

Tab 1	SB 10 by Bradley ; Water Resources
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
ENVIRONMENTAL PRESERVATION AND CONSERVATION
Senator Book, Chair
Senator Bradley, Vice Chair

MEETING DATE: Tuesday, February 7, 2017

TIME: 2:00—4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Book, Chair; Senator Bradley, Vice Chair; Senators Farmer, Hutson, Latvala, Simmons, and Stewart

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 10 Bradley	Water Resources; Providing an exception to the requirement that bonds issued for acquisition and improvement of land, water areas, and related property interests and resources be deposited into the Florida Forever Trust Fund and distributed in a specified manner; requiring the South Florida Water Management District to seek proposals from willing sellers of property within the Everglades Agricultural Area for land that is suitable for the reservoir project; increasing the minimum annual funding for certain Everglades projects under specified circumstances, etc. EP 02/07/2017 Favorable AEN AP	Favorable Yeas 6 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Environmental Preservation and Conservation

BILL: SB 10

INTRODUCER: Senator Bradley

SUBJECT: Water Resources

DATE: February 6, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Istler	Rogers	EP	Favorable
2. _____	_____	AEN	_____
3. _____	_____	AP	_____

I. Summary:

SB 10 establishes options for additional water storage south of Lake Okeechobee to reduce the damaging discharges to the St. Lucie and Caloosahatchee estuaries. The bill provides the following three options:

- (A) The South Florida Water Management District (SFWMD) is required to seek proposals from willing sellers of land within the Everglades Agricultural Area for land that is suitable to build one or two reservoirs with a total storage capacity of 360,000 acre-feet.¹
- (B) If the SFWMD is unable to acquire such land then the option to purchase lands from the United States Sugar Corporation, which is available pursuant to the 2010 agreement,² must be exercised.
- (C) If land is not acquired pursuant to the first two options then Legacy Florida funding is increased by \$50 million annually for the Comprehensive Everglades Restoration Project (CERP), including the Everglades Agricultural Area Reservoir project component.

Under each option the SFWMD, unless other funding is available, is required to begin the planning study under the CERP for the Everglades Agricultural Area Reservoir project component by certain dates. If land is acquired under Options A or B, the bill authorizes the distribution of \$1.2 billion in Florida Forever bonds and provides contingent appropriations for the debt service payments on such bonds. The bill requires that the SFWMD seek any applicable federal credits towards the reservoir project.

¹ One acre-foot of water equals 325,851 billion gallons of water.

² See Second Amended and Restated Agreement for Sale and Purchase (2010), *available at* https://www.sfwmd.gov/sites/default/files/documents/rog_0_amended_restated_agt_for_sale_and_purchase.pdf (last visited Jan. 31, 2017).

II. Present Situation:

Lake Okeechobee and the Central Everglades Overview

In the mid-1800s the state began planning for the development of central and south Florida, with the primary obstacle being water.³ Extensive drainage projects were implemented to enable land development for urban and agricultural uses. In the early 1900s the St. Lucie and Caloosahatchee Rivers were widened and deepened for navigation and to serve as outlets from Lake Okeechobee to the east and west, respectively. After major hurricanes devastated the region in the 1920s and 1940s, the state partnered with the federal government, through the United States Army Corps of Engineers (USACE), to implement additional flood control projects that were necessary for the land development to progress. Congress authorized the Central and Southern Florida Project (C&SF) in 1948.⁴

The C&SF included channelizing the Kissimmee River; draining the area south of the lake, known as the Everglades Agricultural Area for agricultural production; and diking Lake Okeechobee for flood protection.⁵ Additionally, central portions of the Everglades were diked to create water conservation areas (WCAs) to store water for water supply in the lower east coast and for deliveries to Everglades National Park.⁶ While some fish and wildlife value was expected to remain in the WCAs, the only area intended for preservation in its natural state was Everglades National Park.⁷



³ United States Army Corps of Engineers (USACE) and South Florida Water Management District (SFWMD), *Central and Southern Florida Project Comprehensive Review Study, Final Feasibility Report and Programmatic Environmental Impact Statement*, 1-1 (April 1999) [hereinafter *Restudy*], available at http://141.232.10.32/pm/projects/project_docs/pdp_asr_combined/052808_asr_report/052808_asr_ch1_restudy_feas_rpt_pro_g_eis.pdf (last visited Jan. 31, 2017).

⁴ The Flood Control Act of 1948 (P.L. 858, 80th Congress, 2nd Session).

⁵ *Restudy* at 1-1.

⁶ *Id.*

⁷ *Id.*

Kissimmee River Basin

The Kissimmee River Basin extends from Orlando southward to Lake Okeechobee and encompasses approximately 3,000 square miles.⁸ The C&SF project turned the once meandering 103 mile Kissimmee River into a 56-mile long, 30 foot deep canal called the C-38.⁹ The resulting floodplain, the remnant river channels, and the C-38 canal are collectively referred to as the channelized system.¹⁰ Prior to channelization the flow of the river inundated much of the floodplain for a majority of the year.¹¹ While the project proved successful for flood control, it had a significant impact on the wetland ecosystem.¹² The first public hearing to discuss the restoration of the Kissimmee River was held just one year after the channelization was completed.¹³

Lake Okeechobee

Lake Okeechobee is the second largest freshwater lake located entirely within the contiguous United States, covering approximately 730 square miles.¹⁴ The waters of the lake were impounded by a system of encircling levees, collectively referred to as the Herbert Hoover Dike.¹⁵ The lake is managed as a multi-purpose reservoir for navigation, water supply, flood control, and recreation.¹⁶

Thirty-nine percent of the water that comes into the lake is from direct rainfall, 31 percent comes from the Kissimmee River, and then a smaller percentage of the water flows from other areas such as Fisheating Creek and Taylor Creek/Nubbin Slough.¹⁷ Prior to the construction of the Herbert Hoover Dike water would flow from the Kissimmee River Basin into the lake and, once the lake would fill, water would overflow the lake's southern rim and deliver sheet flow runoff to the Everglades.¹⁸

Because of the acceleration of the flows into the lake as a result of C&SF and land use modifications, the water quality in the lake has degraded over time due to high phosphorous loadings.¹⁹ The Total Maximum Daily Load for Lake Okeechobee proposes an annual load of 140 metric tons (mt) of phosphorous to achieve an in-lake target phosphorous concentration of 40 parts per billion (ppb) in the pelagic zone of the lake.²⁰

⁸ *Id.* at 1-10.

⁹ SFWMD, *Kissimmee River Restoration Studies*, 1 (Sept. 2006), available at https://www.sfwmd.gov/sites/default/files/documents/krr_exec_summary.pdf (last visited Jan. 31, 2017).

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ Florida Department of Environmental Protection (FDEP), *Lake Okeechobee*, <http://www.dep.state.fl.us/everglades/lakeo.htm> (last visited Jan. 31, 2017).

¹⁵ *Restudy* at 1-13.

¹⁶ *Id.*

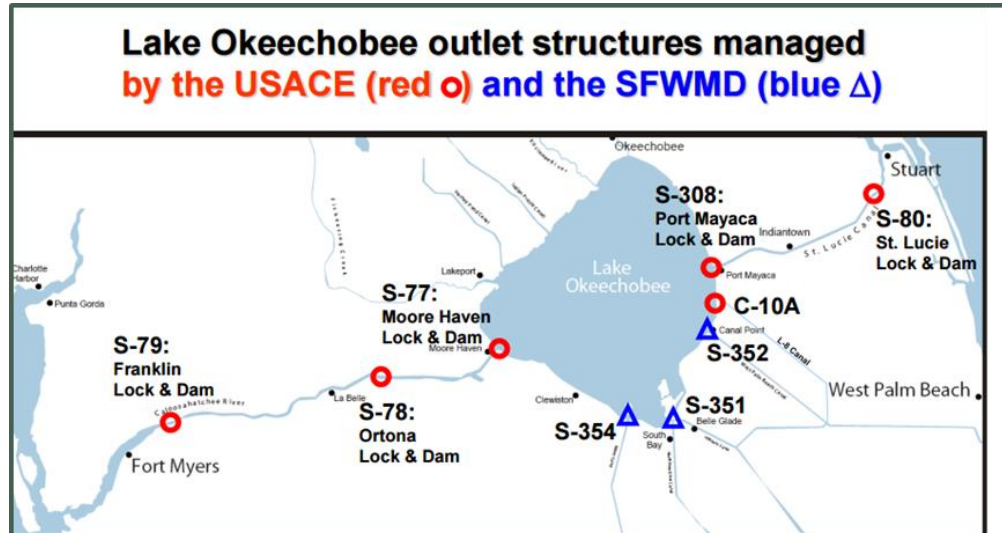
¹⁷ FDEP, *Total Maximum Daily Load for Total Phosphorous, Lake Okeechobee, Florida*, 6 (Aug. 2001), available at http://www.dep.state.fl.us/water/tmdl/docs/tmdls/final/gp1/Lake_O_TMDL_Final.pdf (last visited Jan. 31, 2017).

¹⁸ *Id.* at 6, 7.

¹⁹ FDEP, *Lake Okeechobee*, <http://www.dep.state.fl.us/everglades/lakeo.htm> (last visited Jan. 31, 2017).

²⁰ FDEP, *supra* note 17, at 1.

The lake's outlets with the largest capacity include eastward (S-308) through the St. Lucie Canal to the Atlantic Ocean and westward (S-77) through the Caloosahatchee River Canal to the Gulf of Mexico.²¹ Additionally, water flows out of the lake through the four major agricultural canals-the West Palm Beach Canal (S-352), the Hillsboro and North New River Canals (S-351), and the Miami Canal (S-354).²²



The USACE, in conjunction with the South Florida Water Management District (SFWMD) regulates the outlet structures to manage lake levels.²³ After back-to-back hurricanes in south Florida in 2004 and 2005 and the devastation in Louisiana caused by Hurricane Katrina, the USACE launched a major effort to rehabilitate the Herbert Hoover Dike in light of concerns regarding its structural integrity. Concerns regarding the dam's ability to perform satisfactorily for Lake Okeechobee levels above an elevation of 15.5 ft. resulted in the labeling of the project as high-risk.²⁴ The Lake Okeechobee Regulation Schedule Study was initiated to design an alternative schedule to lower the normal operating limits of the lake.²⁵

The Lake Okeechobee Regulation Schedule (LORS) was implemented in April of 2008. The revised schedule lowered the maximum stage of the lake from 18.5 ft. to 17.25 ft. with the primary goal of maintaining the lake between 12.5 ft. and 15.5 ft. The areas most affected by a change to the lake's regulation schedule were the lake itself, particularly the littoral and marsh areas of the lake, and the St. Lucie and Caloosahatchee estuaries.²⁶ Additionally, because the

²¹ Restudy at 1-13.

²² *Id.*

²³ FDEP, *supra* note 17, at 7.

²⁴ USACE, *Herbert Hoover Dike Dam Safety Modification Study Final Environmental Impact Statement*, 1 (June 2016), available at [http://www.saj.usace.army.mil/Portals/44/docs/Planning/EnvironmentalBranch/EnvironmentalDocs/Multiple%20Counties/Herbert Hoover Dike Dam Safety Modification%20Study FEIS Main Report.pdf?ver=2016-05-31-131919-377](http://www.saj.usace.army.mil/Portals/44/docs/Planning/EnvironmentalBranch/EnvironmentalDocs/Multiple%20Counties/Herbert%20Hoover%20Dike%20Dam%20Safety%20Modification%20Study%20FEIS%20Main%20Report.pdf?ver=2016-05-31-131919-377) (last visited Jan. 31, 2017).

²⁵ USACE, *Lake Okeechobee Regulation Schedule, Final Supplemental Environmental Impact Statement*, ii (Nov. 2007) [hereinafter *LORS FSEIS*], available at [http://www.saj.usace.army.mil/Portals/44/docs/h2omgmt/LORSdocs/ACOE STATEMENT APPENDICES A-G.pdf](http://www.saj.usace.army.mil/Portals/44/docs/h2omgmt/LORSdocs/ACOE%20STATEMENT%20APPENDICES%20A-G.pdf) (last visited Jan. 31, 2017).

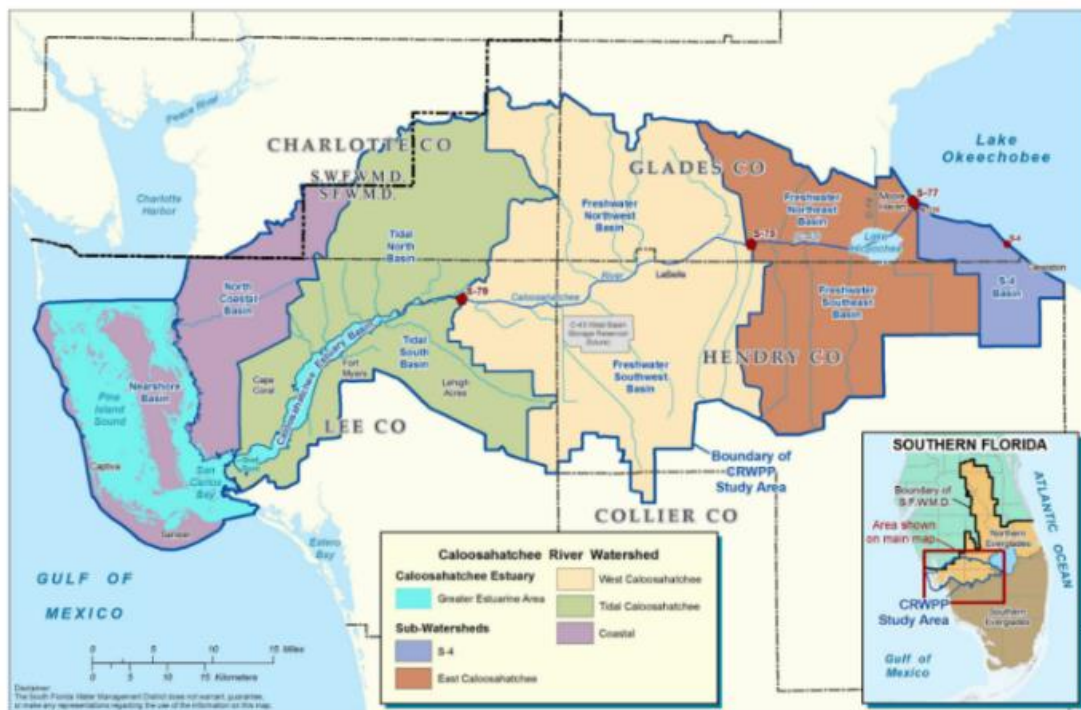
²⁶ *Id.* at 1.

LORS high management band is 1.00 to 1.75 ft. lower than the previous schedule, the revision to the schedule resulted in a loss of storage ranging from 460,000 to 800,000 acre-feet depending on the time of year.²⁷

The USACE expects to operate under the LORS until the earlier of the implementation of a new Lake Okeechobee schedule as a component of the system-wide operating plan to accommodate Everglades restoration projects or the completion of Herbert Hoover Dike seepage berm construction or equivalent dike repairs.²⁸ According to the latest Integrated Delivery Schedule, rehabilitation of the Herbert Hoover Dike should be completed by 2025 and initiation of a new lake regulation schedule study would begin in 2022.²⁹

Caloosahatchee River Watershed

The Caloosahatchee River was originally a shallow, meandering river with headwaters near Lake Okeechobee.³⁰ In the early 1900s, the river was modified and now functions as the C-43 canal. The canal is divided into freshwater and marine segments by a series of locks.³¹ The river



²⁷ The National Academies of Sciences, Engineering, and Medicine, *Progress Toward Restoring the Everglades: The Sixth Biennial Review*, 133 (2016) [hereinafter *The Sixth Biennial Review*], available at <https://www.nap.edu/catalog/23672/progress-toward-restoring-the-everglades-the-sixth-biennial-review-2016> (last visited Jan. 31, 2017).

²⁸ LORS FSEIS at 2.

²⁹ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/IDS/IDS_PLACEMAT_05JAN2017_web.pdf?ver=2017-01-07-164638-380 (last visited Jan. 31, 2017).

³⁰ LORS FSEIS at 108.

³¹ Caloosahatchee Estuary Basin Technical Stakeholders and FDEP, *Final Caloosahatchee Estuary Basin, Basin Management Action Plan for the Implementation of Total Maximum Daily Loads for Nutrients Adopted by the FDEP*, 1 (Dec. 2012), available at <http://www.dep.state.fl.us/water/watersheds/bmap.htm> (last visited Jan. 31, 2017).

conveys freshwater to the Caloosahatchee Estuary through the S-79 structure from both runoff from the Caloosahatchee River Watershed and releases from Lake Okeechobee.³²

Approximately half of the volume of water that reaches the Caloosahatchee Estuary is water that passed through the S-77 structure from Lake Okeechobee.³³ The hydrological changes have affected the timing distribution, quality and volume of freshwater entering the estuary which has resulted in negative ecological impacts.³⁴ Excess water that is released results in an unnatural surge of freshwater to the Caloosahatchee River and reduces the estuarine salinity levels.³⁵ Alternately, during the dry season, little to no water is released to the river which causes the salinity levels to increase.³⁶ Both high and low salinity levels trigger die-offs of seagrasses and oysters, species that are indicators of the estuary's overall health.³⁷

St. Lucie River Watershed

In the 1800s local residents dug an inlet to provide direct access to the Atlantic Ocean, effectively changing the river into an estuary.³⁸ Then in the early 1890s the St. Lucie River was altered to provide an outlet from Lake Okeechobee to the Atlantic Ocean. The inland portion of the St. Lucie Estuary is composed of a North Fork and a South Fork, which converge at the



³² LORS FSEIS at 108.

³³ Caloosahatchee Estuary Basin Technical Stakeholders and FDEP, *Final Caloosahatchee Estuary Basin, Basin Management Action Plan for the Implementation of Total Maximum Daily Loads for Nutrients Adopted by the FDEP*, 3 (Dec. 2012).

³⁴ LORS FSEIS at 108.

³⁵ USACE, *Fact Sheet: Caloosahatchee River (C-43) West Basin Storage Reservoir* (Jan. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/FactSheets/C-43_FS_January2016_web.pdf (last visited Jan. 31, 2017).

³⁶ *Id.*

³⁷ *Id.*

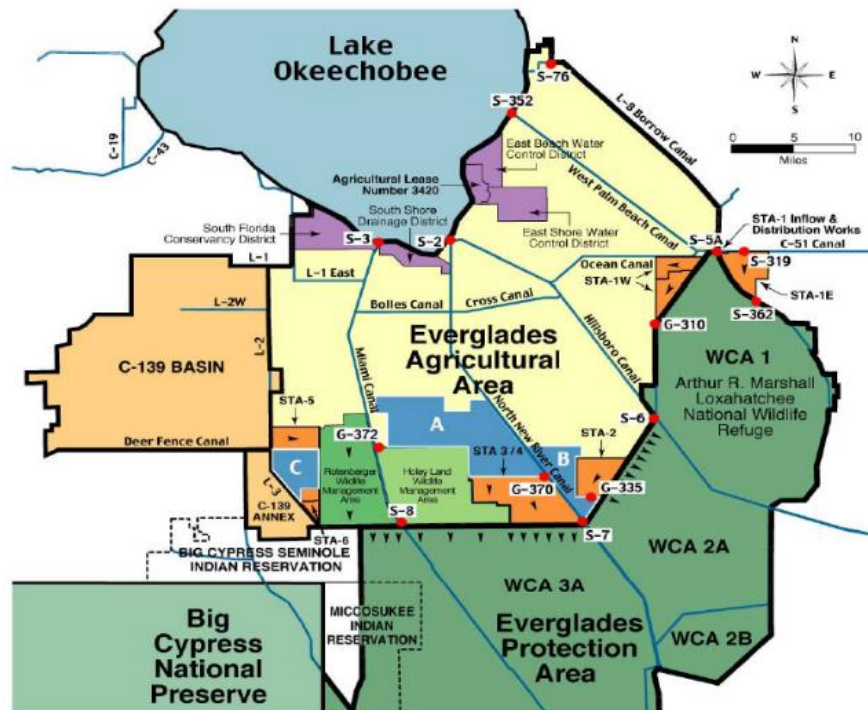
³⁸ LORS FSEIS at 110.

Roosevelt Bridge to form a single waterbody that extends eastward and joins the Indian River Lagoon.³⁹ The St. Lucie River, referred to as the C-44 Canal, is used for navigation and releases from Lake Okeechobee.⁴⁰ The C-44 Canal is the largest overflow canal for Lake Okeechobee.⁴¹

Home to more than 4,300 species of plants and animals and supporting an annual economic contribution of more than \$730 million, the St. Lucie Estuary and the Indian River Lagoon are two of the country's most productive and threatened estuaries.⁴² The estuary is affected by freshwater runoff from agricultural and urban sources in the watershed and freshwater releases from Lake Okeechobee.⁴³ Approximately 42 percent of the freshwater inflows from canals that discharge into the St. Lucie Estuary are from Lake Okeechobee and these discharges carry significant nutrient loads, which have a known impact on the estuary.⁴⁴

Everglades Agricultural Area

The Everglades Agricultural Area (EAA) consists of lands located within the eastern portion of Hendry County and western portion of Palm Beach County.⁴⁵ This area includes approximately



³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Restudy* at 1-14.

⁴² USACE, *Fact Sheet: Indian River Lagoon – South* (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/C-44/IRL_FactSheet_January2017_web.pdf?ver=2017-01-18-122229-807 (last visited Jan. 31, 2017).

⁴³ *Id.*

⁴⁴ St. Lucie River and Estuary Basin Technical Stakeholders and FDEP, *Final Basin Management Action Plan for the Implementation of Total Maximum Daily Loads for Nutrients and Dissolve Oxygen by the FDEP in the St. Lucie River and Estuary Basin*, xiv (May 2013), available at <http://www.dep.state.fl.us/water/watersheds/bmap.htm> (last visited Jan. 31, 2017).

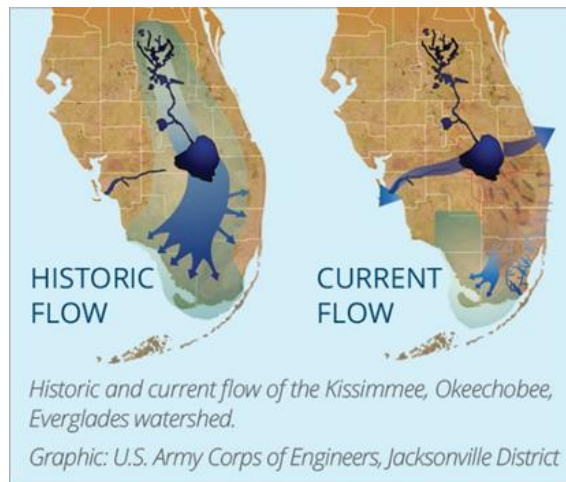
⁴⁵ *LORS FSEIS* at 7.

700,000 acres of fertile agricultural land, a large portion of which is dedicated to the production of sugarcane.⁴⁶ This area is considered one of the most important agricultural regions in Florida.⁴⁷ Water is supplied and managed in the EAA through conveyance and drainage canals including the Miami, the North New River, the Hillsboro, and the West Palm Beach Canals, which traverse north and south, and the Bolles and Cross Canals, which traverse east and west.⁴⁸

Restoration Efforts

Beginning in the 1970s concerns regarding the effects of the C&SF began mounting. The design of system, while effective for flood control, resulted in unintended consequences including:

- Extreme fluctuations in high and low water levels in the lake;
- Extreme fluctuations between too much and too little freshwater discharged into the coastal estuaries;
- Detrimental hydrological conditions in freshwater wetland habitats; and
- Unsuitable freshwater flows to Florida Bay, Biscayne Bay, and the Lake Worth Lagoon.⁴⁹



With nearly half of the original footprint of the Everglades system drained and converted to urban and agricultural uses, there has been a substantial acceleration in the flow of water through the system and a significant reduction in water storage capacity.⁵⁰ The Central and Southern Florida Project Comprehensive Review Study Final Integrated Feasibility Report and Programmatic Environmental Impact Statement (Restudy) concluded:

The lack of storage in the system, particularly during wet periods, has led to ecological damage of Lake Okeechobee's littoral zone and damaging regulatory releases to the St. Lucie and Caloosahatchee estuaries. Conversely, in dry periods, this lack of storage has led to water supply shortages for both the human and natural environment.⁵¹

⁴⁶ *Restudy* at 1-15.

⁴⁷ *LORS FSEIS* at 7.

⁴⁸ *Restudy* at 1-15.

⁴⁹ *Restudy* at iii.

⁵⁰ *Id.* at 1-2.

⁵¹ *Id.* at 1-2.

Kissimmee River Restoration (KRR)

The Kissimmee River Restoration project (KRR) was authorized by Congress in 1992 with the goal of restoring a third of the river flood plain system that was altered when the river was channelized back in the 1960s. The project includes backfilling 22 miles of canals, removing water control structures, and reconnecting remnant river segments. The KRR is designed to attenuate peak flows into Lake Okeechobee and, once complete, the project is expected to provide an additional storage capacity of 130,000 acre-feet.⁵² When restoration is complete in 2020, more than 40 square miles of river-floodplain ecosystem will be restored, including almost 20,000 acres of wetlands and 44 miles of the historic river channel.⁵³

Three construction phases are now complete, and a continuous water flow has been reestablished to 24 miles of meandering river.⁵⁴ The environmental improvements resulting from the project have already been documented.⁵⁵ In October of 2016, testing began to evaluate the ability to retain additional water in the Kissimmee River basin to reduce flows into Lake Okeechobee and, consequently, into the Caloosahatchee and St. Lucie estuaries.⁵⁶

Comprehensive Everglades Restoration Plan (CERP)

In light of the unintended consequences of the C&SF, Congress required the USACE to reevaluate the performance and impacts of the project and to provide recommended improvements and modifications to restore the south Florida ecosystem and to protect the water quality in, and reduce the loss of freshwater from the Everglades and Florida Bay.⁵⁷ The USACE, in coordination with the state, developed the Restudy which provided a recommended plan for Everglades restoration. The Comprehensive Everglades Restoration Plan (CERP) was approved by Congress in the Water Resources Development Act of 2000.⁵⁸

The Water Resources Development Act of 2000 provided the framework for the CERP as a 50/50 cost-share program between the state and the federal government. The CERP covers approximately 18,000 square miles and includes all or part of 16 counties in central and southern Florida, constituting about one-half of the State's population.⁵⁹ The future progress of the CERP projects and their relationship among other relevant state and federally funded South Florida ecosystem restoration projects is outlined in the Integrated Delivery Schedule (IDS).⁶⁰ The IDS is not an action or decision document, rather it is a guide for planning, design, construction

⁵² USACE, *South Florida Ecosystem Restoration (SFER) Program Overview* (June 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/Everglades%20Restoration%20Overview%20Placemat_June2016_web.pdf?ver=2016-08-08-154107-193 (last visited Jan. 31, 2017).

⁵³ USACE, *Kissimmee River Restoration Project* (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/Kissimmee/Kissimmee_FS_January2017_web.pdf?ver=2017-01-18-114834-273 (last visited Jan. 31, 2017).

⁵⁴ SFWMD, *SFWMD Begins Historic Test to Help Reduce Discharges to the Coastal Estuaries* (Oct. 12, 2016), available at https://www.sfwmd.gov/sites/default/files/documents/nr_2016_1012_kiss_headwaters_test.pdf (last visited Jan. 31, 2017).

⁵⁵ USACE, *Kissimmee River Restoration Project* (Jan. 2017).

⁵⁶ SFWMD, *SFWMD Begins Historic Test to Help Reduce Discharges to the Coastal Estuaries* (Oct. 12, 2016).

⁵⁷ The Water Resources Development Act of 1996 (P.L. 104-303, Oct. 12, 1996).

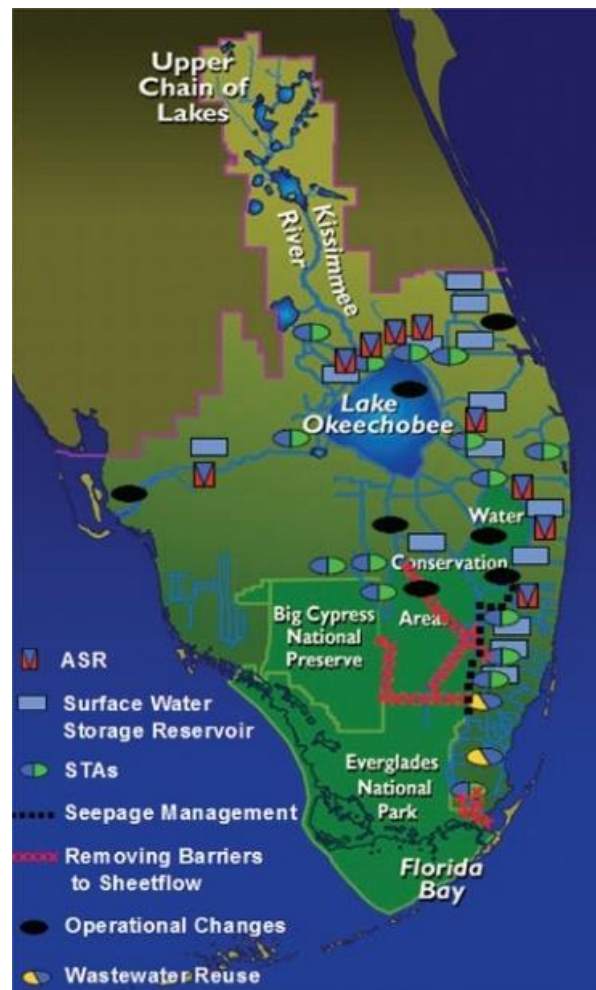
⁵⁸ The Water Resources Development Act of 2000 (P.L. 106-541, Dec. 11, 2000).

⁵⁹ United States Department of Interior Office of Everglades Restoration Initiatives, *Comprehensive Everglades Restoration Plan, CERP: The Plan in Depth – Part 1*, http://141.232.10.32/about/rest_plan_pt_01.aspx (last visited Jan. 31, 2017).

⁶⁰ *The Sixth Biennial Review* at 46.

sequencing, and budgeting.⁶¹ The IDS serves as a communication tool that reflects diverse stakeholder input.⁶²

The CERP includes more than 68 project components which focus on improving the water delivery and timing within the Everglades system by increasing the size of natural areas, improving water quality, releasing water in a manner that mimics historical flow patterns, and storing and distributing water for urban, agricultural, and ecological uses. Major features of the CERP include surface water storage reservoirs, water preserve areas, management of Lake Okeechobee as an ecological resource, improvement of water deliveries to the estuaries, underground water storage, treatment wetlands, improvement of water deliveries to the Everglades, removal of barriers to sheet flow, storage of water in existing quarries, reuse of wastewater, and the improvement of water flows to Florida Bay.⁶³



⁶¹ *Id.*

⁶² *Id.* at 47.

⁶³ *Restudy* at vii-ix.

CERP: Aquifer Storage and Recovery

The CERP recommended the construction and operation of up to 333 Aquifer Storage and Recovery (ASR) systems located throughout south Florida.⁶⁴ ASR systems are designed to store large volumes of water in the Floridan Aquifer System during the wet periods for subsequent recovery during dry periods. In 2015 the ASR Regional Study was completed and found that large capacity ASR systems could be built and operated in south Florida; however, due to groundwater monitoring evaluations, the study recommended that the overall number of wells be reduced to 131, or about one-third of the original proposed amount.⁶⁵ Overall, the amount of water that can be stored through ASR was reduced by about 60 percent.⁶⁶ Additionally, two pilot projects were completed: one in the Kissimmee Basin and one near the Hillsboro Canal, which determined that ASR systems north of Lake Okeechobee could achieve a rate of recoverability of upwards of 100 percent of stored water due to the freshwater quality of the aquifer in that region, but, conversely, ASR systems south of the lake, because of the brackish quality of the aquifer in that region, would require successive cycles over a few years to achieve a target of 70 percent recoverability.⁶⁷

CERP: C-43 Basin Storage Reservoir

The Caloosahatchee River (C-43) West Basin Storage Reservoir project is designed to help ensure that a more consistent, natural flow of freshwater is delivered to the estuary. The project is designed to capture and store runoff from the local basin along with a portion of water discharged from Lake Okeechobee to be released slowly to the estuary as needed.⁶⁸ The project includes an above-ground reservoir with the total storage capacity of 170,000 acre-feet.⁶⁹ The first phase of construction began in late 2015 and is anticipated to be completed in 2020.⁷⁰

CERP: Indian River Lagoon – South

The Indian River Lagoon–South (IRL-S) project is designed to help restore the balance of fresh and salt water in the lagoon and estuary and capture, store, and treat runoff from the local basins before it enters the natural system.⁷¹ The IRL-S includes one above-ground storage reservoir in the C-44, C-23, C-24, and C-25 basins, with a total storage capacity of approximately 200,000

⁶⁴ USACE, *Aquifer Storage and Recovery (ASR) Regional Study Fact Sheet* (June 2015), available at http://www.saj.usace.army.mil/Portals/44/docs/FactSheets/ASR_FS_June2015_web.pdf (last visited Jan. 31, 2017).

⁶⁵ USACE and SFWMD, *Final Regional Aquifer Storage and Recovery Technical Data Report*, xx (May 2015), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/ASR%20Regional%20Study/Final_Report/ASR_RegionalStudy_Final_2015.pdf.pdf (last visited Jan. 31, 2017).

⁶⁶ *Id.* at 131.

⁶⁷ *Id.*

⁶⁸ USACE, *Fact Sheet: Caloosahatchee River (C-43) West Basin Storage Reservoir* (Jan. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/FactSheets/C-43_FS_January2016_web.pdf (last visited Jan. 31, 2017).

⁶⁹ USACE, *South Florida Ecosystem Restoration (SFER) Program Overview* (June 2016).

⁷⁰ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/IDS/IDS_PLACEMAT_05JAN2017_web.pdf?ver=2017-01-07-164638-380 (last visited Jan. 31, 2017).

⁷¹ USACE, *Fact Sheet: Indian River Lagoon – South* (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/C-44/IRL_FactSheet_January2017_web.pdf?ver=2017-01-18-122229-807 (last visited Jan. 31, 2017).

acre-feet, and three stormwater treatment areas (STAs).⁷² Additionally, water from the C-23/C-24 basin will be redirected to the North Fork of the St. Lucie River to attenuate freshwater flows to the St. Lucie Estuary.⁷³ Construction is completed on some features included in the C-44 reservoir, including intake and drainage canals, access roads, and staging areas. Construction also began on the C-44 reservoir pump station and STA, with reservoir construction expected to be completed in 2019.⁷⁴

CERP: Central Everglades Planning Project (CEPP)

The Central Everglades Planning Project (CEPP) consists of a suite of the CERP projects whose purpose is to improve the quantity, quality, timing, and distribution of water flows to the Northern Estuaries, central Everglades, Everglades National Park, and Florida Bay while increasing the water supply for urban and agricultural users.⁷⁵ The CEPP received Congressional authorization in the 2016 Water Infrastructure Improvements for the Nation Act.⁷⁶

The project is designed to send an annual average of approximately 210,000 acre-feet of water south from Lake Okeechobee and set the foundation for restoring the central portion of the Everglades ecosystem.⁷⁷ The project includes:

- Increasing storage, treatment and conveyance of water south of Lake Okeechobee;
- Removing canals and levees within the central Everglades; and
- Retaining water within the Everglades National Park and protecting urban and agricultural areas to the east from flooding.⁷⁸

Some of the features included in the CEPP are an A-2 Flow Equalization Basin (FEB)⁷⁹ that will be integrated with the A-1 FEB, a project that is part of the Restoration Strategies Plan; removal of approximately six miles of the Old Tamiami Trail road; construction of seepage barriers; and increases in structural capacities.⁸⁰

⁷² *The Sixth Biennial Review* at 70; Stormwater Treatment Areas, or STAs, are constructed wetlands that remove and store nutrients through plant growth and the accumulation of dead plant material that is slowly converted to a layer of peat soil; See SFWMD, *Water Quality Improvement*, available at <https://www.sfwmd.gov/our-work/wq-stas> (last visited Feb. 6, 2017).

⁷³ *Id.*

⁷⁴ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/IDS/IDS_PLACEMAT_05JAN2017_web.pdf?ver=2017-01-07-164638-380 (last visited Jan. 31, 2017).

⁷⁵ USACE and SFWMD, *Central Everglades Planning Project Final Project Implementation Report and Environmental Impact Statement*, 1-3 (July 2014), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/CEPP/01_CEPP%20Final%20PIR-EIS%20Main%20Report.pdf (last visited Jan. 31, 2017).

⁷⁶ The Water Infrastructure Improvements for the Nation Act (P.L. 114-322, Dec. 16, 2016).

⁷⁷ USACE, *Central Everglades Planning Project*, Facts & Information (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/docs/FactSheets/CEPP_FS_January2017_revised_web.pdf (last visited Jan. 31, 2017).

⁷⁸ *Id.*

⁷⁹ A flow equalization basin (FEB) is a constructed storage feature used to capture and temporarily store peak stormwater flows. Water managers can move water from FEBs to Stormwater Treatment Areas (STAs) at steady rates to optimize STA performance and help achieve water quality improvement targets. See SFWMD, *Just the Facts: A-1 Flow Equalization Basin (FEB)*, available at https://www.sfwmd.gov/sites/default/files/documents/jtf_a1_feb.pdf (last visited Jan. 31, 2017).

⁸⁰ *Id.*

Northern Everglades and Estuaries Protection Program (NEEPP)

The Northern Everglades and Estuaries Protection Program (NEEPP) was established to promote a comprehensive, interconnected watershed approach to protect Lake Okeechobee and the Caloosahatchee and St. Lucie watersheds. It includes the Lake Okeechobee Watershed Protection Program and the Caloosahatchee and St. Lucie River Watershed Protection Programs.⁸¹ The NEEPP led to the creation of the Lake Okeechobee Phase II Technical Plan in 2008 which requires, in part, that the SFWMD:

- Provide for additional measures, including voluntary water storage and water quality improvements on private land, increase water storage and reduce excess water levels in Lake Okeechobee, and reduce excess discharges to the estuaries; and
- Develop the appropriate water quantity storage goal to achieve the desired Lake Okeechobee range of lake levels and inflow volumes to the Caloosahatchee and St. Lucie estuaries while meeting the other water-related needs of the region, including water supply and flood protection.⁸²

The NEEPP provided the basis for the development of Basin Management Action Plans (BMAPs). A BMAP is the blueprint for restoring impaired water by reducing pollutant loadings to meet a Total Maximum Daily Load (TMDL). The BMAP is a comprehensive set of strategies including water quality and water storage projects, permit limits on wastewater facilities, urban and agricultural best management practices (BMPs), and conservation programs, to implement the nutrient load reductions necessary to achieve a TMDL.

The 2016 Legislature enacted, ch. 2016-1, Laws of Florida, to update and restructure the NEEPP to reflect and build upon the Department of Environmental Protection's implementation of BMAPs for Lake Okeechobee, the Caloosahatchee River and Estuary, and the St. Lucie River and Estuary. The BMAP will include the construction of water projects, water monitoring programs, and the implementation, verification, and enforcement of BMPs within these watersheds. The BMAPs are now required to include 5-, 10-, and 15-year milestones towards achieving the TMDLs for those water basins within 20 years.⁸³

River of Grass – U.S. Sugar Land Acquisition

In 2008, Governor Charlie Crist announced a plan to acquire more than 180,000 acres of agricultural land for Everglades restoration from the United States Sugar Corporation. The River of Grass planning process was started to evaluate the lands to be acquired under the plan and analyze how the land would affect the future of Everglades restoration. During this planning process, additional treatment capacity necessary to achieve state and federal Everglades water quality standards and the volume of storage needed to reduce damaging discharges and move more water south of the lake was evaluated.⁸⁴

Because of the magnitude of the acquisition, restoration projects were effectively put on hold during the re-evaluation process. Ultimately, the SFWMD approved an agreement on August 12, 2010, to purchase approximately 26,800 acres of land, substantially less land than

⁸¹ Section 373.4595, F.S.

⁸² *Id.*

⁸³ Chapter 2016-1, Laws of Fla.

⁸⁴ *Id.*

originally envisioned, because of a decline in the SFWMD revenues.⁸⁵ Under the Second Amended and Restated Agreement for Purchase and Sale (Agreement), the SFWMD took ownership of approximately 17,900 citrus acres in Hendry County and 8,900 sugarcane acres in Palm Beach County.⁸⁶

Under the Agreement, the SFWMD retained the following various options to purchase the remaining 153,200 acres of land over the next ten years:

- An exclusive 3-year option to purchase either a specified 46,800 acres or the entire 153,200 acres at a fixed price of \$7,400 per acre. This option expired in 2013.
- After the expiration of this exclusive option period, a subsequent 2-year non-exclusive option to purchase approximately 46,800 acres at fair market value. This option expired in 2015.
- A subsequent 7-year non-exclusive option to purchase the remaining acres at fair market value. Because the previous options were not exercised, the entire remaining option property, approximately 153,200 acres, is available to be purchased. This option will expire in 2020.⁸⁷

Restoration Strategies

After years of litigation concerning the water quality in the Everglades Protection Area (EPA), a consent decree was entered in the case of *United States v. South Florida Water Management District* in 1992.⁸⁸ The consent decree, as implemented by the Everglades Forever Act in 1994, set forth a two-pronged approach consisting of building STAs and implementing best management practices (BMPs) in the EAA to reduce the total phosphorous levels in the Everglades Protection Area. The plan originally consisted of the construction of four STAs covering 35,000 acres, but by 2006 the need for additional STA acreage became clear. By 2010, approximately 57,000 acres of STAs were built and operating.⁸⁹ Subsequently conversations began between the United States Environmental Protection Agency and the SFWMD and, in 2012, they were able to reach a consensus on a new strategy for improving the water quality in the Everglades called the Restoration Strategies Regional Water Quality Plan.⁹⁰

Restoration Strategies is a \$800 million technical plan to complete a suite of projects intended to expand water quality improvement projects necessary to achieve phosphorous water quality standards. Under these strategies, the SFWMD must complete six projects that will create more than 6,500 acres of new STAs and 110,000 acre-feet of additional water storage.⁹¹

⁸⁵ SFWMD, *Just the Facts: Revising the River of Grass, Second Amended & Restated Agreement for Sale and Purchase* (Aug. 12, 2010), available at https://www.sfwmd.gov/sites/default/files/documents/jtf_2010_081210_final_gbvote.pdf. See https://www.sfwmd.gov/sites/default/files/documents/rog_0_amended_restated_agt_for_sale_and_purchase.pdf (last visited Jan. 31, 2017).

⁸⁶ *Id.*

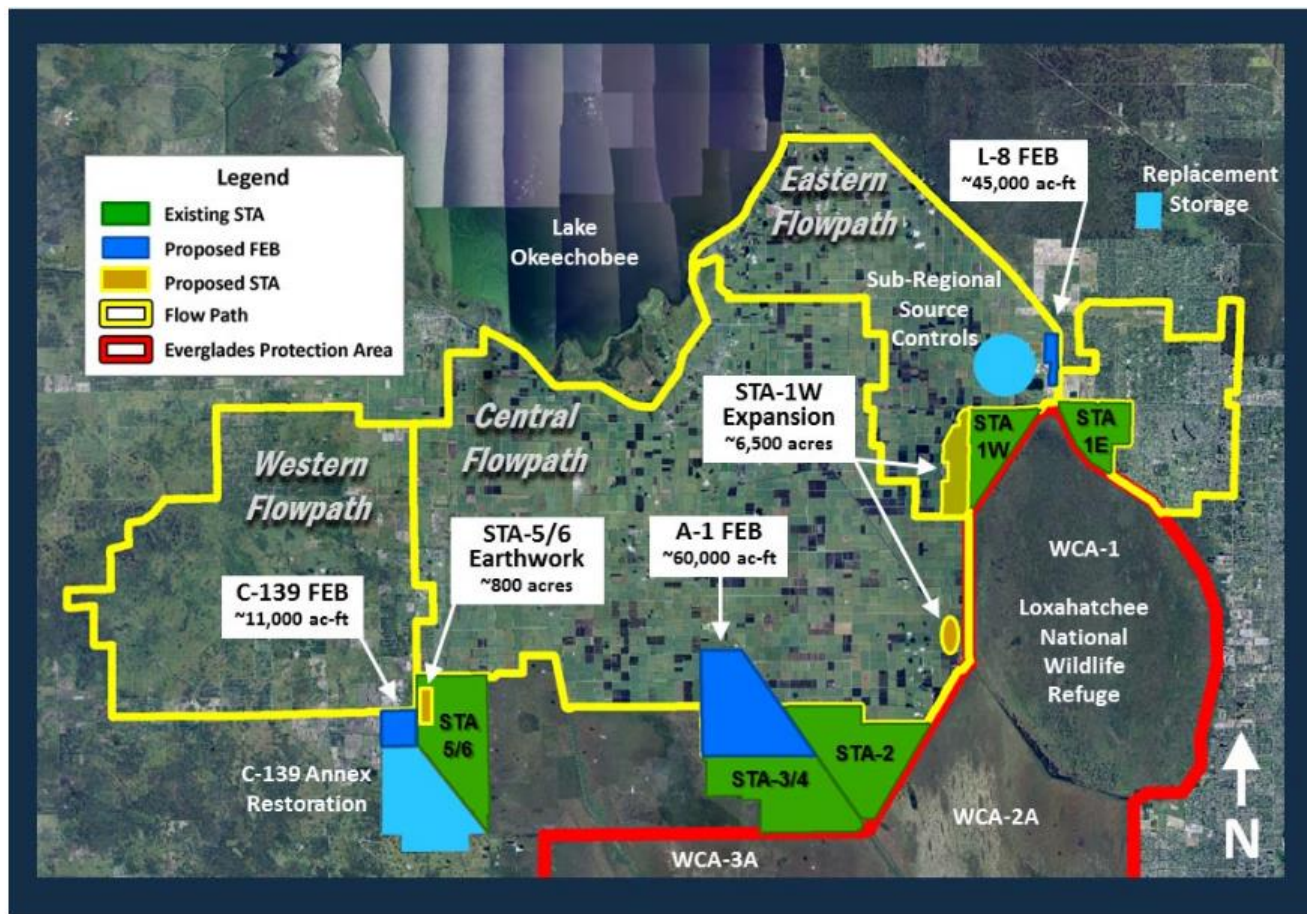
⁸⁷ *Id.*

⁸⁸ Case No. 88-1886-CIV-Moreno (S.D. Fla. 1992); see also SFWMD, *Restoration Strategies Regional Water Quality Plan, Science Plan for the Everglades Stormwater Treatment Areas*, 2 (June 2013) [hereinafter *Science Plan*], available at https://www.sfwmd.gov/sites/default/files/documents/rs_scienceplan_060713_final.pdf (last visited Jan. 31, 2017).

⁸⁹ *Science Plan* at 2.

⁹⁰ SFWMD, *quick facts on...Restoration Strategies for Clean Water for the Everglades* (Feb. 2016), available at https://www.sfwmd.gov/sites/default/files/documents/spl_restoration_strategies.pdf (last visited Jan. 31, 2017).

⁹¹ *Science Plan* at 3.



Design and construction of the projects is scheduled to be accomplished in three phases over a 12-year timeframe, with completion set for 2025.⁹² In 2013, the Legislature appropriated \$32 million on a recurring basis through the 2023-2024 Fiscal Year to support the implementation of the plan.⁹³ The A-1 FEB, providing approximately 60,000 acre-feet of storage, was completed in 2015 and is currently in an operational and testing phase and has proved successful at improving the performance of the STAs, effectively reducing the total phosphorous loads to the STAs by approximately 80 percent.⁹⁴ The expansion of STA-1W is expected to be completed in December of 2018. The L-8 FEB is designed to provide 48,000 acre-feet of storage and substantial completion of the project has been achieved, except the outflow pump station, but full capacity is not yet available due to manufacturing issues with the pumping units.⁹⁵

⁹² Science Plan at 3.

⁹³ Ch. 2013-59, s. 2, Laws of Fla.

⁹⁴ SFWMD, *Restoration Strategies Program Update* (Jan. 2017), available at https://www.sfwmd.gov/sites/default/files/documents/restoration_strategies_update_2017_jan_0.pdf (last visited Jan. 31, 2017); See also Terrie Bates, Water Resources Division Director, SFWMD, Governing Board Meeting, *Environmental Conditions Update*, slide 26 (June 09, 2016), available at <https://www.sfwmd.gov/news-events/meetings> (last visited Jan. 31, 2017).

⁹⁵ SFWMD, *Restoration Strategies Program Update* (Jan. 2017).

Damaging Discharges from Lake Okeechobee to the Coastal Estuaries

Because of the lack of operational flexibility within the system's design, the LORS requires lake levels to be kept low before the wet season to account for additional inflow to ensure that lake levels do not rise to dangerous levels which could cause the dike to be breached.⁹⁶ Furthermore, during a high rainfall event water enters into the lake from direct rainfall, large basins, and other sources which causes the water levels in the lake to rise six times faster than can be discharged from the lake.⁹⁷ The only outlets that are capable of quickly releasing the necessary volume of water from the lake are through the St. Lucie and Caloosahatchee Canals to the coastal estuaries.⁹⁸ Therefore, when heavy rainfall events occur, the only option in the current system to maintain safe lake levels is to send high volumes of water east and west.

For the majority of 2016, Martin, St. Lucie, and Lee counties were under a state of emergency due to the negative effects of freshwater discharges from Lake Okeechobee on the coastal communities and ecosystems.⁹⁹ Due to El Nino conditions, the dry season of Water Year 2016 (May 1, 2015-April 30, 2016) was unusually wet with 26.67 inches of rainfall, much greater than the long-term average of 12.78 inches.¹⁰⁰ January of 2016 was the wettest January on record, with rainfall amounts approximately 476 percent more than the historical average.¹⁰¹ The wetter than normal dry season necessitated releases from Lake Okeechobee to the St. Lucie and Caloosahatchee estuaries, compounding the freshwater inflow to the estuaries from the local basins. From January to November of 2016, approximately 2.23 million acre-feet, which is approximately 727 billion gallons of freshwater, was released from Lake Okeechobee alone to the St. Lucie and Caloosahatchee estuaries.¹⁰²

High volume freshwater discharges have significant effects on the coastal estuaries. The releases from the lake along with other local basin inflows cause large fluctuations in salinity, which often expose the animal and plant life within the estuary to salinities outside of their tolerance ranges.¹⁰³ When the high flows last for a sustained time period, the impacts to the estuaries are more severe.¹⁰⁴ Species, such as oysters and seagrasses, become more susceptible to disease and

⁹⁶ *The Sixth Biennial Review* at 131.

⁹⁷ Erika Skolte, USACE, *Lake Okeechobee: Following the flow*, <http://www.saj.usace.army.mil/Media/News-Stories/Article/479659/lake-okeechobee-following-the-flow/> (last visited Jan. 31, 2017).

⁹⁸ University of Florida Water Institute, *Options to Reduce High Volume Freshwater Flows to the St. Lucie and Caloosahatchee Estuaries and Move More Water from Lake Okeechobee to the Southern Everglades*, 17 (2015) [hereinafter *UF Study*], available at <http://waterinstitute.ufl.edu/research/downloads/contract95139/UF%20Water%20Institute%20Final%20Report%20March%202015.pdf> (last visited Jan. 31, 2017).

⁹⁹ Fla. Exec. Order No. 16-59 (Feb. 26, 2016); Fla. Exec. Order No. 16-155 (June 29, 2016); and Fla. Exec. Order No. 16-156 (June 30, 2016). Note that Palm Beach County was also under a state of emergency but only during the June 30, 2016, Executive Order.

¹⁰⁰ SFWMD, *Draft 2017 South Florida Environmental Report*, 8c-10 (Sept. 2016), available at http://apps.sfwmd.gov/sfwmd/SFER/2017_SFER_DRAFT/v1/sfer_toc_v1.pdf (last visited Jan. 31, 2017).

¹⁰¹ See John Mitnik, Bureau Chief of Engineering and Construction, SFWMD, Water Resources Advisory Council, *Operations in Response to Recent Heavy Rains*, slide 4 (Feb. 2, 2016), available at <https://www.sfwmd.gov/news-events/meetings> (last visited Jan. 31, 2017).

¹⁰² SFWMD, *Release Volumes from Lake Okeechobee and Local Basin Inflow to the Estuaries – CY 2016* (Jan. 6, 2017) (on file with the Senate Committee on Environmental Preservation and Conservation).

¹⁰³ *LORS FSEIS* at 147.

¹⁰⁴ *Id.* at 149.

predation as the duration of the high volume discharges increase.¹⁰⁵ Oysters and seagrasses are indicator species and are widely used to evaluate the effects of the discharges on overall estuarine health. Beginning in February the salinity levels of the St. Lucie Estuary dropped significantly. The levels rebounded slightly as the freshwater discharges decreased, but plummeted again at the end of May when the discharges were again increased. The drop in salinity levels greatly affected oyster spat recruitment in May of 2016.¹⁰⁶

In addition to requiring high volume discharges, higher lake stages correlate with algae blooms in the lake.¹⁰⁷ The lake receives large amounts of nutrients from its tributaries and has high levels of nutrients within the water column which support the growth of algae blooms.¹⁰⁸ Periodically conditions are just right and cyanobacteria, referred to as blue-green algae, rapidly reproduces to form a bloom.¹⁰⁹ In May of 2016, a massive *Microcystis* algae bloom formed in Lake Okeechobee.¹¹⁰ The algae in the lake was sampled and tested positive for levels well above the low-level risk threshold.¹¹¹ Operating under the LORS, the USACE continued the regulatory releases east and west to the coastal estuaries to maintain the lake's level. The discharges carried the algae from the lake through the C-44 canal and out through the S-80 structure into the St. Lucie Estuary.

The National Academies of Sciences, Engineering, and Medicine in their biennial review of Everglades restoration progress stated:

What causes *Microcystis* blooms in the St. Lucie Estuary? Philips et. al (2012) found that internally driven blooms are mainly limited to the north fork of the St. Lucie Estuary and occur during dry periods when water residence time is long enough to allow the algae to proliferate. Those blooms are mainly caused by a kind of algae called dinoglagellate. In contrast, externally driven blooms are much more severe, happen in the main stem of the estuary, and are caused by *Microcystis*. Philips et al. (2012) documented that the 2005 algal bloom, which coincided with regulatory water discharges from the lake, was seeded by an upstream bloom that happened in Lake Okeechobee...It is highly likely that the same situation occurred in 2016.

The *Microcystis* algae bloom covered the waterways of the St. Lucie River and Estuary during the peak of the 2016 tourist season. Health advisories were issued and even some of the beaches closed. Usually the *Microcystis* algae blooms, which consists of freshwater algae, are unable to survive off-shore, due to the high salinity levels. However, because the system had been

¹⁰⁵ *Id.*

¹⁰⁶ See Terrie Bates, Water Resources Division Director, SFWMD, Governing Board Meeting, *Environmental Conditions Update*, slides 9-12 (June 09, 2016), available at <https://www.sfwmd.gov/news-events/meetings> (last visited Jan. 31, 2017).

¹⁰⁷ United States Fish and Wildlife Service, *Final Fish and Wildlife Coordination Act Report, 2006 Lake Okeechobee Regulation Schedule Study*, 21 (Oct. 12, 2007), available at http://www.saj.usace.army.mil/Portals/44/docs/h2omgmt/LORSdocs/ACOE_STATEMENT_APPENDICES_A-G.pdf (last visited Jan. 31, 2017).

¹⁰⁸ *The Sixth Biennial Review* at 30.

¹⁰⁹ *Id.*

¹¹⁰ *Id.*

¹¹¹ For full sampling results see FDEP, *South Florida Algal Bloom Response and Monitoring*, <https://depnewsroom.wordpress.com/algal-bloom-monitoring-and-response/> (last visited Jan. 31, 2017).

experiencing high volume freshwater discharges for a long duration, the salinity levels off-shore were low enough for the bloom to survive. Samples taken at Bathtub Reef Beach in Martin County confirmed that the algae present was highly toxic *Microcystis* algae.¹¹²

Exposure to algal toxins may occur through the consumption of tainted water, fish or shellfish; recreational activities; or inhalation of aerosolized toxins.¹¹³ The toxins can have a range of lethal and non-lethal effects on humans, wildlife, and companion animals.¹¹⁴ The excessive freshwater discharges in 2016 impacted not only the ecology of the estuaries, but the quality of life of the residents, regional property values, revenues of area businesses, and continue to have effects on the local economies.¹¹⁵

Additional Storage

According to the National Academies of Sciences, Engineering, and Medicine in their biennial review of Everglades restoration progress, little has been accomplished through CERP to reduce the high volume discharges to the St. Lucie and Caloosahatchee estuaries.¹¹⁶ Additionally, the review noted that storage components in CERP have been scaled back and provided an analysis of the significance of that loss of storage. The review concluded that a scaled-back CERP under LORS has resulted in 104 and 167 percent increases in regulatory releases by volume to the St. Lucie and Caloosahatchee estuaries, respectively, compared to the original CERP projections under the previous regulation schedule.¹¹⁷

The 2015 University of Florida Water Institute Study (UF Study), titled *Options to Reduce High Volume Freshwater Flows to the St. Lucie and Caloosahatchee Estuaries and Move More water From Lake Okeechobee to the Southern Everglades*, concluded that providing relief to the estuaries would require an enormous increase in storage and treatment both north and south of the lake and that all existing and currently authorized projects are insufficient to achieve these goals.¹¹⁸ The KRR project is expected to attenuate the flows into Lake Okeechobee; the C-43 and C-44 reservoir projects are expected to significantly reduce local-basin flows into the estuaries; and Restoration Strategies and CEPP together are expected to increase the delivery of clean water to the Everglades.¹¹⁹ The UF Study concluded, however, that even after all of these projects are completed as planned, the lake-triggered high volume discharges to the estuaries would be reduced by less than 55 percent.¹²⁰

¹¹² FDEP, *South Florida Algal Bloom Response and Monitoring* (June 30, 2016).

¹¹³ The United States Department of Interior, United States Geological Survey (USGS), *Harmful Algal Blooms* (Jan. 2007), available at https://pubs.usgs.gov/fs/2006/3147/pdf/FS2006_3147.pdf (last visited Jan. 31, 2017).

¹¹⁴ USGS, *New Science Challenges Old Assumptions about Harmful Algal Blooms*, <https://www.usgs.gov/news/new-science-challenges-old-assumptions-about-harmful-algal-blooms> (last visited Jan. 31, 2017).

¹¹⁵ See Caloosahatchee Watershed Regional Management Issues, *Storage and Treatment Progress Summary*, 1 (updated July 1, 2016), available at <https://estero-fl.gov/wp-content/uploads/library/Agenda%20Attachments/Caloosahatchee%20Watershed%20Regional%20Water%20Management%20Issues%20White%20Paper%20-%205a.pdf> (last visited Jan. 31, 2017).

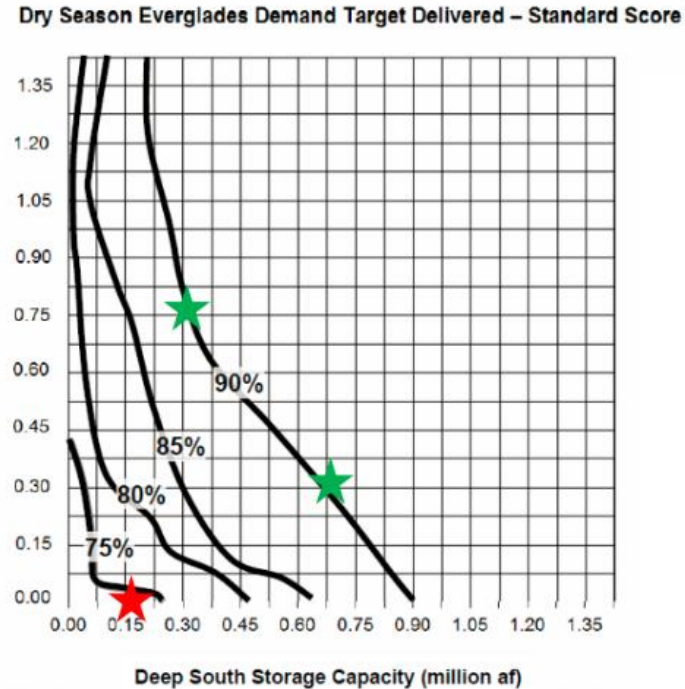
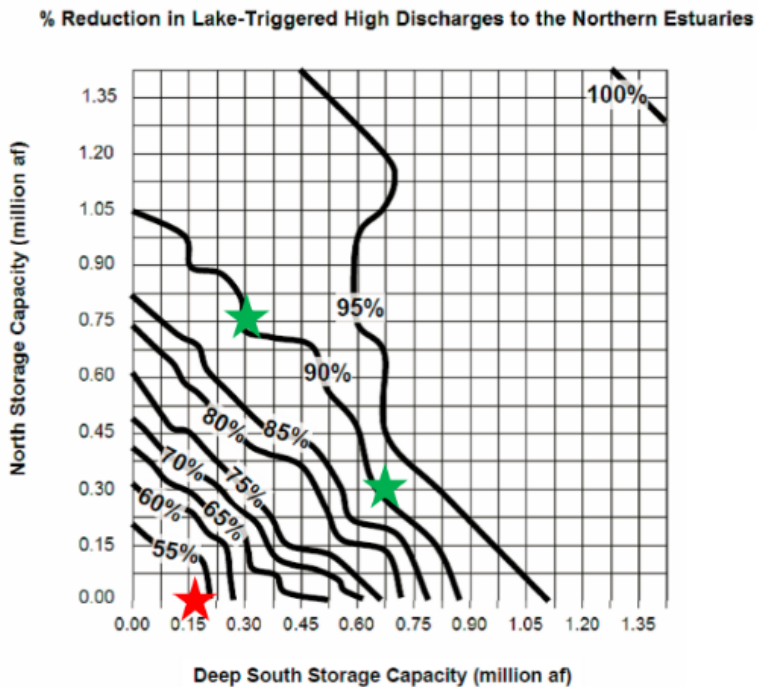
¹¹⁶ *The Sixth Biennial Review* at 108.

¹¹⁷ *Id.* at 139.

¹¹⁸ *UF Study* at 36.

¹¹⁹ *Id.* at 85.

¹²⁰ *Id.*



The UF Study provided two possible configurations that are expected to provide a 90 percent reduction in lake-triggered discharges. In the graphs above, the red stars represent system performance after 112,000 acre-feet of storage is added under current projects and the green stars represent the two possible configurations that would achieve 90 percent restoration.¹²¹

Based on the modeling results, the UF Study made the following findings:

[These figures show] that storage can be effective at reducing damaging discharges to the St. Lucie and Caloosahatchee estuaries whether it is constructed north or south of the lake. Storage north of the lake is effective for managing lake levels within a desirable range and thus reducing damaging discharges to the estuaries. Furthermore, water storage and treatment is needed north of the lake to meet the Lake Okeechobee TMDL. However, due to the extended time it takes to route water from north of the lake to the Water Conservation Areas (WCAs), northern storage is not likely to be as effective as southern storage in meeting the timing and distribution objectives of the water deliveries to the [Everglades Protection Area]. Furthermore, it is likely that water stored north of the lake, if passed through the Lake or through perimeter canals subject to agricultural runoff, may need to undergo additional water quality treatment to meet applicable standards before it is released to the [Everglades Protection Area]. Thus, the additional required storage will be needed to be distributed both north and south of the lake to achieve all restoration objectives.¹²²

¹²¹ *Id.* at 86.

¹²² *Id.* at 87.

Lake Okeechobee Watershed Project

Planning began in August 2016 under the CERP for the Lake Okeechobee Watershed Project (LOW). The study area for the project consists of approximately 950,000 acres, primarily located north of Lake Okeechobee extending to Lake Istokpoga.¹²³ The LOW is designed to increase water storage capacity in the northern watershed which will improve water levels in Lake Okeechobee; improve the quantity and timing of discharges to the St. Lucie and Caloosahatchee estuaries; restore degraded habitat for fish and wildlife; and increase the spatial extent and functionality of wetlands.¹²⁴ The following conceptual storage and restoration features under consideration to be included in the LOW are a Taylor Creek/Nubbin Slough storage and treatment area, a 5,000 acre reservoir with total storage capacity of 50,000 acre-feet; and the North of the Lake Okeechobee Storage Reservoir, a 17,500 acre reservoir with a total storage capacity of 200,000 acre-feet.¹²⁵

Everglades Agricultural Area Storage Reservoir

The EAA Storage Reservoirs – Phase I project was initially authorized in the Water Resources Development Act of 2000.¹²⁶ The CERP originally planned for 360,000 acre-feet of storage located in the EAA.¹²⁷ The initial design assumed 60,000 acres, divided into three, equally sized compartments with water depth fluctuating up to 6 ft.¹²⁸ The purpose of the project was to improve the timing of environmental water deliveries to the WCAs by reducing damaging flood releases from the EAA; reduce Lake Okeechobee regulatory releases to the estuaries; meet supplemental agricultural irrigation demands; and increase flood protection within the EAA.¹²⁹

Planning began under the assumption that the project would be located on lands associated with the Talisman Land purchase in the EAA and the Woerner South property acquisition.¹³⁰ A portion of such lands are commonly referred to as the A-1 and A-2 land parcels: A-1 consists of approximately 17,000 acres and A-2 consists of approximately 14,000 acres. In 2005, the State of Florida initiated the Acceler8 program to accelerate the funding, design, and construction of critical restoration projects, one of which was the EAA Reservoir A-1 project.¹³¹

¹²³ USACE, *Fact Sheet: Lake Okeechobee Watershed Project* (Jan. 2017), available at http://www.saj.usace.army.mil/Portals/44/LOW_FS_January2017_web.pdf (last visited Jan. 31, 2017).

¹²⁴ *Id.*

¹²⁵ USACE, *Lake Okeechobee Watershed Project, Frequently Asked Questions* (Sept. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/Lake%20O%20Watershed/LakeO_FAQs_September2016_web.pdf?ver=2016-09-21-150613-913 (last visited Jan. 31, 2017).

¹²⁶ The Water Resources Development Act of 2000 (P.L. 106-541, Dec. 11, 2000).

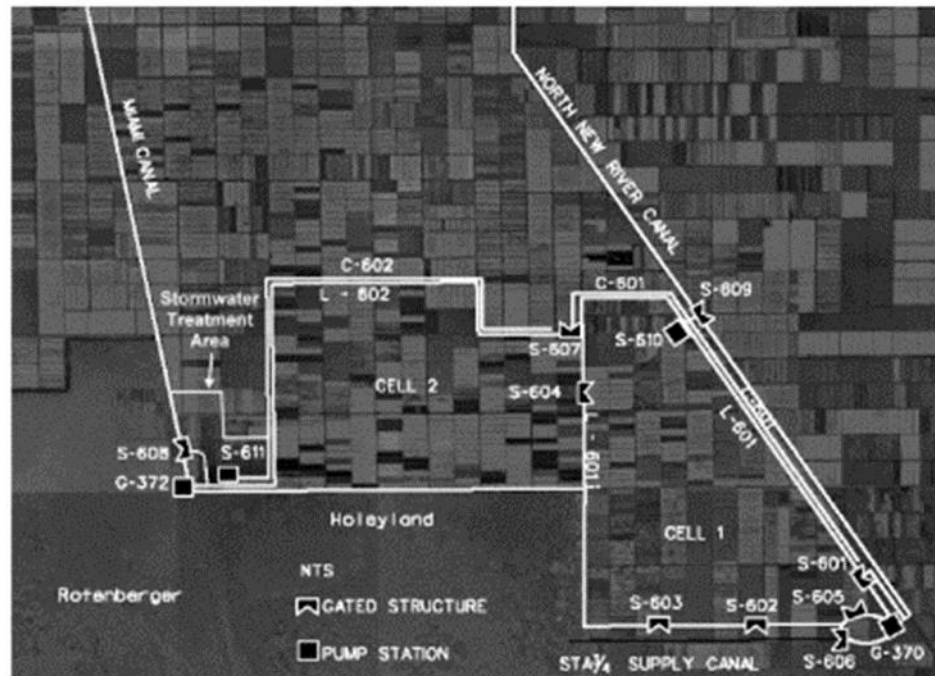
¹²⁷ *Restudy* at 9-9.

¹²⁸ *Id.*

¹²⁹ USACE and SFWMD, *Everglades Agricultural Area Storage Reservoirs – Phase I, Project Management Plan*, 11 (Jan. 2002), available at http://141.232.10.32/pm/pmp/pmp_docs/pmp_08_eaa/pmp_eaa_main_current.pdf (last visited Jan. 31, 2017).

¹³⁰ *Id.*

¹³¹ USACE and SFWMD, *Central and Southern Florida Project Everglades Agricultural Area Storage Reservoirs Revised Draft Project Implementation Report and Environmental Impact Statement*, ES-xiv (Feb. 2006), available at http://141.232.10.32/pm/projects/project_docs/pdp_08_eaa_store/revised_draft_pir/022206_eaa_pir_mainbody.pdf (last visited Jan. 31, 2017).



The SFWMD moved forward under the Acceler8 program and completed the detailed design and engineering work on the A-1 reservoir project, which was to be constructed on the A-1 land parcel, as depicted in Cell 1 on the map above.¹³² During 2007, construction for the A-1 reservoir was in full swing and was expected to be completed in the spring of 2011.¹³³ Then, in May of 2008, a lawsuit was filed against the USACE alleging that the Section 404 Dredge and Fill Permit to construct the A-1 reservoir was inconsistent with the intent of the Water Resources Development Act of 2000 and the National Environmental Policy Act.¹³⁴ Due to the litigation and in light of the pending *River of Grass* land acquisition the reservoir construction contract was terminated so that the site could be integrated into plans developed following the major acquisition.¹³⁵

The state decided to use some of the Talisman lands to expand the existing STAs and another portion of the lands for interim shallow features to help improve the water quality and treatment in STA 3/4.¹³⁶ To fulfill federal water quality standards, the A-1 Reservoir was converted to a FEB as part of the mandated Restoration Strategies Plan. The project is now in an operational testing and monitoring phase and has proved successful at improving the performance of the

¹³² *Id.*

¹³³ SFWMD, 2008 *South Florida Environmental Report*, 7A-14 (2008), available at http://my.sfwmd.gov/portal/page/portal/pg_grp_sfwmd_sfer/portlet_sfer/tab2236041/volume1/chapters/v1_ch_7a.pdf (last visited Jan. 31, 2017).

¹³⁴ SFWMD, 2009 *South Florida Environmental Report*, 7A-3 (2009), available at http://my.sfwmd.gov/portal/page/portal/pg_grp_sfwmd_sfer/portlet_sfer/tab2236041/2009report/report/v1/chapters/v1_ch7A.pdf (last visited Jan. 31, 2017).

¹³⁵ *Id.*

¹³⁶ USACE, *CERP 2010 Report to Congress*, 11 (2010), available at https://evergladesrestoration.gov/content/cerp/cerp_2010_rpt_to_congress.pdf (last visited Jan. 31, 2017).

STAs, effectively reducing the total phosphorous loads to the STAs by approximately 80 percent.¹³⁷

The A-2 land parcel, Cell 2 as depicted in the map above, is subject to lease agreements which are set to expire in 2018. The A-2 parcel is included in the project implementation report for the Central Everglades Planning Project (CEPP) as an FEB that will work in conjunction with the A-1 FEB. Cumulatively A-1 and A-2 FEBs will provide 116,000 acre-feet of storage, with the primary purpose of optimizing the performance of the STAs.¹³⁸

Land Acquisition Trust Fund and Legacy Florida

In 2014, Florida voters approved a constitutional amendment to provide a dedicated funding source for water and land conservation and restoration. The amendment required that starting on July 1, 2015, for 20 years, 33 percent of net revenues derived from the existing excise tax on documents be deposited into the Land Acquisition Trust Fund (LATF).

To comply with s. 28, Art. X of the State Constitution, the Legislature in the 2015 Special Session A passed ch. 2015-229 Laws of Florida.¹³⁹ Chapter 2015-229 Laws of Florida, amended:

- Section 201.15, F.S., to conform to the constitutional requirement that the LATF receive at least 33 percent of net revenues derived from the existing excise tax on documents; and
- Section 375.041, F.S., to designate the LATF within the Department of Environmental Protection as the trust fund to serve as the depository for the constitutionally required funds.¹⁴⁰

In 2016, the Florida Legislature passed ch. 2016-201, Laws of Florida, referred to as “Legacy Florida.”¹⁴¹ Legacy Florida amended s. 375.041, F.S., to provide minimum distributions required from the funds deposited into the LATF. Under s. 375.041, F.S., funds deposited into the LATF must be distributed in the following order:

- First, obligations relating to debt service, specifically:
 - First to payments relating to Florida Forever Bonds and Everglades restoration bonds; and
 - Then, to payments relating to bonds issued before February 1, 2009, by the South Florida Water Management District and the St. Johns River Water Management District;
- Then, of the funds remaining after the payment of debt service, and before funds are authorized to be appropriated for other uses:
 - A minimum of the lesser of 25 percent or \$200 million annually for Everglades projects that implement the CERP, the Long-Term Plan,¹⁴² and the NEEPP, with priority given to projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner, of these funds;

¹³⁷ See Terrie Bates, Water Resources Division Director, SFWMD, Governing Board Meeting, *Environmental Conditions Update*, slide 26 (June 09, 2016), available at <https://www.sfwmd.gov/news-events/meetings> (last visited Jan. 31, 2017).

¹³⁸ *The Sixth Biennial Review* at 128.

¹³⁹ Ch. 2015-229, Laws of Fla.

¹⁴⁰ Ch. 2015-229, s. 9, 50, Laws of Fla.

¹⁴¹ Ch. 2016-201, Laws of Fla.

¹⁴² Note that the “Long-Term Plan” includes the Restoration Strategies Regional Water Quality Plan.

- \$32 million is required to be distributed through the 2023-2024 Fiscal Year for the Long-Term Plan;
- After deducting the \$32 million, the minimum of the lesser of 76.5 percent of the remainder or \$100 million through the 2025-2026 Fiscal Year for the CERP; and
- The remainder is available for Everglades projects under the CERP, the Long-Term Plan, or the NEEPP.
- A minimum of the lesser of 7.6 percent or \$50 million annually for springs restoration, protection, and management projects; and
- Five million annually for the restoration of Lake Apopka.¹⁴³
- Then any remaining moneys are authorized to be appropriated from time to time for the purposes set forth in s. 28, Art. X, of the State Constitution.¹⁴⁴

The General Revenue Estimating Conference in December of 2016 estimated that for the 2017- 2018 Fiscal Year a total of \$2.48 billion would be collected in documentary stamp taxes with \$814.1 million required to be deposited into the LATF in accordance with s. 28, Art. X of the State Constitution.¹⁴⁵

Florida Forever Bonds

Pursuant to s. 11(e) of the State Constitution, the issuance of Florida Forever bonds are authorized in s. 215.618, F.S., not to exceed \$5.3 billion.¹⁴⁶ Florida Forever bonds pledge part of a dedicated state tax revenue: documentary stamp taxes. Documentary stamp taxes are levied on deeds and other documents related to real property and are collected under ch. 201, F.S. The debt service for such bonds is required to be specifically appropriated in the General Appropriations Act in the Fiscal Year in which the bonds are issued.¹⁴⁷ The proceeds from the sale of Florida Forever Bonds are required to be deposited into the Florida Forever Trust Fund to be distributed by the Department of Environmental Protection as provided in the Florida Forever Act.¹⁴⁸

III. Effect of Proposed Changes:

Section 1 amends s. 201.15, F.S., to authorize the payment on debt service on bonds issued for the purposes of s. 373.4598, F.S., for the remainder of the Fiscal Year (FY) in which such bonds are issued to be specifically appropriated by law other than in the General Appropriations Act.

Section 2 amends s. 215.618, F.S., to provide that bond proceeds from Florida Forever bonds issued for the purposes of s. 373.4598, F.S., are exempt from certain distribution requirements.

¹⁴³ Section 375.041, F.S.

¹⁴⁴ *Id.*

¹⁴⁵ Office of Economic and Demographic Research, Revenue Estimating Conference, *Documentary Stamp Tax, Executive Summary* (Dec. 12, 2016) available at <http://www.edr.state.fl.us/Content/conferences/docstamp/docstampexecsummary.pdf>.

¹⁴⁶ Section 11(e), Art. X of the State Constitution authorizes the issuance of bonds by the state in a manner provided by general law, which pledges all or part of a dedicated state tax revenue to finance or refinance the acquisition and improvement of land, water areas, and related property interests and resources for the purposes of conservation, outdoor recreation, water resource development, restoration of natural systems, and historic preservation.

¹⁴⁷ Section 201.15(3), F.S.

¹⁴⁸ Section 215.618(5), F.S.

Sections 3 and 4 create s. 373.4598, F.S., and amend s. 375.041, F.S., respectively, to set out legislative findings and intent, define terms, and establish options for additional storage south of Lake Okeechobee which are intended to reduce the damaging discharges to the St. Lucie and Caloosahatchee estuaries.

Option A: Acquire the Land from Willing Sellers

The bill requires the South Florida Water Management District (SFWMD), upon the effective date of the act, to seek proposals from willing sellers of property within the Everglades Agricultural Area in order to acquire approximately 60,000 acres of land that is suitable for one or two above-ground storage reservoirs that have a total storage capacity of 360,000 acre-feet.

If the SFWMD is able to find willing sellers of property that is suitable for the reservoir project, then, once the land has been agreed upon, the SFWMD must immediately begin the reservoir project with the goal of providing adequate storage and conveyance south of Lake Okeechobee to reduce the volume of regulatory discharges to the St. Lucie and Caloosahatchee estuaries. Additionally, once the land has been acquired, the SFWMD is required to expeditiously pursue the necessary permits required for the reservoir project and begin implementation and construction as soon as practicable.

Unless other funding is available, the bill directs the SFWMD, in coordination with the United States Army Corps of Engineers (USACE), to begin the planning study for the Everglades Agricultural Area Reservoir Project by March 1, 2018. According to the 2016 Draft IDS schedule, the project is presently planned to begin in 2021.¹⁴⁹ Additionally, the SFWMD is required to abide by applicable federal and state law in order to obtain federal credit under the Comprehensive Everglades Restoration Plan (CERP). The bill specifies that the SFWMD, when developing the planning study must focus on the goal of the reservoir project, which is to provide adequate storage and conveyance south of the lake to reduce the volume of regulatory discharges of water from the lake to the St. Lucie and Caloosahatchee estuaries.

The bill requires \$800 million in Florida Forever bond proceeds in the 2017-2018 FY and \$400 million in Florida Forever bond proceeds in the 2018-2019 FY to be deposited into the Everglades Trust Fund if the SFWMD acquires land from willing sellers of property that is suitable for the reservoir project. If the reservoir project receives Congressional authorization, the SFWMD is required to seek applicable federal credits towards the state's share of funding the land acquisition and implementation of the reservoir project.

The SFWMD has until December 31, 2017, to acquire the land before Option B is triggered.

Option B: Exercise the Option

Under Option B the SFWMD is required to assign the Entire Option Property Non-Exclusive Option (Option) to the Board of Trustees of the Internal Improvement Trust Fund (Board) by January 31, 2018. Such Option is available to the SFWMD pursuant to the 2010 Second

¹⁴⁹ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016), available at http://www.saj.usace.army.mil/Portals/44/docs/Environmental/IDS/IDS_PLACEMAT_05JAN2017_web.pdf?ver=2017-01-07-164638-380 (last visited Jan. 31, 2017).

Amended and Restated Agreement (Agreement).¹⁵⁰ If the U.S. Sugar Corporation, the seller, does not find the assignment to be “reasonably acceptable in form and substance,” the SFWMD is required to retain the Option. The assignment of the Option to the Board is authorized in the Agreement which also provides the seller with the opportunity to decline acceptance of such assignment.

The bill requires the Board or the SFWMD, whichever holds the Option, to exercise the Option by March 1, 2018. The Board or the SFWMD, the buyer, is not authorized to propose a purchase price for less than the average of \$7,400 per acre, unless the highest appraised value of the land is less than the average of \$7,400 per acre. Under the Agreement, if the proposed purchase price is less than the average of \$7,400 per acre, the seller has the absolute right to not sell the Option property by providing written notice to the buyer within 60 days after the purchase price has been determined.

If land is acquired under Option B then the SFWMD is required to identify which of the acquired land is suitable for the reservoir project. The bill authorizes the Board or the SFWMD, if applicable, to dispose of or exchange any land or lease interest in the land in order to achieve the optimal siting for the reservoir project or to dispose of land that is not necessary for the reservoir project. However, any such exchange or disposal may not be in violation of the Agreement.

Additionally, the SFWMD, in coordination with the USACE, is required to begin the planning study for the Everglades Agricultural Area Reservoir Project by October 1, 2019. According to the 2016 Draft IDS schedule, the project is presently planned to begin in 2021.¹⁵¹ The bill specifies that the SFWMD, when developing the planning study must focus on the goal of the reservoir project, which is to provide adequate storage and conveyance south of the lake to reduce the volume of regulatory discharges of water from the lake to the St. Lucie and Caloosahatchee estuaries.

If the Board or the SFWMD, if applicable, acquires land pursuant to the agreement, then in the 2018-2019 FY \$1.2 billion in Florida Forever bond proceeds are required to be deposited into the Everglades Trust Fund. If the reservoir project receives Congressional authorization, the SFWMD is required to seek applicable federal credits towards the state’s share of funding the land acquisition and implementation of the reservoir project.

The Board or the SFWMD, if applicable, has until November 30, 2018, to acquire the land before Option C is triggered.

Option C: Legacy Florida

Under Option C, if the SFWMD or the Board fail to acquire land under Option A or Option B, then, effective January 1, 2019, the annual minimum distribution required under Legacy Florida for Everglades restoration projects is increased from “25 percent or \$200 million” to “30 percent

¹⁵⁰ See Second Amended and Restated Agreement for Sale and Purchase (2010), available at https://www.sfwmd.gov/sites/default/files/documents/rog_0_amended_restated_agt_for_sale_and_purchase.pdf (last visited Jan. 31, 2017).

¹⁵¹ USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016).

or \$250 million.” The bill applies this increase in funding to the distribution to the CERP, which includes the Everglades Agricultural Area Storage Reservoir as a project component.

Additionally, the SFWMD, in coordination with the USACE, is required to begin the planning study for the Everglades Agricultural Area Reservoir Project by October 1, 2019. According to the 2016 Draft IDS schedule, the project is presently planned to begin in 2021.¹⁵² The bill specifies that the SFWMD, when developing the planning study must focus on the goal of the reservoir project, which is to provide adequate storage and conveyance south of the lake to reduce the volume of regulatory discharges of water from the lake to the St. Lucie and Caloosahatchee estuaries.

Lake Okeechobee Regulation Schedule

The bill requires the SFWMD to request that the USACE include in its evaluation of the regulation schedule any increase in outlet capacity south of the lake which has the potential to offset the harmful freshwater discharges to the St. Lucie and Caloosahatchee estuaries.

Section 5 requires the SFWMD or the Board to notify the Division of Law Revision and Information no later than December 1, 2018, whether they have acquired land pursuant to s. 373.4598, F.S.

Section 6 requires the Division of Law Revision and Information to replace the phrase “the effective date of this act” with the date the act becomes a law.

Sections 7, 8, and 9 provide contingent appropriations for debt service payments on Florida Forever bonds that are authorized to be issued for the purposes of s. 373.4598, F.S. Contingent upon bonds being issued for Option A: \$64 million in recurring funds from the LATF are appropriated for the 2017-2018 FY and \$36 million in recurring funds from the LATF are appropriated for the 2018-2019 FY. Contingent upon bonds being issued for Option B: \$100 million in recurring funds from the LATF are appropriated for the 2018-2019 FY.

Section 10 provides that the bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹⁵² USACE and SFWMD, *Integrated Delivery Schedule 2016 Update* (Dec. 2016).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The impact to the private sector is indeterminate. There will be an immediate positive impact to the landowners whose property is purchased.

C. Government Sector Impact:

If land is acquired under Option A or B there may be a negative indeterminate fiscal impact to local governments due to a loss of property tax revenue. This impact is indeterminate because the specific land to be acquired has not been determined. Depending on the land that is acquired and if the SFWMD purchases the land, the impact to property tax revenues could be offset under s. 373.59, F.S., for any affected county, or local government within a county, with a population of 150,000 people or fewer.

Any amount recovered under s. 373.59, F.S., as payment in lieu of taxes would have a negative indeterminate impact on the SFWMD. The SFWMD would have a negative indeterminate fiscal impact due to a loss of ad valorem tax revenues. Additionally, the SFWMD may have a negative fiscal impact associated with a reduction of the Everglades Agricultural Privilege Tax pursuant to s. 373.4592(6), F.S.

The impact to the state will depend on which option is exercised under the bill. Under Options A and B there will be a negative fiscal impact of \$100 million in recurring funds through the 2037-2038 Fiscal Year to pay debt service on bonds issued under the bill. Under Option C, the required annual minimum distribution to Everglades restoration projects from the LATF is increased by \$50 million.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 201.15, 215.618, and 375.041.

This bill creates section 373.4598 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Bradley

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1 A bill to be entitled
2 An act relating to water resources; amending s.
3 201.15, F.S.; revising the requirements under which
4 certain bonds may be issued; amending s. 215.618,
5 F.S.; providing an exception to the requirement that
6 bonds issued for acquisition and improvement of land,
7 water areas, and related property interests and
8 resources be deposited into the Florida Forever Trust
9 Fund and distributed in a specified manner; creating
10 s. 373.4598, F.S.; providing legislative findings and
11 intent; defining terms; requiring the South Florida
12 Water Management District to seek proposals from
13 willing sellers of property within the Everglades
14 Agricultural Area for land that is suitable for the
15 reservoir project; clarifying that all appraisal
16 reports, offers, and counteroffers are confidential
17 and exempt from public records requirements; requiring
18 the district to assign the Entire Option Property Non-
19 Exclusive Option of a specified agreement to the Board
20 of Trustees of the Internal Improvement Trust Fund
21 under certain circumstances; requiring the district to
22 retain the agreement's option under certain
23 circumstances; requiring the board or the district, as
24 applicable, to exercise the specified option by a
25 certain date under certain circumstances; providing
26 requirements for the Proposed Option Property Purchase
27 Price; authorizing the disposal or exchange of certain
28 land or interests in land for certain purposes;
29 requiring the district to begin, seek permitting for,
30 and construct the reservoir project under certain
31 circumstances; requiring the district, in coordination
32 with the United States Army Corps of Engineers, to

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begin the planning study for the reservoir project by
a specified date under certain circumstances;
requiring the district to identify specified lands
under certain circumstances; providing requirements
for the planning study; requiring the district, in
coordination with the United States Army Corps of
Engineers, to seek Congressional authorization for the
reservoir project under certain circumstances;
authorizing certain costs to be funded using Florida
Forever bond proceeds under certain circumstances;
specifying how such bond proceeds shall be deposited;
authorizing the use of state funds for the reservoir
project; requiring the district to seek additional
sources of funding; requiring the district to seek
federal credits under certain circumstances; requiring
the district to request the United States Army Corps
of Engineers, in the Corps' review of the regulation
schedule, to consider any increase in southern outlet
capacity of Lake Okeechobee; amending s. 375.041,
F.S.; increasing the minimum annual funding for
certain Everglades projects under specified
circumstances; requiring the district and the board to
notify the Division of Law Revision and Information by
a certain date of specified land acquisitions;
providing a directive to the division; providing
contingent appropriations; providing effective dates,
one of which is contingent.

Be It Enacted by the Legislature of the State of Florida:

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Section 1. Paragraph (a) of subsection (3) of section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter are hereby pledged and shall be first made available to make payments when due on bonds issued pursuant to s. 215.618 or s. 215.619, or any other bonds authorized to be issued on a parity basis with such bonds. Such pledge and availability for the payment of these bonds shall have priority over any requirement for the payment of service charges or costs of collection and enforcement under this section. All taxes collected under this chapter, except taxes distributed to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), are subject to the service charge imposed in s. 215.20(1). Before distribution pursuant to this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. The costs and service charge may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs and service charge are required to pay any amounts relating to the bonds. All of the costs of the collection and enforcement of the tax levied by this chapter and the service charge shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2017, secured by revenues distributed pursuant to this section. All taxes remaining after deduction of costs shall be distributed as follows:

(3) Amounts on deposit in the Land Acquisition Trust Fund

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shall be used in the following order:

(a) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued pursuant to s. 215.618. The amount used for such purposes may not exceed \$300 million in each fiscal year. It is the intent of the Legislature that all bonds issued to fund the Florida Forever Act be retired by December 31, 2040. Except for bonds issued to refund previously issued bonds, no series of bonds may be issued pursuant to this paragraph unless such bonds are approved and the debt service for the remainder of the fiscal year in which the bonds are issued is specifically appropriated in the General Appropriations Act or other law with respect to bonds issued for the purposes of s. 373.4598.

Bonds issued pursuant to s. 215.618 or s. 215.619 are equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund.

Section 2. Subsection (5) of section 215.618, Florida Statutes, is amended to read:

215.618 Bonds for acquisition and improvement of land, water areas, and related property interests and resources.—

(5) The proceeds from the sale of bonds issued pursuant to this section, less the costs of issuance, the costs of funding reserve accounts, and other costs with respect to the bonds, shall be deposited into the Florida Forever Trust Fund. The bond proceeds deposited into the Florida Forever Trust Fund shall be distributed by the Department of Environmental Protection as provided in s. 259.105. This subsection does not apply to

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proceeds from the sale of bonds issued for the purposes of s.
373.4598.

Section 3. Section 373.4598, Florida Statutes, is created
to read:

373.4598 Reservoir project in the Everglades Agricultural
Area.—

(1) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature declares that an emergency exists
regarding the St. Lucie and Caloosahatchee estuaries due to the
harmful freshwater discharges east and west of the lake. Such
discharges have manifested in widespread algae blooms, public
health impacts, and extensive environmental harm to wildlife and
the aquatic ecosystem. These conditions threaten the ecological
integrity of the estuaries and the economic viability of the
state and affected communities.

(b) The Legislature finds that the acquisition of
strategically located lands south of the lake and the
construction of the reservoir project will increase the
availability of water storage and reduce the harmful freshwater
discharges. Additionally, water storage south of the lake will
increase the availability of water for the Everglades and to
meet irrigation demands for the Everglades Agricultural Area;
restore the hydrological connection to the Everglades; and
provide flood protection by reducing, through additional storage
capacity, some of the demands on the Herbert Hoover Dike.

(c) The Legislature recognizes that the reservoir project
is authorized in the Water Resources Development Act of 2000 as
a project component of CERP. Unless other funding is available,
the Legislature directs the district in implementation of the

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149 reservoir project to abide by applicable state and federal law
150 in order to do that which is required to obtain federal credit
151 under CERP. If the district implements the reservoir project as
152 a project component as defined in s. 373.1501, the district must
153 abide by all applicable state and federal law relating to such
154 projects.

155 (d) Nothing in this section is intended to diminish the
156 commitments made by the state in chapter 2016-201, Laws of
157 Florida.

158 (2) DEFINITIONS.—As used in this section, the term:

159 (a) "Agreement" means the Second Amended and Restated
160 Agreement for Sale and Purchase between the United States Sugar
161 Corporation, SBG Farms, Inc., Southern Garden Groves
162 Corporation, and the South Florida Water Management District,
163 dated August 12, 2010.

164 (b) "Board" means the Board of Trustees of the Internal
165 Improvement Trust Fund.

166 (c) "Comprehensive Everglades Restoration Plan" or "CERP"
167 has the same meaning as the term "comprehensive plan" as defined
168 in s. 373.470.

169 (d) "District" means the South Florida Water Management
170 District.

171 (e) "Everglades Agricultural Area" or "EAA" has the same
172 meaning as provided in s. 373.4592.

173 (f) "Lake" means Lake Okeechobee.

174 (g) "Reservoir project" means a project to construct one or
175 two above-ground reservoirs that have a total water storage
176 capacity of approximately 360,000 acre-feet and are located in
177 the EAA.

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178 (3) LAND ACQUISITION.—The Legislature declares that
179 acquiring land for the reservoir project is in the public
180 interest and that the governing board of the district and the
181 board may acquire fee title for the purpose of implementing the
182 reservoir project.

183 (a) Upon the effective date of this act, the district shall
184 seek proposals from willing sellers of property within the
185 Everglades Agricultural Area in order to acquire approximately
186 60,000 acres of land that is suitable for the reservoir project.
187 All appraisal reports, offers, and counteroffers are
188 confidential and exempt from s. 119.07(1), as provided in s.
189 373.139.

190 (b) If the district does not acquire land pursuant to
191 paragraph (a) by December 31, 2017:

192 1. The district must assign, by January 31, 2018, the
193 agreement's Entire Option Property Non-Exclusive Option to the
194 board, as authorized in, and in accordance with, the agreement.
195 If, for any reason, the Seller, as defined in the agreement,
196 does not find the assignment to be reasonably acceptable in form
197 and substance, the district must retain the Entire Option
198 Property Non-Exclusive Option; and

199 2. The board or the district, whichever holds the option,
200 must, by March 1, 2018, exercise the option in accordance with
201 the agreement. The Buyer's Proposed Option Property Purchase
202 Price, as specified in the agreement, may not be less than the
203 average of \$7,400 per acre, unless the maximum offer allowed by
204 law is less than the average of \$7,400 per acre.

205 3. The board or the district, if applicable, may dispose of
206 or exchange any land or lease interest in the land that is

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acquired pursuant to this paragraph in order to achieve optimal siting for the reservoir project or to dispose of land that is not necessary for the reservoir project. Any such exchange or disposition may not be in violation of the agreement.

(4) DESIGN, PERMITTING, AND CONSTRUCTION.—If the district finds willing sellers of property pursuant to paragraph (3) (a), the district:

(a) Once the land has been agreed upon for purchase, must immediately begin the reservoir project with the goal of providing adequate water storage and conveyance south of the lake to reduce the volume of regulatory discharges of water from the lake to the east and west; and

(b) Once the land is acquired, must expeditiously pursue necessary permitting and begin implementation and construction of the reservoir project as soon as practicable.

(5) PLANNING STUDY.—

(a) If land is acquired pursuant to paragraph (3) (a) and other funding is not available, the district must, in coordination with the United States Army Corps of Engineers, begin the planning study for the reservoir project by March 1, 2018.

(b) If land is not acquired pursuant to paragraph (3) (a) by December 31, 2017, the district must, in coordination with the United States Army Corps of Engineers, begin the planning study for the reservoir project by October 1, 2019.

1. If land is acquired pursuant to paragraph (3) (b), the district must identify which of the acquired land is suitable for the reservoir project.

2. If land is not acquired pursuant to paragraph (3) (b),

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the district must identify land that is suitable for the reservoir project and the best option for securing such land.

(c) The district, when developing the planning study, must focus on the goal of the reservoir project, which is to provide adequate water storage and conveyance south of the lake to reduce the volume of regulatory discharges of water from the lake to the east and west.

(d) Upon completion of the planning study and the finalization of the project implementation report, as defined in s. 373.470, the district, in coordination with the United States Army Corps of Engineers, shall seek Congressional authorization for the reservoir project.

(6) FUNDING.—

(a) Pursuant to s. 11(e), Art. VII of the State Constitution, state bonds are authorized under this section to finance or refinance the acquisition and improvement of land, water areas, and related property interests and resources for the purposes of conservation, outdoor recreation, water resource development, restoration of natural systems, and historic preservation. In accordance with s. 17, Art. X of the State Constitution, funds deposited into the Everglades Trust Fund may be expended for the purposes of conservation and protection of natural resources in the Everglades Protection Area and the Everglades Agricultural Area.

(b) Any cost related to this section, including, but not limited to, the costs for land acquisition, construction, and operation and maintenance, may be funded using proceeds from Florida Forever bonds issued under s. 215.618, as authorized under that section. The Legislature determines that the

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authorization and issuance of such bonds is in the best interest of the state and determines that the reservoir project should be implemented. Notwithstanding any other provision of law, proceeds from the sale of such bonds, less the costs of issuance, the costs of funding reserve accounts, and other costs with respect to the bonds, shall be deposited in the following manner:

1. If land is acquired pursuant to paragraph (3)(a), the amount of up to \$800 million in bond proceeds in the 2017-2018 fiscal year to the Everglades Trust Fund for the purposes of this section, and the amount of up to \$400 million in bond proceeds in the 2018-2019 fiscal year to the Everglades Trust Fund for the purposes of this section; or

2. If land is acquired pursuant to paragraph (3)(b), the amount of up to \$1.2 billion in bond proceeds in the 2018-2019 fiscal year to the Board of Trustees of the Internal Improvement Trust Fund, or the Everglades Trust Fund, if applicable, to be used for the purposes of this section.

(c) Notwithstanding s. 373.026(8)(b) or any other provision of law, the use of state funds is authorized for the reservoir project.

(d) The district shall actively seek additional sources of funding, including federal funding, for the reservoir project.

(e) If the reservoir project receives Congressional authorization, the district must seek applicable federal credits toward the state's share of funding the land acquisition and implementation of the reservoir project.

(7) LAKE OKEECHOBEE REGULATION SCHEDULE.—The district shall request that the United States Army Corps of Engineers include

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in its evaluation of the regulation schedule for the lake any increase in outlet capacity south of the lake which offsets the harmful freshwater discharges to the St. Lucie and Caloosahatchee estuaries.

Section 4. Effective January 1, 2019, and contingent upon the failure of the district or board to acquire land by November 30, 2018, pursuant to section 373.4598(3)(a) or (b), Florida Statutes, subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3) Funds distributed into the Land Acquisition Trust Fund pursuant to s. 201.15 shall be applied:

(a) First, to pay debt service or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued under s. 215.618; and pay debt service, provide reserves, and pay rebate obligations and other amounts due with respect to Everglades restoration bonds issued under s. 215.619; and

(b) Of the funds remaining after the payments required under paragraph (a), but before funds may be appropriated, pledged, or dedicated for other uses:

1. A minimum of the lesser of 30 ~~25~~ percent or \$250 ~~\$200~~ million shall be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project subject to Congressional authorization; the Long-Term Plan as defined in s. 373.4592(2); and the Northern Everglades and Estuaries Protection Program as set forth in s. 373.4595. From these funds, \$32 million shall be distributed

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each fiscal year through the 2023-2024 fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2). After deducting the \$32 million distributed under this subparagraph, from the funds remaining, a minimum of the lesser of 80 ~~76.5~~ percent or \$150 ~~\$100~~ million shall be appropriated each fiscal year through the 2025-2026 fiscal year for the planning, design, engineering, and construction of the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Everglades Agricultural Area Storage Reservoir, component G, and including the Central Everglades Planning Project subject to Congressional authorization. The Department of Environmental Protection and the South Florida Water Management District shall give preference to those Everglades restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

2. A minimum of the lesser of 7.6 percent or \$50 million shall be appropriated annually for spring restoration, protection, and management projects. For the purpose of performing the calculation provided in this subparagraph, the

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amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

3. The sum of \$5 million shall be appropriated annually each fiscal year through the 2025-2026 fiscal year to the St. Johns River Water Management District for projects dedicated to the restoration of Lake Apopka. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth in this subparagraph.

Section 5. The South Florida Water Management District and the Board of Trustees of the Internal Improvement Trust Fund shall notify the Division of Law Revision and Information no later than December 1, 2018, whether they have acquired land pursuant to s. 373.4598, Florida Statutes.

Section 6. The Division of Law Revision and Information is directed to replace the phrase "the effective date of this act" wherever it occurs in this act with the date the act becomes a law.

Section 7. Contingent upon bonds being issued for the purposes of s. 373.4598, Florida Statutes, and if land is acquired pursuant to s. 373.4598(3)(a), Florida Statutes, the sum of \$64,000,000 in recurring funds from the Land Acquisition Trust Fund is appropriated for the 2017-2018 fiscal year to pay

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381 debt service on bonds that implement this act and are issued
382 pursuant to s. 215.618, Florida Statutes.

383 Section 8. Contingent upon bonds being issued for the
384 purposes of s. 373.4598, Florida Statutes, and if land is
385 acquired pursuant to s. 373.4598(3)(a), Florida Statutes, the
386 sum of \$36,000,000 in recurring funds from the Land Acquisition
387 Trust Fund is appropriated for the 2018-2019 fiscal year to pay
388 debt service on bonds that implement this act and are issued
389 pursuant to s. 215.618, Florida Statutes.

390 Section 9. Contingent upon bonds being issued for the
391 purposes of s. 373.4598, Florida Statutes, and if land is
392 acquired pursuant to s. 373.4598(3)(b), Florida Statutes, the
393 sum of \$100,000,000 in recurring funds from the Land Acquisition
394 Trust Fund is appropriated for the 2018-2019 fiscal year to pay
395 debt service on bonds that implement this act and are issued
396 pursuant to s. 215.618, Florida Statutes.

397 Section 10. Except as otherwise expressly provided in this
398 act, this act shall take effect upon becoming a law.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Environmental Preservation and
Conservation, *Chair*
Appropriations Subcommittee on the Environment
and Natural Resources, *Vice Chair*
Appropriations
Appropriations Subcommittee on Health and
Human Services
Health Policy
Rules

SENATOR LAUREN FRANCES BOOK

Democratic Leader Pro Tempore
32nd District

January 31, 2017

The Honorable Joe Negron
President
The Florida Senate
Suite 409 Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear President Negron:

This letter will serve as reminder of my formal request to be excused from the Senate Committee on Environmental Preservation and Conservation scheduled for Tuesday, February 7, 2017.

As chair of the committee and pursuant to Rule 2.25, I am designating Senator Jack Latvala as acting chair for this meeting. I will continue to work with committee staff on all other matters related to my role as chair of this committee.

Best regards,

A handwritten signature in black ink, appearing to read "Lauren", with a long, sweeping horizontal stroke extending to the right.

Lauren Book
Chair, Senate Committee on Environmental Preservation and Conservation

LB/pg

cc: Hon. Jack Latvala, State Senator, District 16
Hon. Rob Bradley, Vice Chair, Committee on Environmental Preservation and Conservation
Hon. Lizbeth Benacquisto, Chair, Committee on Rules
Ellen Rogers, Staff Director, Committee on Environmental Preservation and Conservation
John Phelps, Staff Director, Committee on Rules

REPLY TO:

□ 202 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5032

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore



The Governor's Commission for the Everglades

RESOLUTION 2000-1

JEB BUSH
GOVERNOR

FRANK BROGAN
LT. GOVERNOR

CURT KISER
CHAIRMAN

THOMAS BARRY, JR.
BUDDY BOYD, JR.
BRENDA BREWER
DONALD CARSON
MICHAEL COLLINS
BOB CRAWFORD
ALLAN EGBERT
SHANNON ESTENOZ
J. W. FRENCH
JAMES GARNER, III
BEVERLY GRADY
DEXTER LEHTINEN
BONNIE MACKENZIE
DONALD MUNKSGAARD
LORI NANCE PARRISH
WAYNE RAWLINS
J. LUIS RODRIGUEZ
FERNANDO ROIG
STEVEN SAPP
STEVEN SEIBERT
REBECCA SOSA
STUART STRAHL
DAVID STRUHS
JANET TAYLOR
CRAIG TEPPER
MALCOLM WADE, JR.
NORA WILLIAMS

EX OFFICIO

RICHARD HARVEY
TERRENCE "ROCK" SALT

BONNIE KRANZER
EXECUTIVE DIRECTOR

GREG DIEHL
DEPUTY DIRECTOR

COPY

RECEIVED BY
FLORIDA STATE ARCHIVES
DEPARTMENT OF STATE
H.A. GRAY BUILDING
TALLAHASSEE, FL 32399-0280
Box 2092, Corbin, 9
Ms. Folger 18

WHEREAS, Governor Jeb Bush through Executive Order # 99-144 established the Governor's Commission for the Everglades on June 24, 1999; and

WHEREAS, the Commission serves as an advisory body to The South Florida Ecosystem Restoration Task Force as well as a forum for improving decision-making and public participation in Everglades and South Florida ecosystem restoration; and

WHEREAS, the Commission is specifically charged with evaluating and making recommendations on the funding and implementation of the Comprehensive Everglades Restoration Plan (April 1999), formerly known as the Central and Southern Florida Project Comprehensive Review Study; and

WHEREAS, the Comprehensive Everglades Restoration Plan (April 1999) was submitted to Congress by the Corps of Engineers on July 1, 1999; and

WHEREAS, it is anticipated that Congress will act this year to authorize portions of the Comprehensive Everglades Restoration Plan (April 1999) and to demonstrate commitment to funding the federal share of the study's costs; and

WHEREAS, Governor Bush has recently announced a State plan for funding the non-federal share of the Comprehensive Everglades Restoration Plan (April 1999) during the next ten years;

NOW, THEREFORE, be it resolved that the Governor's Commission for the Everglades wholeheartedly recognizes the importance of a restored, preserved and protected Everglades and South Florida ecosystem as a State and national priority, and recognizes the importance of providing for the other water-related needs of the region, including flood control, the enhancement of water supplies, and other objectives served by the Central and Southern Florida Project and recommends that the Governor and the Florida Legislature commit to fully fund the non-federal share of the Comprehensive Everglades Restoration Plan (April 1999).

Toward that end, the Commission endorses the Governor's strategy to fund Everglades and South Florida ecosystem restoration over the next decade, which provides:

- A commitment to provide \$1.25 billion in State resources
- A challenge to the South Florida Water Management District, local governments and other sources to provide \$1 billion
- A commitment to a funding plan that embodies the following principles:
 - a. Florida will fully fund the non-federal, 50% share of the project costs
 - b. Florida's funding plan will anticipate and provide for peak year funding needs
 - c. Florida will get full credit for resources already dedicated to the Everglades
 - d. Restoration of the Everglades will be accomplished without redirecting resources from other Statewide environmental restoration programs
 - e. Funding for Everglades restoration will be equitably shared between Statewide and South Florida resources
 - f. The cost of Everglades restoration will not add to Florida's long-term debt burden
 - g. As part of the Everglades restoration program, Florida will forge a new and complete partnership with the federal government

IN ADDITION TO THE ABOVE, the Commission recommends an additional principle:

- Funding from any new revenue sources should consider growth-related mechanisms as a priority.

FURTHERMORE, the Commission urges the Governor to seek Congressional authorization so that operation and maintenance costs, anticipated to reach approximately \$182 million/year, be cost-shared equally between the State of Florida and the federal government.

Resolved this 10th day of March, 2000
Governor's Commission for the Everglades

By: S. Curtis Kiser
Chairman

LEGISLATIVE ACTION

Senate

House

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The Committee on Environmental Preservation and Conservation
(Simmons) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Emergency rehabilitation of the Central and
Southern Florida Project for Flood Control and Other Purposes.—

(1) As used in this section, the term:

(a) "A-1 and A-2 lands" means the approximately 31,000
acres in Compartment A acquired pursuant to the March 1999
Talisman Exchange and Purchase and Sale Agreement.

(b) "CERP" has the same meaning as the term "comprehensive

plan" as defined in s. 373.470, Florida Statutes.

(c) "Corps of Engineers" or "Corps" means the United States Army Corps of Engineers.

(d) "C&SF" means the Central and Southern Florida Project for Flood Control and Other Purposes.

(e) "C&SF agreement" means the agreement entered into between the state and the Federal Government to operate the C&SF.

(f) "Department" means the Department of Environmental Protection.

(g) "Dike" means the Herbert Hoover Diike.

(h) "District" means the South Florida Water Management District.

(i) "DSADS" means the Dam Safety Action Decision Summary for the Herbert Hoover Diike compiled by the Corps of Engineers.

(j) "Interim LORS08 Schedule" means the 2008 Lake Okeechobee Interim Regulation Schedule approved by the Corps on April 28, 2008.

(k) "Modification Study" means the Corps of Engineers evaluation known as the Herbert Hoover Diike Dam Safety Modification Study.

(2) The Legislature finds that the dike, a major component of the C&SF, is designated by the Corps of Engineers as meeting Dam Safety Classification Level 1, the highest risk designation used by the Corps. Because of the instability of the dike, the Corps implemented the Interim LORS08 Schedule, a lower lake schedule, while dike repairs were completed. The Interim LORS08 Schedule has resulted in regular releases of significant amounts of lake water into the St. Lucie River and Caloosahatchee River

41 systems to reduce pressure on the dike. These releases, combined
42 with local basin runoff, have resulted in significant negative
43 impacts to public health, water supply, property, and the
44 environment for residents throughout South Florida. Furthermore,
45 the current critical state of the dike presents significant risk
46 of major injury, loss of life, property destruction, and
47 environmental damage for communities and other interests near
48 Lake Okeechobee. These negative impacts can be ameliorated with
49 the expeditious completion of the dike repairs and
50 implementation of a new lake regulation schedule. Therefore,
51 given the inadequate response of the Corps to these known risks
52 and the significant and unacceptable potential for harm to the
53 state and its residents, the Legislature finds that an emergency
54 situation exists in the C&SF which the state must address
55 immediately.

56 (3) The district is directed to immediately declare the
57 rights of the state to ultimately control discharges of water
58 from Lake Okeechobee and assume a leadership role in the
59 rehabilitation of the dike and any other work in order to comply
60 with the purposes and intent of the C&SF agreement. By July 1,
61 2017, the district shall request the Corps of Engineers to:

62 (a) Revise the Modification Study and DSADS in support of
63 the directives in paragraphs (b) and (c);

64 (b) Materially rehabilitate, repair, improve, and
65 strengthen the dike on an expedited schedule so as to reach
66 substantial completion on or before July 1, 2020. This expedited
67 rehabilitation, repair, improvement, and strengthening shall be
68 implemented, as deemed reasonable by the district given the
69 complexity of the project and the significant risks of further

70 delay, in such a manner as to accomplish all of the goals of the
71 C&SF, including, but not limited to, protecting the residents of
72 this state and limiting the harmful discharges of water from
73 Lake Okeechobee; and

74 (c) Ensure that the Corps of Engineers' release of lake
75 water into the St. Lucie River and Caloosahatchee River systems
76 is executed only as part of a schedule approved by the district.

77 (4) In the process of rehabilitation, repair, improvement,
78 and strengthening of the dike, the district shall set a goal of
79 adding up to an additional 2 feet of water storage capacity
80 above that provided by the current Interim LORS08 Schedule to
81 Lake Okeechobee in order to reduce the need to release lake
82 water into the St. Lucie River and Caloosahatchee River systems,
83 so that maximum discharges are not required until the water
84 level of the lake reaches 19.0 feet NGVD.

85 (5) If the district determines that it or the Corps of
86 Engineers is unable, after due diligence, to accomplish the
87 substantial completion of the work specified in subsection (3)
88 on or before July 1, 2020, the district may, upon application to
89 the department and good cause shown, obtain an extension of time
90 of up to 1 year to attain substantial completion of the dike
91 rehabilitation, repair, improvement, and strengthening.

92 (6) If the Corps of Engineers refuses or fails to take
93 action consistent with this section, or refuses or fails to
94 achieve the objectives of this section, the district shall take
95 all steps necessary to accomplish such action or achieve such
96 objectives itself.

97 (7) The district is directed to request the Corps of
98 Engineers jointly develop a general reevaluation report for CERP

with the purpose of increasing storage in the authorized Everglades Agricultural Area Storage Reservoir on A-1 and A-2 lands to a total of 240,000 to 360,000 acre-feet and to provide required water quality treatment. The development of the general reevaluation report does not preclude implementation of the remaining CERP project components authorized as part of the Central Everglades Planning Process. All recommended modifications to the Everglades Agricultural Area Storage Reservoir on A-1 and A-2 lands must include sufficient water quality treatment to meet state water quality standards. Implementation of the recommended plan in the general reevaluation report is subject to Congressional authorization and adherence to all other state and federal CERP project procedures.

(8) Notwithstanding s. 768.28, Florida Statutes, the state, for itself and for its agencies and subdivisions, does not waive sovereign immunity for torts arising from the implementation of this section. Such torts include, but are not limited to, those arising from the failure or breach of the dike, operation of the dike, or impacts related to the failure, breach, or operation of the dike or other C&SF project-related structures repaired, replaced, or operated pursuant to this section.

(9) Any moneys expended by the district or another state agency to comply with this section in excess of existing state obligation under the C&SF agreement are declared by this state to be an interest-free loan or advance to the United States. The district shall seek recovery of these moneys as authorized by law.

(10) (a) Pursuant to s. 11(e), Article VII of the State

128 Constitution, state bonds are authorized under this section to
129 finance or refinance the acquisition and improvement of land,
130 water areas, and related property interests and resources for
131 the purposes of conservation, outdoor recreation, water resource
132 development, restoration of natural systems, and historic
133 preservation. In accordance with s. 17, Article X of the State
134 Constitution, funds deposited into the Everglades Trust Fund may
135 be expended for the purposes of conservation and protection of
136 natural resources in the Everglades Protection Area and the
137 Everglades Agricultural Area.

138 (b) Any costs related to this section, including, but not
139 limited to, the costs for land acquisition, construction, and
140 operation and maintenance, may be funded using proceeds from
141 Florida Forever bonds issued under s. 215.618, Florida Statutes,
142 as authorized under that section. The Legislature determines
143 that the authorization and issuance of such bonds is in the best
144 interest of the state and determines that the provisions of this
145 section should be implemented. Notwithstanding any other
146 provision of law, proceeds from the sale of such bonds, less the
147 costs of issuance, the costs of funding reserve accounts, and
148 other costs with respect to the bonds, up to \$1 billion in bond
149 proceeds in the 2017-2018 fiscal year shall be deposited to the
150 Everglades Trust Fund for dike rehabilitation, repair,
151 improvement, and strengthening pursuant to subsection (4).

152 (c) The district shall use funds recovered pursuant to
153 subsection (9) solely for the purposes of this section.

154 Section 2. This act shall take effect upon becoming a law.

156 ===== T I T L E A M E N D M E N T =====

157 And the title is amended as follows:

158 Delete everything before the enacting clause
159 and insert:

160 A bill to be entitled

161 An act relating to the Central and Southern Florida
162 Project for Flood Control and Other Purposes; defining
163 terms; providing legislative findings; directing the
164 South Florida Water Management District to take
165 control of discharges of water from Lake Okeechobee
166 and take a leadership role in the rehabilitation of
167 the Herbert Hoover Dike; directing the district to
168 request that the United States Army Corps of Engineers
169 revise a study and summary and to rehabilitate,
170 repair, improve, and strengthen the Herbert Hoover
171 Dike; specifying a deadline for implementation;
172 requiring the district to ensure that the release of
173 lake water is executed only as part of a specified
174 schedule; requiring the district to set a goal of
175 increasing lake storage up to a specified amount to
176 reduce certain discharges; providing an extension;
177 requiring the district to take all steps necessary to
178 accomplish specified dike improvements under certain
179 circumstances; directing the district to request the
180 Corps of Engineers to jointly develop a general
181 reevaluation report for the Comprehensive Everglades
182 Restoration Plan (CERP) with the purpose of increasing
183 storage in the authorized Everglades Agricultural Area
184 Storage Reservoir on A-1 and A-2 lands; clarifying
185 that the development of this report does not preclude

the implementation of approved CERP project components; specifying that implementation of the plan developed in the report is subject to Congressional authorization and adherence with all other state and federal CERP project procedures; specifying that the state does not waive sovereign immunity for torts relating to the dike or project; providing that moneys expended for specified purposes by the district or another state agency in excess of state financial obligations are an interest-free loan or advance to the Federal Government; requiring the district to seek recovery of such moneys; authorizing certain costs to be funded using Florida Forever bond proceeds under certain circumstances; providing legislative findings; specifying how such bond proceeds must be deposited; specifying how recovered funds are to be used; providing an effective date.

WHEREAS, federal participation in flood control efforts, while not previously a function of the Federal Government, began after the disastrous hurricanes of 1926 and 1928, with states requesting assistance from the Federal Government and with the enactment of the River and Harbor Act of 1930, and

WHEREAS, the Central and Southern Florida Project for Flood Control and Other Purposes (C&SF) was developed pursuant to the federal Flood Control Act of 1948, and

WHEREAS, in 1949, the State of Florida established a partnership with the United States Government to implement the C&SF, and

215 WHEREAS, the State of Florida provided significant funds,
216 lands, and other contributions to the C&SF, and

217 WHEREAS, the C&SF is a function of state and federal
218 authorization, and initiation of the project was premised on the
219 State of Florida's partnership with the Federal Government, and

220 WHEREAS, all title to the easements and rights-of-way upon
221 which the C&SF structures operate belongs to the state, and

222 WHEREAS, while the United States Army Corps of Engineers
223 and the South Florida Water Management District work jointly to
224 operate and maintain the C&SF, the Corps maintains its
225 decisionmaking responsibility for the C&SF and operates and
226 maintains the levees, channels, locks, and control works of the
227 St. Lucie Canal, Lake Okeechobee, and Caloosahatchee River and
228 the main spillways of C&SF's water conservation areas only under
229 the partnership terms with the state, and

230 WHEREAS, the United States Eleventh Circuit Court of
231 Appeals in 2013 ruled that "[d]espite the Corps exercising
232 control over these systems, either directly or by issuing
233 regulations to the SFWMD, the project is a function of state
234 authorization. The federal government's initiation of the
235 project was premised on the State of Florida's permission; all
236 title to the easements and rights-of-way upon which the C&SF
237 Project structures operate belong to the State of Florida; and
238 the United States Army Corps of Engineers administers the C&SF
239 Project pursuant to an agreement between the United States and
240 the State of Florida," and

241 WHEREAS, the State of Florida, therefore, has the ultimate
242 right of decisionmaking regarding this partnership between the
243 United States and the state, and when the United States Army

Corps of Engineers' conduct, as a result of the funding limitations imposed upon it, is jeopardizing the life, safety, welfare, economy, and environment of this state, the state, by virtue of its ultimate contractual right of control of the C&SF and its inherent constitutional right to protect its residents, may direct and assist the Corps to make revisions of the operations within the C&SF, and

WHEREAS, the United States Eleventh Circuit Court of Appeals has further held that the authorized purposes of the C&SF Project include absorbing water for flood control, maintaining water supplies for agriculture, restoring hydrologic conditions in the Everglades National Park, ensuring water quality, and maintaining fish, wildlife, and marsh vegetation, and

WHEREAS, the C&SF Project therefore clearly includes the purpose of protecting the St. Lucie River and the Caloosahatchee River and their estuaries from the destructive impacts of high-volume discharges from Lake Okeechobee, and, consequently, in protecting the Everglades and operating within the limitations and parameters of the C&SF, the United States Army Corps of Engineers and the State of Florida must not ignore these critical environmental treasures, and

WHEREAS, the lives, safety, and livelihood of the state's residents who live around Lake Okeechobee depend upon a properly maintained water level, the strength and integrity of the Herbert Hoover Dike, the protection of the Everglades and endangered species in and surrounding the Everglades, the protection of the St. Lucie River and Caloosahatchee River and their estuaries, and the protection of agriculture and other

private property rights—all as provided by the applicable statutes and agreements creating the C&SF—and these are not mutually exclusive goals, but instead must be achieved together, and

WHEREAS, the Herbert Hoover Diike, a component of the C&SF, is an approximately 143-mile levee system surrounding Lake Okeechobee developed and built starting in 1930, as authorized under the federal River and Harbor Act of 1930, to provide flood protection and other development benefits to South Florida, and

WHEREAS, one of the central requirements of the C&SF is to protect the structural integrity of the Herbert Hoover Diike, and

WHEREAS, since at least the late 1980s, the United States Army Corps of Engineers has been aware of significant structural vulnerabilities in the dike due to slope instability, piping, and seepage, and

WHEREAS, the United States Army Corps of Engineers, in its June 2016 Environmental Impact Statement submitted pursuant to its intended dike modifications, classified the dike as "critically near failure or extremely high risk" and that "a failure of the dike could result in human suffering, immense property damage, destruction of the natural habitat, and loss of human life," and

WHEREAS, despite this well-known and ongoing risk, due to funding or other limitations, the United States Army Corps of Engineers has been unable to timely and adequately rehabilitate the dike, resulting in an unjustifiable, significant, and intolerable risk of major injury, loss of life, property destruction, and environmental damage for communities and other interests near Lake Okeechobee, and

WHEREAS, the poor condition of the dike has resulted in "seepage and internal erosion ... during high reservoir events," thus causing the United States Army Corps of Engineers in April 2008 to revise its prior discharge schedule, creating its current interim Lake Okeechobee Regulation Schedule (LORS08), which was intended to be a temporary schedule while dike repairs were completed, and which has caused significant and damaging releases of polluted lake water into the St. Lucie River and Caloosahatchee River systems, while diminishing water storage and supply, and

WHEREAS, the National Academies of Sciences, Engineering, and Medicine in 2016 published their report on the "Progress Toward Restoring the Everglades: The Sixth Biennial Review, 2016," and

WHEREAS, "[t]he National Academies of Sciences, Engineering, and Medicine established the Committee on Independent Scientific Review of Everglades Restoration Progress in 2004 in response to a request from the United States Army Corps of Engineers ..., with support from the South Florida Water Management District ..., and the U.S. Department of the Interior ..., based on Congress's mandate in the Water Resources Development Act of 2000," and

WHEREAS, as stated by the National Academies of Sciences, Engineering, and Medicine, integrity issues and concerns that led to the United States Army Corps of Engineers' Dam Safety Modification Study also resulted in the new water discharge regulation schedule that was designed to limit high water levels in the lake and thereby reduce the risk of catastrophic levee failure until substantial progress is made in the dike

rehabilitation, and

WHEREAS, the National Academies of Sciences, Engineering, and Medicine state that the Interim LORS schedule implemented in April 2008 lowered the maximum stage from 18.5 feet to 17.25 feet (National Geodetic Survey Vertical Datum), resulting in a significant loss of water storage and supply, and

WHEREAS, the United States Army Corps of Engineers' implementation of its dike modifications is not expected to be completed before fiscal year 2025 at the earliest, depending on funding, and

WHEREAS, the National Academies of Sciences, Engineering, and Medicine state that the United States Army Corps of Engineers' future lake discharge schedule is critically important to future Comprehensive Everglades Restoration Plan (CERP) decisions regarding storage north and south of the lake, and that the "adoption of the LORS 2008 schedule, intended to reduce life safety risks in light of structural problems with the Herbert Hoover Dike ... alone reduced potential storage by 564,000 [acre feet]," and

WHEREAS, the National Academies of Sciences, Engineering, and Medicine concluded and recommended that "[t]he process to revise the Lake Okeechobee regulation schedule should be initiated as soon as possible in parallel with the Herbert Hoover Dike modifications to inform near-term project planning involving water storage north and south of the lake. The large impacts on water storage with just modest changes in the lake regulation schedule suggest that Lake Okeechobee is a central factor in future considerations of water storage. Decisions made on the future regulation schedule will affect storage needs both

north and south of the lake and overall restoration outcomes and costs.... Expediting the revision to the lake regulation schedule would also ensure that the process is complete (including a required dam safety risk assessment) so that the new schedule can be put into place as soon as the Herbert Hoover Dike repairs are determined to be sufficient to sustain higher water levels, thereby expediting ecological benefits to the northern estuaries. Once other storage elements are constructed, the lake schedule will likely need to be revisited to optimize its operations considering the additional storage features," and

WHEREAS, in making its decisions, apparently due to funding or other limitations, the United States Army Corps of Engineers has not been able to adequately respond to the tragic and destructive consequences of its high-volume discharges into both the St. Lucie River and Caloosahatchee River, their estuaries, and the communities surrounding those invaluable rivers and estuaries, and

WHEREAS, the United States Army Corps of Engineers' high-volume water releases into the St. Lucie River and Caloosahatchee River systems have resulted in disastrous impacts to public health, property, and the environment for residents living along and near these river and estuary systems, and

WHEREAS, the state, which has the ownership and ultimate right of control over the C&SF to protect its residents, the environment, and the public health, safety, and welfare, has a right and obligation to alter the management, construction, and maintenance of the dike and the C&SF overall to reduce the risks of continuing harm to its residents and the environment, NOW, THEREFORE,

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb 7, 2017

Meeting Date

SB10

Bill Number (if applicable)

Topic Everglades

Amendment Barcode (if applicable)

Name CURT Kiser

Job Title Volunteer

Address 5385 W PARD

Phone 858-591

Street

Lamont,

City

FL

State

32336

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing SELF FWF & Everglades Foundation

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Sen. Curt Kiser

Job Title _____

Address 5385 WPA Road
Street

Phone _____

Lamont
City

FL
State

32336
Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-7-17

Meeting Date

SB 10

Bill Number (if applicable)

Topic SB 10 Land Acquisition

Amendment Barcode (if applicable)

Name Ernie Barnett

Job Title Environ. Consultant

Address 4524 Gun Club Rd #201

Phone 850 284-6178

Street

West Palm Bch FL 33415

City

State

Zip

Email barnett@floridawaterandland.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Fla. Sugar Cane League

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb 7, 2017

Meeting Date

SB10

Bill Number (if applicable)

Topic SB10

Amendment Barcode (if applicable)

Name Thomas Van Lent

Job Title V.P. for Programs

Address 18001 old Cutler Rd, Suite 625

Phone 305-251-0001

Street

Palmetto Bay, FL

City

State

33158

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing The Everglades Foundation

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB10

Bill Number (if applicable)

Topic EAA Land Buy

Amendment Barcode (if applicable)

Name John L. Hundley

Job Title President Hundley Farms; Chairman of the Board Sugar Cane Growers Coop

Address P.O. Box H

Phone 561 996 4701

Street

Loxahatchee FL 33470

City

State

Zip

Email jhundley@scgc.org

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Sugar Cane Growers Cooperative of Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2/7/17
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 10
Bill Number (if applicable)

Topic _____
Name Councilwoman Debbie Gillis - ~~Board~~ Village of Islamorada
Job Title Owner - Sunset Inn & Resort
Address P.O. Box 484 Phone _____
Street _____
City Islamorada, FL State FL Zip 33036 Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-7-17

Meeting Date

Bill Number (if applicable)

Topic SB10

Amendment Barcode (if applicable)

Name Steve Wilson-Mayor Belle Glade

Job Title Mayor

Address

Phone

Street

City

State

Zip

Email

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing City of Belle Glade

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2/7/17
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Fred Garth

Job Title Editor & Publisher Guy Harvey Magazine

Address ~~PO Box~~ 418 West Garden St ~~Pensacola~~ Phone _____
Street
Pensacola, FL 32502 #201
City State Zip Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Guy Harvey Magazine

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-7-17
Meeting Date

SB 10
Bill Number (if applicable)

Topic SB 10

Amendment Barcode (if applicable)

Name Janet Taylor

Job Title Former County Commissioner Hendry County

Address P.O. B. 764
Street
Clewiston FL 33440
City State Zip

Phone 863-228-0612

Email commish@gate.net

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Glades Communities

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable) _____

Name Marty Baum

Job Title Indian Riverkeeper

Address PO Box 1812
Street

Phone _____

Jensen Beach FL 34957
City State Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic Water Resources

Amendment Barcode (if applicable)

Name Chandler, Williamson

Job Title City Manager

Address 207 Begonia Drive
Street

Phone 561-543-6612

Pahokee FL 33476
City State Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing City of Pahokee

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Captain Rufus Wakeman

Job Title Owner of River Palm Cottages + Fish Camp

Address 2325 NE Indian River Drive Phone _____
Street

Jensen Beach FL 34957 Email _____
City State Zip

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/16

Meeting Date

SB10

Bill Number (if applicable)

Topic SB10

Amendment Barcode (if applicable)

Name Hillary Hyslope

Job Title Executive Director Clewiston Chamber of Comm.

Address 109 Central Ave

Phone 863 447 9254

Street

Clewiston

FL

33440

Email clewistonchamber@embargmail.com

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Clewiston Chamber of Commerce

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable) _____

Name Captain Daniel Andrews

Job Title Co-Founder Captains for Clean Water

Address 12360 Flintlock Lane Phone _____
Street

Ft. Myers FL 33912 Email _____
City State Zip

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Mark Nichols

Job Title Owner, DOA Lures, Inc.

Address 3620 SE Dixie Highway
Street

Phone _____

Stuart FL
City State Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

11
Bill Number (if applicable) _____

Topic Senate Bill 10

Amendment Barcode (if applicable) _____

Name Mark Nichols

Job Title Business Owner

Address 3620 Dixie Hwy

Phone _____

Street

Stuart
City

FL 34949
State Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing DOA Fishing Lures

Appearing at request of Chair: ☒ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-7-17

Meeting Date

SB10

Bill Number (if applicable)

Topic Senate Bill 10

Amendment Barcode (if applicable)

Name Lomaxe Harrelle

Job Title City Manager - Belle Glade

Address _____
Street

Phone _____

City

State

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing City of Belle Glade

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

Bill Number (if applicable)

Topic EAA Land Purchase

Amendment Barcode (if applicable)

Name John S. Hundley

Job Title Sr VP of Ag Operations

Address 25849 CR 880

Phone 561-996-6855

Street

Belle Glade

Fl.

33430

City

State

Zip

Email jshundley@hundleyfarms.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Hundley Farms Inc.

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-8-17

Meeting Date

SB10

Bill Number (if applicable)

Topic SB10

Amendment Barcode (if applicable)

Name JACQUI THURLOW-LIPPISCH

Job Title Former mayor & council. Town of Seawall's Point

Address 18 Riverview Pr

Street

Phone 772-486 3818

Stuart FL 34994

City

State

Zip

Email jthurlow@me.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Me, my city

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/16

Meeting Date

SB10

Bill Number (if applicable)

Topic LAKE Okeechobee

Amendment Barcode (if applicable)

Name MARY Ann MARTIN

Job Title OWNER of Roland Martin MARINA

Address 920 EAST Del Monte Ave,

Phone 863-983-3151

Street

Clewiston FL 33440

City

State

Zip

Email maryann3151@yahoo.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against

(The Chair will read this information into the record.)

Representing ROLAND MARTIN MARINA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable) _____

Name Tony Scoville

Job Title Property Owner + Angler

Address 1341 Middle Gulf Drive Unit 15A

Phone _____

Street

City

Sanibel

State

FL

Zip

33957

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB10
Bill Number (if applicable)

Topic ENR land purchase

Amendment Barcode (if applicable)

Name Paul Allen

Job Title Farmer

Address 135 Bacon St.
Street
Palmer Fl.
City State Zip

Phone 861-261-6362

Email paul@chaffin.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Robert C. Hatten Farms, Performance Nape LLC

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Captain Dave Perkins

Job Title Perkins Fishing Charter Captain

Address 221 Bristol Court

Phone _____

Street

Tavernier

City

FL

State

33070

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2/7/17

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB10

Bill Number (if applicable)

Topic Water flow to Everglades National Park

Amendment Barcode (if applicable)

Name Captain Dave Perkins

Job Title Fishing Guide

Address 221 Bristol Ct.

Phone 305-298-6932

Street

Tavernier, FL

City

State

33076

Zip

Email captaindaveperkins@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Perkins Fishing Charters

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-7-17

Meeting Date

SB10

Bill Number (if applicable)

Topic Proposed Land Acquisition

Amendment Barcode (if applicable)

Name Tammy Jackson-Moore

Job Title

Address PO Box 7601

Phone 561-914-0311

Street

S. Bay

State

FL

Zip

33493

Email tynnclass@aol.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against

(The Chair will read this information into the record.)

Representing Guardians of the Glades

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB 10

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name Peter Noll

Job Title Homeowner

Address 1888 SW Mooring Drive

Street

City

Palm City FL

State

Zip

Phone

Email

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB10

Bill Number (if applicable)

Topic EAA Land Purchase

Amendment Barcode (if applicable)

Name Stephen Basore

Job Title Principal Owner TKM Bengard Farms, LLC

Address 2305 Cypress Lane

Phone (561) 996-1980

Street

Belle Glade

FL

33430

City

State

Zip

Email sbasore@tkmfarms.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing TKM Bengard Farms, LLC

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB10

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Rochelle Neumann

Job Title Owner, Coastal Paddleboarding

Address 8300 SE Sweetbay Drive Phone _____
Street
Stuart FL 33455 Email _____
City State Zip

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB 10

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Captain Matt Bellinger

Job Title Bamboo Charters Fishing Captain

Address 155 Jasmine Street

Phone _____

Street

Tavernier

City

FL

State

33070

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic SB 10

Amendment Barcode (if applicable)

Name JO NEESON

Job Title _____

Address 3580 NE INDIAN RIVER DR.
Street
JENSEN Bch FL 34957
City State Zip

Phone _____

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Bull Sugar

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable) _____

Name Captain Benjamin Blanco

Job Title Captain Benny Blanco Fishing Charters

Address 8900 SW 124th Street Phone _____

Street

miami
City

FL
State

33176
Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable) _____

Name Captain Will Benson

Job Title VP Lower Keys Fishing Guide Association

Address 17216 Bonita Lane East Phone _____
Street

Sugarloaf Key FL 33042 Email _____
City State Zip

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2/7/17
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB10
Bill Number (if applicable)

Topic _____ Amendment Barcode (if applicable) _____

Name Joseph & Virann Wellborn (children of Joseph wellborn)
Job Title ~~Carbon Marine~~

Address 4712 Clark Ave Suite E-F Phone _____
Street
City Tampa FL State Zip 33614 Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Carbon Marine Tampa

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/07/17
Meeting Date

SB10
Bill Number (if applicable)

Topic ~~Decept~~

Amendment Barcode (if applicable)

Name Joseph Wellborn

Job Title Owner, Carbon Marine Tampa

Address 4712 N. Clark Ave Suite E-F Phone

Street

Tampa, FL 33614

City

State

Zip

Email

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Carbon Marine Tampa

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Captain Mike Conner

Job Title _____

Address 2004 SE Lafayette St.
Street

Phone _____

Stuart
City

FL
State

34997
Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/2017
Meeting Date

SB 10
Bill Number (if applicable)

Topic water resources

Amendment Barcode (if applicable)

Name Eric Droper

Job Title Ex Director

Address 3627 Dwyer
Street

Phone 850 999 1028

Tallahassee FL 32312
City State Zip

Email edroper@audubon.org

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Audubon Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

10

Bill Number (if applicable)

Topic

WATER RESOURCES

Amendment Barcode (if applicable)

Name

DAVID CULLEN

Job Title

Address

1674 UNIVERSITY PKWY #296

Street

Phone

941-323-2484

SARASOTA

City

FL

State

34243

Zip

Email

cullenasea@aol.com

Speaking:

☐

For

☐

Against

☐

Information

Waive Speaking:

☒

In Support

☐

Against

(The Chair will read this information into the record.)

Representing

SIERRA CLUB FLORIDA

Appearing at request of Chair:

☐

Yes

☒

No

Lobbyist registered with Legislature:

☒

Yes

☐

No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB10

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name Manley Fuller

Job Title President, Florida Wildlife Federation

Address PO Box 6870

Phone 850-656-7113

Tallahassee FL 32314

Email wildfed@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Wildlife Federation

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17*Meeting Date*SB10*Bill Number (if applicable)*Topic Water Resources*Amendment Barcode (if applicable)*Name Marisa CarrozzoJob Title Senior Environmental Policy SpecialistAddress 1495 Smith Preserve WayPhone 239-403-4231*Street*NaplesFL34102Email marisac@conservancy.org*City**State**Zip*Speaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)Representing Conservancy of Southwest FloridaAppearing at request of Chair: ☐ Yes ☐ NoLobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-7-17

Meeting Date

Bill Number (if applicable)

Topic SB10

Amendment Barcode (if applicable)

Name Ramon Iglesias

Job Title General Manager / Roland Martin Marina

Address 920 E. Del Monte Ave

Phone 863-983-3151

Street

Clewiston

FL

33440

City

State

Zip

Email ramon591@me.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Roland & Mary Ann Martin Marina

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic Water Resources

Amendment Barcode (if applicable)

Name Adam Basford

Job Title Director of Legislative Affairs

Address 310 W College Ave
Tallahassee FL 32301
City State Zip

Phone 222-2557

Email adam.basford@ffbi.org

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Farm Bureau

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2-7-17
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB10
Bill Number (if applicable)

Topic SB10

Amendment Barcode (if applicable)

Name Everett Wilkinson

Job Title Chairman of National Liberty Federation

Address 4571 PGA Blvd

Phone 561-880-5790

Street

PBG

City

FL

State

33418

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Tea Party

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-7-17

Meeting Date

SB10

Bill Number (if applicable)

Topic EAA Land Buy

Amendment Barcode (if applicable)

Name Paul R. Orsenigo

Job Title Farmer / Agri Business Owner

Address 500 Orange Ave Circle Bldg 3

Phone 561-261-1131

Street

Belle Glade, FL

City

State

33430

Zip

Email pro57@bellsouth.net

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against

(The Chair will read this information into the record.)

Representing Florida Fruit & Vegetable Assoc. / Orsenigo Farms

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb 7, 2017

Meeting Date

S.B. 10

Bill Number (if applicable)

Topic EAA Land Purchase

Amendment Barcode (if applicable)

Name Rev. Pam Cahoon

Job Title United Methodist Clergy

Address 1050 GATOR TRAIL

Phone 561-762-0732

Street

West Palm Bch FL 33409

City

State

Zip

Email pamcahoon@att.net

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LOCAL COMMUNITY

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-7-2017

Meeting Date

SB 10

Bill Number (if applicable)

Topic Senate Bill 10

Amendment Barcode (if applicable)

Name Joaquin Almazan

Job Title Okelanta / L.L. 2152 Molasses Operator

Address 903 N.E

Phone 561-516-4650

Street

South Bay

FL

33430

City

State

Zip

Email Joaquinok6@aol.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Okelanta / IAM L.L. 2152

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/2017

Meeting Date

SB 10

Bill Number (if applicable)

Topic SB 10

Amendment Barcode (if applicable)

Name ARDIS HAMMOCK

Job Title Vice President Frierson Farms, Inc.

Address PO Box 1686

Phone 863 672 0076

Street

Clewiston

City

FL

State

33440

Zip

Email ardishammond@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Frierson Farms Inc.

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB10

Bill Number (if applicable)

Topic SB10

Amendment Barcode (if applicable)

Name Stephanie Busin

Job Title Rural Education Advocate

Address 429 Royal Palm Ave.

Phone 239-229-6385

Street

Clewiston

FL

33440

City

State

Zip

Email busins@hendry-schools.net

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Hendry Co. School Dist / Hendry EDC Education Improvement Task Force
Hendry Public School Foundation / Early Learning Coalition of SWFL

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

February 7th 2017
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 10
Bill Number (if applicable)

Topic SB 10

Amendment Barcode (if applicable)

Name Kaleb Trivitt Hyslope

Job Title Student

Address 104 Ridge wood Ave
Street
Clewiston FL 33440
City State Zip

Phone (863)-447-1553

Email kalebtrivitt02@outlook.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing ~~TH~~ Hendry County Students

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-7-2017
Meeting Date

10
Bill Number (if applicable)

Topic Lake Okechobee releases

Amendment Barcode (if applicable)

Name TOM MAZUR

Job Title consulting engineer

Address 4524 GOLF CLUB RD

Phone 561 689 1708

Street

WPTB FL

City

State

33415

Zip

Email tom@mazur-inc.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Agriculture

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable) _____

Name Dr. Richard Kernish

Job Title Radiologist + Avid Everglades National Park

Address 6500 San Bi cente St. Phone _____
Street
Coral Gables FL 33146 Email _____
City State Zip

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB 10

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Jim Harter

Job Title President of Stuart Flyrodders

Address 3360 SW St. Lucie Shores Dr.
Street

Phone _____

Palm City
City

FL
State

34990
Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

8B10

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name ~~Cheryl~~ Cheryl mead

Job Title Restaurant + Business Owner

Address 89375 old Highway

Street

Tavernier

City

FL

State

33070

Zip

Phone _____

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/07/17
Meeting Date

10
Bill Number (if applicable)

Topic SENATOR NEGRON BILL

Amendment Barcode (if applicable)

Name CLARE MITCHELL

Job Title R.E. BROKER BLVD W

Address 912 52nd AVE
Street

Phone 407-923-9548

BRADENTON FL 34207
City State Zip

Email claregrace111@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing COASTAL PADDLEBOARDING & SENATOR NEGRON'S BILL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable) _____

Name Pete Squibb

Job Title VP Sanibel Fly Fishing

Address 9215 Belleza Way
Street

Phone _____

Ft. Myers
City

FL
State

33908
Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Bob Brooks

Job Title owner, manufacturers Representative Agency

Address 990 Beach Road Phone _____
Street

Sanibel FL 33957 Email _____
City State Zip

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7

Meeting Date

SB10

Bill Number (if applicable)

Topic SB10 - ~~Cheryl~~ Stuart perspective

Amendment Barcode (if applicable)

Name ALEXANDER GILLEN

Job Title

Address 5 Palmetto Dr

Street

Stuart

City

FL

State

34996

Zip

Phone 202 747 4856

Email agillen@gmail.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing people of martin County who like to swim fish, beach, sword, etc.

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB10
Bill Number (if applicable)

Topic SB10

Amendment Barcode (if applicable)

Name Michelle Conner

Job Title Grassroots Outreach Coordinator

Address 2004 SE Lafayette Street
Street
Stuart FL 34997
City State Zip

Phone 772-678-2892

Email michelleconner@bullsugar.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Bullsugar.org

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic IN SUPPORT OF SB 10

Amendment Barcode (if applicable)

Name ALLIE PRESTON

Job Title COMMUNICATIONS COORDINATOR

Address 1299 NW LAKESIDE TRAIL

Phone (772) 486 2720

Street

STUART
City

FL
State

34994
Zip

Email APRESTON@BULLSUGAR.ORG

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing BULLSUGAR.ORG

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB10

Bill Number (if applicable)

Topic Water Quality / EAA Reservoir

Amendment Barcode (if applicable)

Name David Preston

Job Title Sr. Managing Director - Newmark Grubb Knight Frank

Address 754 NE 90th St #704

Phone 786-384-1320

Street

Miami

City

FL

State

33138

Zip

Email d_preston@me.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Bullsugar.org (non-paid volunteer)

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/6/17
Meeting Date

Bill Number (if applicable)

Topic SEN NEBRON PLAN

Amendment Barcode (if applicable)

Name MIKE BERTHOLD

Job Title GRAPHIC ARTIST

Address 1117 S. DUNCAN AVE
Street

Phone 727-235-1989

CLEARWATER FL 33756
City State Zip

Email WOT DOG ADVENTURES@GMAIL
com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing CARBON MARINE

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB10
Bill Number (if applicable)

Topic Senate Bill 10: Negrón Plan

Amendment Barcode (if applicable)

Name Condisa M. Welbourn

Job Title Homemaker

Address 3813 N Oak Dr F-31
Street
Tampa FL 33611
City State Zip

Phone 813 928 5539

Email dedatu@yahoo.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Carbon Marine

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

Bill Number (if applicable)

Topic Negroni's proposal

Amendment Barcode (if applicable)

Name Alex Russell

Job Title _____

Address 14114 Balm Bayette Road

Phone 740-818-7400

Street

Riverview,

FL

33574

City

State

Zip

Email arussell@carbonmarine.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Everglades Foundation, Bull Sugar, Captains for Clean Water

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

Bill Number (if applicable) _____

Topic _____

Amendment Barcode (if applicable) _____

Name Bruce Mead

Job Title Sales / Carbon Marine

Address _____

Phone _____

Street

Tampa

FL

33614

City

State

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Nelson plan Senate Bill 10 / Bullsugar

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB10

Bill Number (if applicable)

Topic Everglades Restoration

Amendment Barcode (if applicable)

Name Adam Morley

Job Title Captain

Address 1205 SR 206 E
Street

Phone 904-540-7245

St. Augustine FL 32086
City State Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

07.07.2017
Meeting Date

SB 10
Bill Number (if applicable)

Topic Everglades Reservoir Restoration

Amendment Barcode (if applicable)

Name Ashley French

Job Title Store Manager

Address 264 Spradler St

Phone 9043775180

Street

St Augustine
City

FL
State

32086
Zip

Email ashleyfrenchb5@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-07-17

Meeting Date

SB10

Bill Number (if applicable)

Topic EVERGLADES (Reservoir) Restoration

Amendment Barcode (if applicable)

Name Nana Roger

Job Title Ret. R. A.

Address 6 Willow Dr.

Street

St. Augustine

City

FL

State

32080

Zip

Phone 904 377 1600

Email nana@nrdp.net

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic EVERGLADES (RESERVOIR) RESTORATION

Amendment Barcode (if applicable)

Name MARCY JEAN BRENNER

Job Title RETIRED MUSICIAN

Address 220 RIVERSIDE UNIT 511
Street
JACKSONVILLE FL 32202
City State Zip

Phone (401) 441-9263

Email marajjbrenner@me.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing SELF

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/07/17

Meeting Date

SB10

Bill Number (if applicable)

Topic EVERGLADES RESTORATION

Amendment Barcode (if applicable)

Name STEVE LOWE

Job Title _____

Address 8140 CR 304

Street

Phone 386 597 9335

BUNNELL FLA

City

State

Zip

Email EQUUSMUSIC@aol.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB-10

Bill Number (if applicable)

Topic

SB-10 Everglades Restoration

Amendment Barcode (if applicable)

Name

Tom Kiernan

Job Title

Retail Manager

Address

438 Shamrock Rd

Street

St. Augustine, FL 32086

City

State

Zip

Phone

(904) 501-7905

Email

tkiernan@gmail.com

Speaking:

☐

For

☐

Against

☐

Information

Waive Speaking:

☒

In Support

☐

Against

(The Chair will read this information into the record.)

Representing

Appearing at request of Chair:

☐

Yes

☒

No

Lobbyist registered with Legislature:

☐

Yes

☒

No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB - 10

Bill Number (if applicable)

Topic SB 10 EVERGLADES RESTORATION.

Amendment Barcode (if applicable)

Name ANDREW B. MILLER

Job Title _____

Address 1680 LEON ST.
Street

Phone 863.528.6012

ST. AUGUSTINE FL 32080
City State Zip

Email millerdrew@me.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing ENVIRONMENTAL YOUTH COUNCIL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

51310
Bill Number (if applicable)

Meeting Date _____

Topic Everglades Restoration

Amendment Barcode (if applicable) _____

Name Daphne Grabowski

Job Title Kayak Guide

Address 26 B Palmer Street

Phone _____

Street

St. Augustine Florida 32084

City

State

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2/07/17
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB10
Bill Number (if applicable)

Topic SB10

Amendment Barcode (if applicable)

Name Holly Parker Curry

Job Title FL Regional Manager

Address 1229 Mitchell Ave
Street
Tallahassee FL 32303
City State Zip

Phone 850-567-3393

Email hparker@surfrider.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Surfrider Foundation

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

SB 10
Bill Number (if applicable)

Topic in support of the Bill

Amendment Barcode (if applicable) _____

Name Michael Bracemall

Job Title _____

Address 2251 O'NEAL RD
Street
Lakeland FL 33801
City State Zip

Phone 883-386-3848

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FEV

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Bill Number (if applicable)

Topic Support of SB10, Everglades fertility

Amendment Barcode (if applicable)

Name Megan Nichols

Job Title Biology Major, FSU

Address 1667 Sharkey St

Phone 321-266-5081

Tallahassee
City

FL
State

32304
Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2/7/17

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB10

Bill Number (if applicable)

Topic Everglades Water

Amendment Barcode (if applicable)

Name Craig R. Stewart

Job Title

Address 464 Casa Ybel Rd.

Street

Sanibel Island FL 33957

City

State

Zip

Phone (239) 472-8443

Email Aippsm@aol.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Adventures In Paradise^{Inc.}, Sanibel Island, FL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/13

Meeting Date

10

Bill Number (if applicable)

Topic Everglades Restoration

Amendment Barcode (if applicable)

Name Dan Peterson

Job Title Director - Center for Property Rights

Address 100 N. Duval

Phone 407-758-2491

Street

Tallahassee FL

City

State

Zip

Email d.peterson@jamesmadison.org

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing JAMES MADISON INSTITUTE

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic Lake O discharges

Amendment Barcode (if applicable)

Name Myla Pipes

Job Title

Address 332 NW Aurora St
Street

Phone 772-233-6182

Port St. Lucie FL 34983
City State Zip

Email myla@onefloridafoundation.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing One Florida Foundation

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB10

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name

JIM SPRATT

Job Title

Address

310 W. College Ave

Street

TALLAHASSEE

City

FL

State

32301

Zip

Phone

850-228-1296

Email

jim@magnoliastrategiesllc.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

Florida Nursery, Growers & Landscape Association

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17
Meeting Date

SB 10
Bill Number (if applicable)

Topic SB 10

Amendment Barcode (if applicable)

Name Ted Astolfi

Job Title CEO, Economic Council of Martin County

Address 2002 S.E. Monterey Commons Blvd Phone 772-288-1225
Street

STUART FL 34996
City State Zip

Email TASTOLF@ECONOMY.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Economic Council of Martin County

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/7/17

Meeting Date

SB-10 Yes

SB-98

Bill Number (if applicable)

Topic Banning All Fracking in Florida - SB 98-2017

Amendment Barcode (if applicable)

Name Carol Stone

Job Title Vice President/Secretary - Scotia Capital Assets, Inc.

Address 15 Cedarfield Ct.

Phone 386-302-5315

Street

Palm Coast

City

FL

State

32137

Zip

Email cstone9@trader12.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

Travis Hutson - my rep.

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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SB 10 - Suggestion - DCSR ② Hoover Dam - fix Part of Lake
③ Build 4 large canals from Lake to Everglades
S-001 (10/14/14)

CourtSmart Tag Report

Room: KN 412

Case No.:

Caption: Senate Environmental Preservation & Conservation Committee

Type:

Judge:

Started: 2/7/2017 2:03:07 PM

Ends: 2/7/2017 3:58:16 PM **Length:** 01:55:10

2:03:16 PM Roll Call
2:03:20 PM Roll Call
2:03:25 PM Roll Call
2:03:53 PM Quorum present
2:03:55 PM Sen Book is excused
2:04:26 PM Pledge of Allegiance
2:05:15 PM Sen Bradley speaks
2:08:22 PM Questions from committee
2:09:25 PM Sen Latvala speaks
2:09:50 PM Question from Sen Farmer
2:10:35 PM Sen Latvala
2:10:42 PM Sen Bradley answers question on eminent domain
2:14:12 PM Sen Stewart asks questions
2:15:24 PM Sen Bradley answers
2:15:56 PM Sen Stewart questions
2:16:34 PM Sen Bradley answers
2:18:21 PM Further questions?
2:18:29 PM Former Senator Curt Kiser called to floor
2:19:56 PM Curt Kiser speaking as proponent of the bill
2:22:58 PM Sen Latvala calls Ernie Barnett to floor, against the bill
2:23:29 PM Ernie Barnett representing FL Sugar Cane League, against the bill
2:28:41 PM Sen Latvala calls Thomas to floor
2:29:04 PM Thomas Van Lout from FL Everglades Foundation, speaking for bill
2:32:00 PM John Hundley recognized
2:32:42 PM John Hundley speaks against the bill
2:36:08 PM Councilwoman & small business owner, Debby Gillis, speaking in favor of bill
2:39:14 PM Mayor Steve Wilson, speaking against the bill
2:42:18 PM Fred Garth, editor of Guy Harvey Magazine, speaking in favor of bill
2:45:36 PM Janet Taylor, former county commissioner Hendry County, speaking against the bill
2:48:18 PM Marty Baum, Indian river keeper, speaking for the bill -- health concerns
2:52:14 PM City Manager - Pahokee, Chandler Williamson speaking against the bill -- will disrupt agricultural communities
2:56:13 PM Capt Rufus Wakeman speaks for bill-- river pollution needs to be stopped
2:59:36 PM Hillary Hyslope, representing Clewiston Chamber of Commerce, against the bill-- negative implications for ag. communities
3:03:01 PM Capt. Daniel Andrews, speaks in favor of bill -- fishing & tourism is destroyed in estuaries
3:06:31 PM Andy Garcia, representing Sugar League, against the bill-- these communities need jobs
3:07:45 PM Mark Nichols in favor of the bill -- rivers are essential for economy of s florida
3:11:16 PM Lomaxe Harrelle, city manager of Belle Glade, speaking against bill-- should store water in Herbert Hoover Levy
3:14:36 PM Sen Hutson recognized
3:14:45 PM Motion for vote at 3:55
3:15:02 PM 30 more minutes of testimony
3:15:28 PM Jaqui Thurlow-Lippisch, former Mayor of Sewalls Point, in favor -- algae bloom is in the ocean
3:17:36 PM Mary Ann Martin, small business owner, against bill -- corps of engineers is the problem
3:20:29 PM Tony Scoville speaks for bill --rivers need to be restored
3:22:14 PM Paul Allen, President of FL Sweet Corn Association, speaks against bill --these farms are big food source to the rest of the country
3:24:42 PM Capt Dave Perkins in favor of bill--Bay and Everglades' fishing is damaged
3:27:28 PM Tammy Jackson-Moore, Guardians of the Glades, against- negative financial & safety impact on community
3:29:25 PM Peter Noll in favor of bill -- the run-off from farms is impacting health of rivers & community

3:32:46 PM Steven Basore, TKM Bengard Farm (lettuce family farm), against bill --
3:34:53 PM Rochelle Neumann, business owner, in favor of bill - bill is solution to this problem
3:37:26 PM Sen Latvala reads names in support and against the bill
3:41:17 PM Sen Simmons is recognized
3:48:17 PM Sen Stewart speaks
3:49:33 PM Sen Farmer speaks
3:54:00 PM Motion to vote at 3:58
3:54:38 PM Sen Bradley speaks
3:57:13 PM Roll Call Vote
3:57:54 PM SB 10 passes favorably