SUPPLY, WATER RESOURCE DEVELOPMENT AND INFRASTRUCTURE FUNDING**

In 2005, the State Legislature enacted the Water Protection & Sustainability Program, requiring the regional water supply planning function of the water management districts to promote alternative water supply projects and enhance the state's water supplies. At the beginning of each fiscal year revenues were to be distributed by the Florida Department of Environmental Protection into the alternative water supply trust fund accounts created by each water management district. A total of \$100 Million was established in recurring funding. The funds were to be used to assist in funding alternative water supply construction costs selected by each District's Governing Board for priority implementation. In 2008, funding from the Water Protection & Sustainability Program Trust Fund was reduced to \$7.7 Million statewide. Funding was further reduced in 2009 to only \$2.2 Million. Since 2009, the funding level has been zero.

As water and wastewater infrastructure ages, it becomes necessary to repair or replace aged components of the water infrastructure framework, as well as to integrate innovative technologies and approaches to provide high quality water and wastewater service. In its most recent Drinking Water Infrastructure Needs Survey and Assessment, the United States Environmental Protection Agency identified significant infrastructure Repairs and Replacements (R+R) that will be required in the decades ahead. The assessment identified nearly \$17 billion worth of upgrades needed in Florida. Provision of high quality water and wastewater service provides basic building blocks for economic sustainability and advancement. Municipal and County Governments will require assistance from State and Federal sources to tackle these growing challenges.

The Department of Environmental Protection is currently administrating a Reclaimed Water Work Group that is developing recommendations on a number of policy and funding issues relating to reclaimed water and associated projects, including funding mechanisms to restore funding for alternative water supply and reuse projects.

Palm Beach County **SUPPORTS** restoring previous alternative water supply, water resource development and reclaimed water/reuse funding through existing mechanisms and the creation new statewide funding programs to provide substantial and perennial funding to:

- Enhance regional and local water resource and supply capacity development
- Provide adequate and reliable long-term funding for water and wastewater infrastructure
- Provide funding for alternative water supply development
- Provide funding for water quality protection and treatment of impaired waters
- Establish a system for prioritizing water resource projects to ensure that funding is utilized in the most efficient manner available

### **UTILITY WORKER SAFETY AND EMERGENCY RESPONDER STATUS**

Currently, Florida Statutes provide for the reclassification of the misdemeanor or felony degree of specified assault and battery offenses when those offenses are knowingly committed against law enforcement officers, firefighters, and other specified persons and emergency responders engaged in the lawful performance of their duties. The effect of this reclassification is that the maximum penalty increases. Proposed legislation, as originally filed in previous sessions, would add utility workers (a term defined in the bill) to the list of specified persons and recognize them as first responders in emergency scenarios. Therefore, the felony or misdemeanor degree of certain assault and battery offenses would be reclassified if committed against a utility worker engaged in the lawful performance of his or her duties in the same manner as if those offenses were committed against a law enforcement officer or firefighter engaged in the lawful performance of his or her duties. The Water Utilities Department has experienced an increase in incidents involving angry and disgruntled customers threatening employees. Since June 2012 there have been several cases of aggravated assault, threats against utility workers and illegal tampering with criminal intent. Each of the cases was investigated as active case files by the Palm Beach County Sheriff's Office.

Palm Beach County **SUPPORTS** legislation that would reclassify certain assault and battery offenses committed against a utility worker engaged in the lawful performance of their duties in the same manner as if those offenses were committed against a law enforcement officer engaged in the lawful performance of their duties.

Palm Beach County additionally **SUPPORTS** the recognition of utility workers as first responders in state law given their roles prior to, during and immediately after emergency events to keep vital services running.

## **AUTHORITY TO ADDRESS AT RISK VESSELS BLOCKING INGRESS/EGRESS TO COUNTY RECREATIONAL AREAS**

Under current statutory requirements, the County is required to defer to the Florida Fish and Wildlife Commission regarding at risk and derelict vessels. County staff has experienced numerous instances of at risk and derelict vessels being abandoned or neglected in areas that restrict navigation and impede public access to recreation areas. The provisions required in Chapter 327, Florida Statutes, have proven to be inflexible given the funding and resource challenges faced by the FWC in addressing the number of at risk and derelict vessels in the area.

Palm Beach County **SUPPORTS** legislation providing for additional flexibility in allowing local governments and law enforcement agencies to address at risk or derelict vessels blocking the use of public shorelines, berthing facilities, docks, ramps and staging areas.

## **FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM**

The Florida Department of Environmental Protection administers the Florida Recreation Development Assistance Program (FRDAP). This program is a competitive grant program that provides financial assistance through grants to local governments for the acquisition and development of land for public outdoor recreation purposes. This grant program has two funding thresholds, the Large Project Fund provides grants of up to \$200,000, and the Small Project Fund provides grants of up to \$50,000. In recent legislative sessions, appropriations have been focused on the Small Project Fund, as well as special projects targeted at access for disabled persons and other specialized issues, with few projects off the Large Project List being funded. Palm Beach County Parks and Recreation submitted two FRDAP applications last year for large development projects and while both projects scored well they were not funded.

Palm Beach County **SUPPORTS** appropriations that provide for the funding of the FRDAP Small Project Development list, including two County projects that have been submitted:

Caloosa Park – Renovation of the existing exercise trail, paved bike pathway, installation of a new playground, improvements to comply with the Americans with Disabilities Act at the restrooms and parking facilities, and new picnic facilities and landscaping

Canyon District Park – Construction of three (3) new multipurpose fields, construction of new restrooms, upgrades to the exercise trail, landscaping and related infrastructure.

## **CENTRAL COUNTY INFRASTRUCTURE FUNDING**

Historically, the twelve cities that comprise Historical Central Palm Beach County grew as residential suburbs of West Palm Beach. These municipalities, all incorporated between 1921 and 1959, were created not as planned communities, but subdivisions of agrarian land converting to residential development and limited commercial strip development.

Generally, these areas developed without planned drainage systems and were affected by surrounding infrastructure projects such as the Florida Turnpike, the Beeline Highway and the commercial and business

interests of U.S. Highway One to the east and Military Trail to the west, which mark the traditional boundary of this area. As they continue to redevelop and create new economic development opportunities, the need to enhance their infrastructure has become a top priority.

Palm Beach County **SUPPORTS** collaborative efforts between the State Legislature, local municipalities, special districts and state agencies to identify and fund projects to repair and update needed water, drainage and sewer improvements in the Historical Central Palm Beach County area.