

Tab 6	SB 640 by Harrell ; (Similar to H 00153) Indian River Lagoon State Matching Grant Program
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Tab 7	SB 648 by Berman ; Sargassum Seaweed Matching Grant Program
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Tab 8	SB 724 by Albritton ; Local Government Recycling Programs
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Tab 9	SB 638 by Montford ; Apalachicola Environmental Stewardship Act
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

ENVIRONMENT AND NATURAL RESOURCES

Senator Montford, Chair
Senator Albritton, Vice Chair

MEETING DATE: Monday, December 9, 2019
TIME: 4:00—6:00 p.m.
PLACE: Mallory Horne Committee Room, 37 Senate Building

MEMBERS: Senator Montford, Chair; Senator Albritton, Vice Chair; Senators Berman, Mayfield, and Wright

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Update on the implementation of the Florida Springs and Aquifer Protection Act		Presented
2	Presentation by the Department of Environmental Protection on Perfluorinated Alkyl Substances (PFAS)		Presented
TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointment to the office indicated.			
Governing Board of the Northwest Florida Water Management District			
3	Roberts, George A. (Panama City Beach)	03/01/2022	Recommend Confirm Yeas 3 Nays 0
Governing Board of the Suwannee River Water Management District			
4	Keith, Charles G. ()	03/01/2022	Recommend Confirm Yeas 3 Nays 0
5	Schwab, Richard (Perry)	03/01/2023	Recommend Confirm Yeas 3 Nays 0
TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
6	SB 640 Harrell (Similar H 153, Compare S 712)	Indian River Lagoon State Matching Grant Program; Providing that certain projects identified in a specified Indian River Lagoon Comprehensive Conservation and Management Plan are eligible for state funding consideration; directing the Department of Environmental Protection to coordinate with the South Florida Water Management District and the St. Johns River Water Management District to identify projects and grant recipients and to submit an annual report to the Governor, the Legislature, and specified persons, etc. EN 12/09/2019 Favorable AEG AP	Favorable Yeas 3 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Environment and Natural Resources

Monday, December 9, 2019, 4:00—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	SB 648 Berman	Sargassum Seaweed Matching Grant Program; Requiring the Department of Environmental Protection to establish a Sargassum Seaweed Matching Grant Program for a specified purpose; requiring the department to submit an annual report to the Governor and the Legislature by a specified date, etc. EN 12/09/2019 Favorable AEG AP	Favorable Yeas 3 Nays 0
8	SB 724 Albritton	Local Government Recycling Programs; Extending the goal date for the recycling of 75 percent of recyclable solid waste by counties other than fiscally constrained counties; requiring a report to the Legislature by a specified date, etc. EN 12/09/2019 Fav/CS CA AP	Fav/CS Yeas 3 Nays 0
9	SB 638 Montford	Apalachicola Environmental Stewardship Act; Providing that this act may be referred to as "The Apalachicola Environmental Stewardship Act"; appropriating a sum annually for a specified timeframe from the Florida Forever Fund to the Apalachicola Area of Critical State Concern for specified purposes; renaming the Apalachicola Bay Area of Critical State Concern as the Apalachicola Area of Critical State Concern; providing additional principles for guiding development within the Apalachicola Area of Critical State Concern to include projects that protect and improve water quality, etc. EN 12/09/2019 Favorable AEG AP	Favorable Yeas 3 Nays 0

Other Related Meeting Documents



Florida Springs and Aquifer Protection Act

Focused on Water Quality and Quantity

**Julie Espy, Acting Director – Division of Environmental Assessment and Restoration
Florida Department of Environmental Protection**

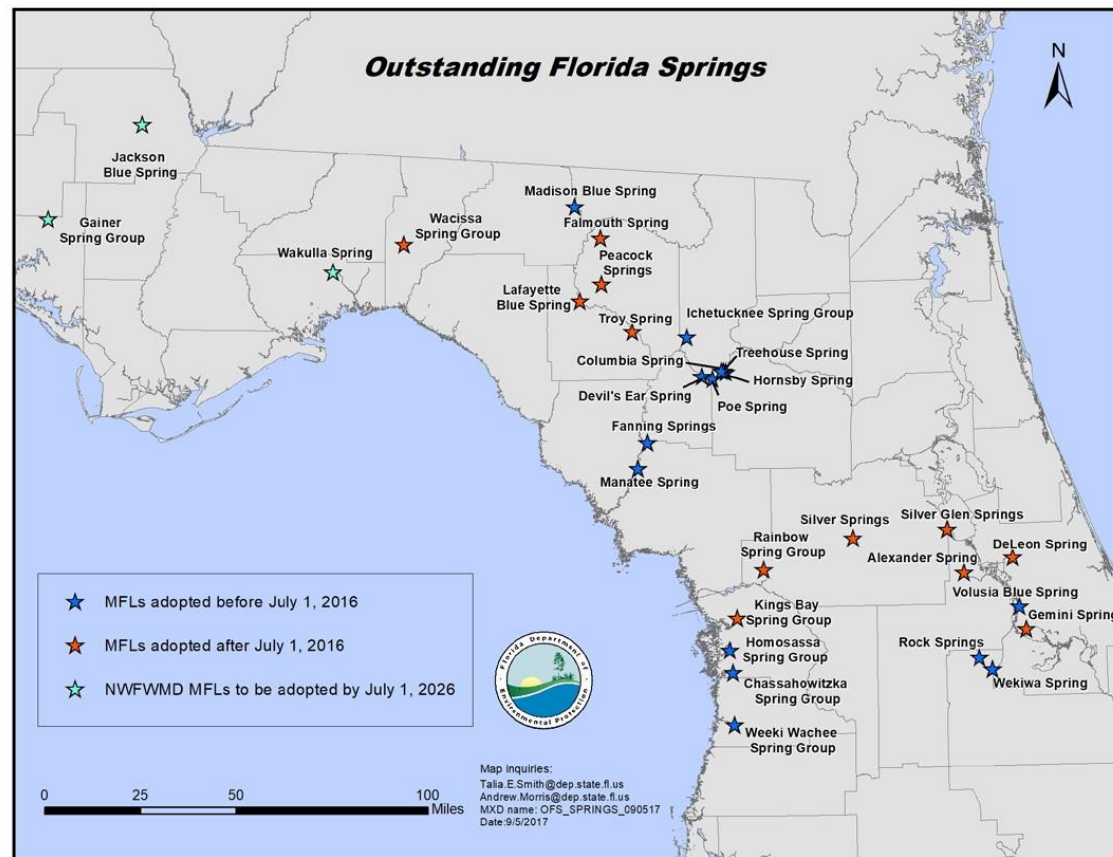
December 9, 2019

Environment & Natural Resources Committee



Florida Springs & Aquifer Protection Act

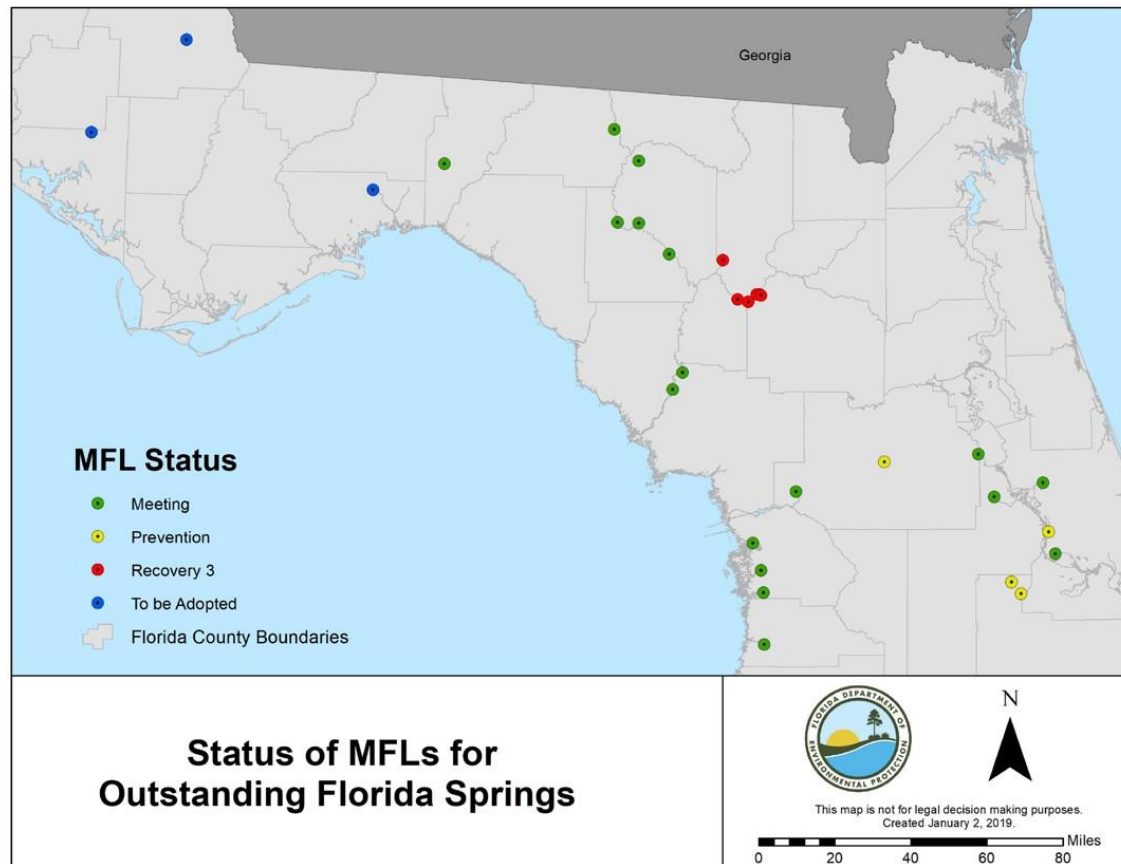
Protect Quality and Quantity of 30 Outstanding Florida Springs





Florida Springs & Aquifer Protection Act

Status of Minimum Flow & Level Adoption





Florida Springs & Aquifer Protection Act

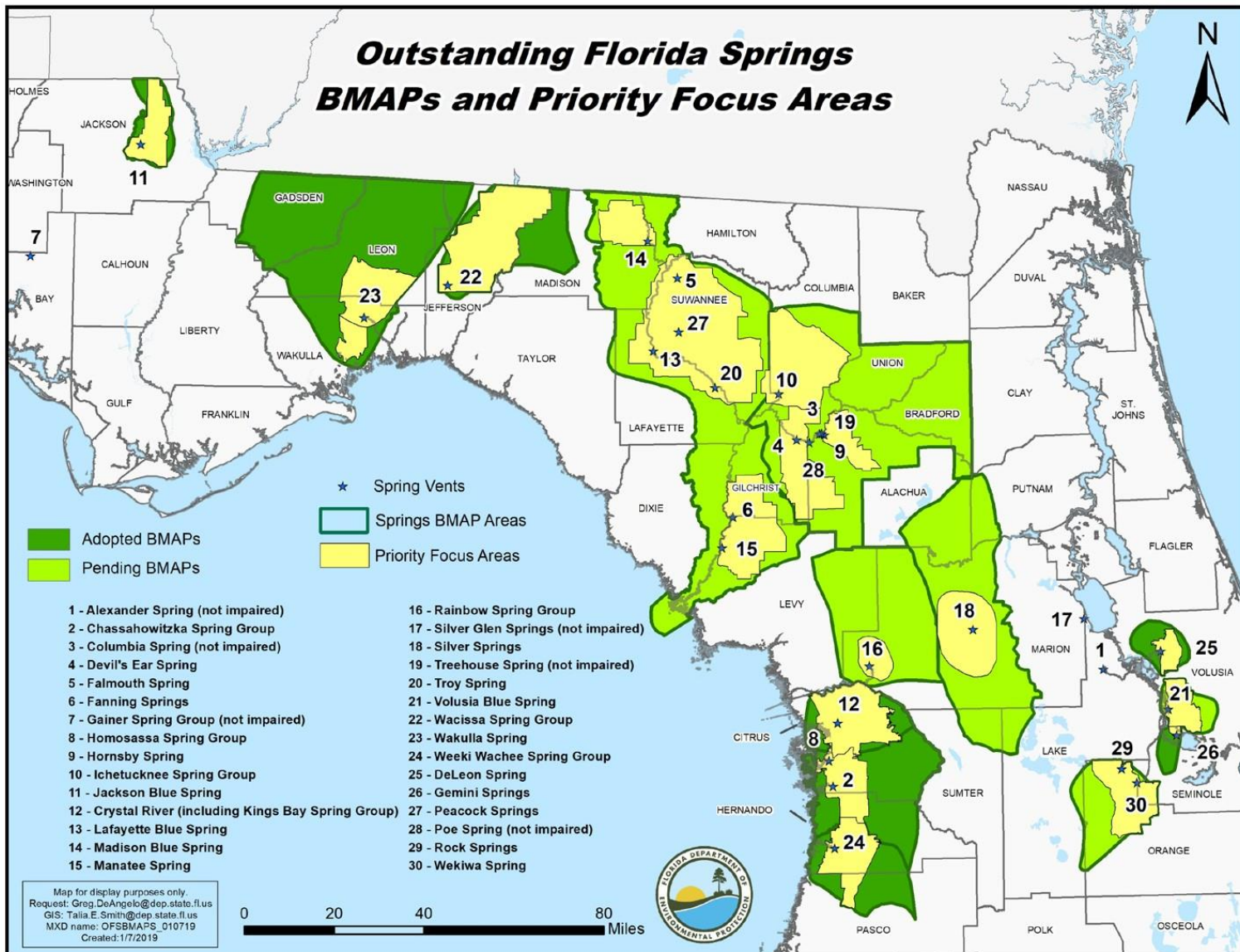
Status of Basin Management Action Plan Adoption

BMAPs covering all impaired OFS were adopted in June 2018, containing the new protections from the Act, including

- **Prohibition of new conventional septic systems on lots of less than 1 acre within priority focus areas**
- **Septic system remediation plans**
- **Nutrient reduction milestones**
- **Identification of nutrient sources**
- **Advanced wastewater treatment**
- **Agricultural best management practices**



Outstanding Florida Springs BMAPs and Priority Focus Areas





Basin Management Action Plans (BMAPs)

- **Adopted 13 BMAPs covering all impaired Outstanding Florida Springs**
- **8 BMAPs are in effect as of January 2019**
- **5 BMAPs are subject to challenge**
- **Administrative hearing was held Nov 12 – 20**
- **Proposed final order likely due in January**



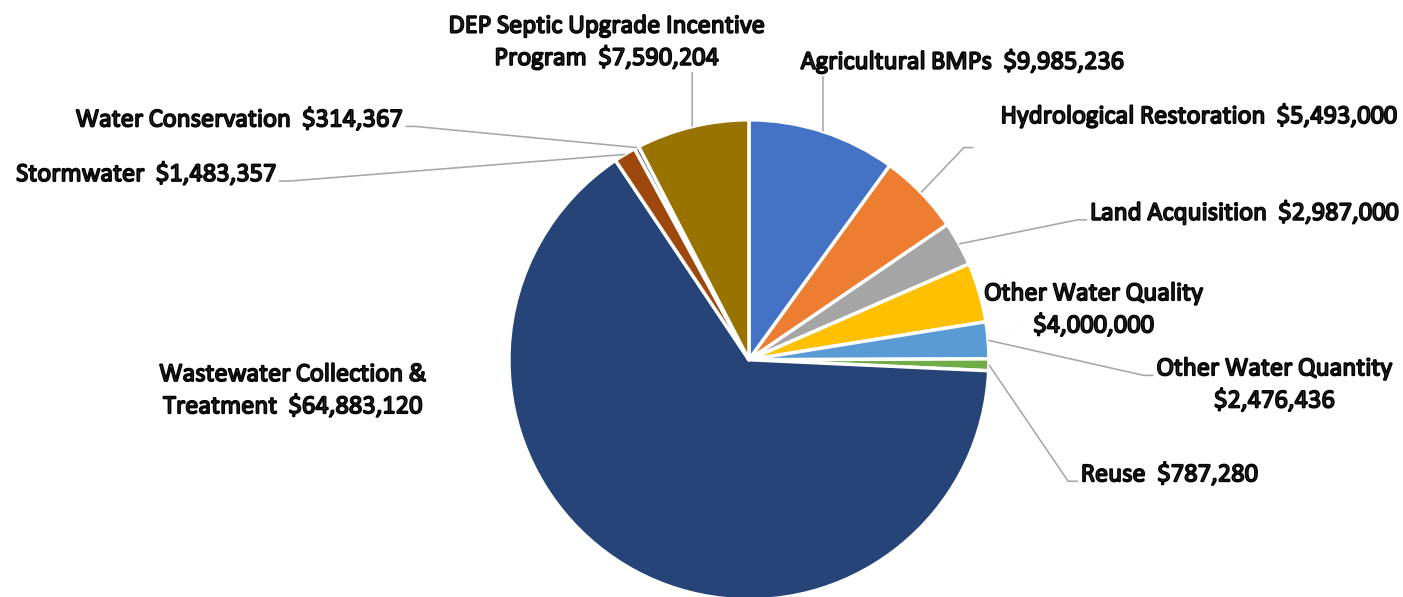
186 Springs Projects

Focused on Water
Quality and Quantity

- **Restoration work continues in all Outstanding Florida Springs.**
- **186 springs projects have been selected for funding since 2013.**
- **Historic levels of funding this fiscal year for water quality projects, including Florida springs.**



FY 2019-20 Selected Projects by Type



Funding Total:
\$100,000,000



Project Benefits



Cumulative Prior
Nitrogen Reduction

>8,877,000 lbs.



Anticipated Nitrogen
Reduction

Up to 2,613,000 lbs.



Cumulative Prior
Water Savings

>325 MGD



Anticipated Water
Quantity Made
Available

Up to 23 MGD



Cumulative Prior Land
Acquisition

8,491 Acres

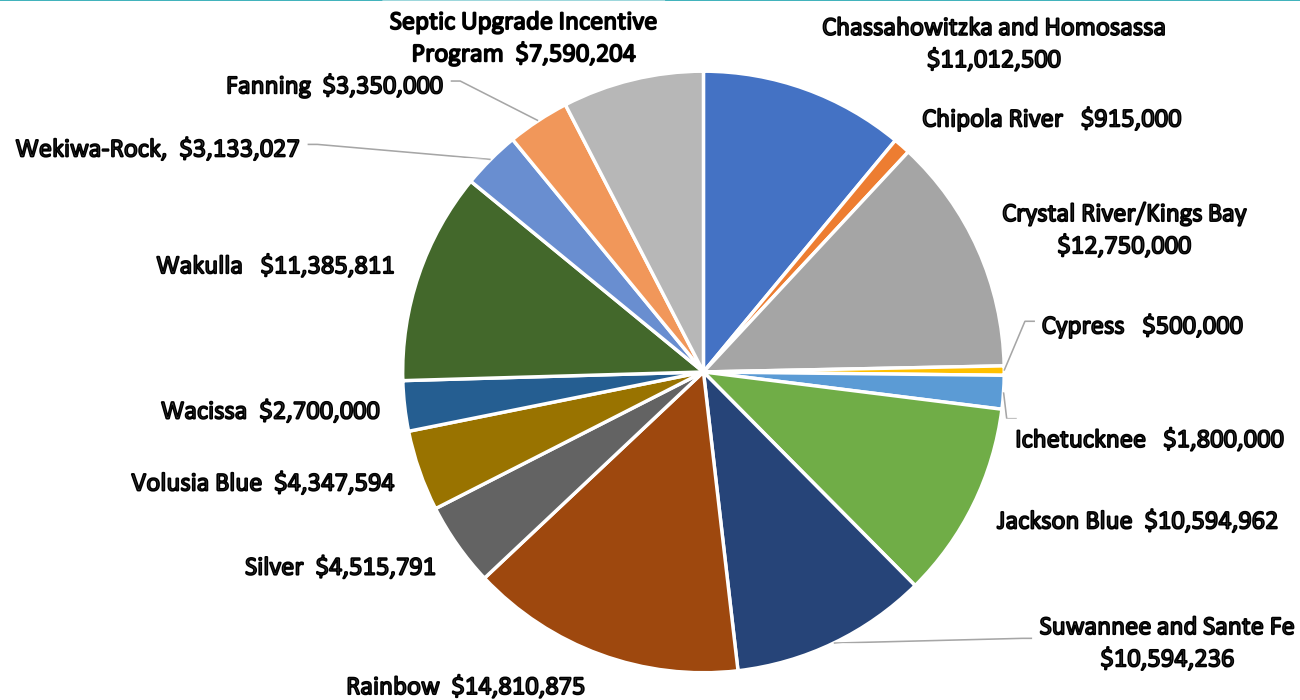


Anticipated Land
Acquisition

1,636 Acres



FY 2019-20 Projects by Spring



Funding Total:
\$100,000,000



Thank you!

**Julie Espy, Acting Director – Division of Environmental Assessment and Restoration
Florida Department of Environmental Protection**

Julie.Espy@FloridaDEP.gov

850-245-8416



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PFAS Update

**Senate Committee on Environment and Natural Resources
December 9, 2019**

Per- and Polyfluoroalkyl Substances (PFAS)



PFAS - Man-made generic family of chemicals (thousands)

- PFOA and PFOS are the most prevalent and researched
- Developed in the 1940s
- Used to make products that repel oil and water, resist temperature extremes and reduce friction
- Found in non-stick coatings, textiles, paper products, firefighting foams, food packaging, stain repellants and other products
- PFOA and PFOS have been largely phased out

Per- and Polyfluoroalkyl Substances (PFAS)



Why the Concern?

- High persistence/environmentally stable
- High toxicity and potential carcinogenicity (bio-accumulative)
- Range of environmental mobility
- Wide variety of potential sources, and high-volume releases
- Complicated and expensive remediation

Per- and Polyfluoroalkyl Substances (PFAS)



Challenges

- Understanding of PFAS in the environment is evolving
- No standard laboratory method
- High potential to introduce PFAS during sample collection
- Extremely low concentrations - analyze at the parts per trillion level

How are PFAS Remediated?

- PFAS are resistant to destructive treatment
- Granular Activated Carbon (GAC) filters to remove PFAS from drinking water

National Perspective - EPA



- EPA has not established drinking water regulation regarding PFAS
- 2016, EPA established a lifetime HAL of 0.07 ug/L (70 ng/L) for PFOA and PFOS (combined)
- 2019 EPA PFAS Action Plan
 - Evaluating need for MCL
 - Will propose designating PFOA and PFAS as “hazardous substance”
 - Developing Groundwater cleanup recommendations
 - Finalizing toxicity assessments for GenX and PFBS; developing toxicity values for other PFAS
 - Expanding standard lab method in drinking water
 - Developing and validate methods for other media (wastewater, surface water, sediment, biosolids)

In the interim, DEP is moving forward with assessing sites based on state developed provisional soil and groundwater cleanup target levels and site screening criteria.

Per- and Polyfluoroalkyl Substances (PFAS)



How were they detected?

- EPA included PFOA and PFOS among the list of 30 Contaminants of Emerging Concern (CECs) to be monitored under the third Unregulated Contaminant Monitoring Rule (UCMR3) in 2012.
- UCMR provides nationwide sampling and reporting of public well systems
- Results of UCMR3 indicated three utilities in Florida with the sum of PFOS and PFOA above the EPA's Health Advisory Level (HAL) of 70 nanograms per liter (ng/L).
- DEP worked with the three impacted water systems to ensure that appropriate measures were taken to reduce the levels of the CECs in the water supply as quickly as possible. As a result of the coordinated efforts all of these facilities currently meet federal drinking water standards.

Unregulated Contaminant Monitoring Rule (UCMR3)



ID	UCMR PFAS Site
A	Emerald Coast Utilities Authority
B	Zephyrhills Fire Department
C	City of Stuart

Emerald Coast Utilities Authority

11/2014 Spanish Trail PSW UCMR3 Result:
PFOA not detected
PFOS 66 ng/L

05/2014 Bronson East PSW UCMR3 Result:
PFOA 24 ng/L
PFOS 160 ng/L

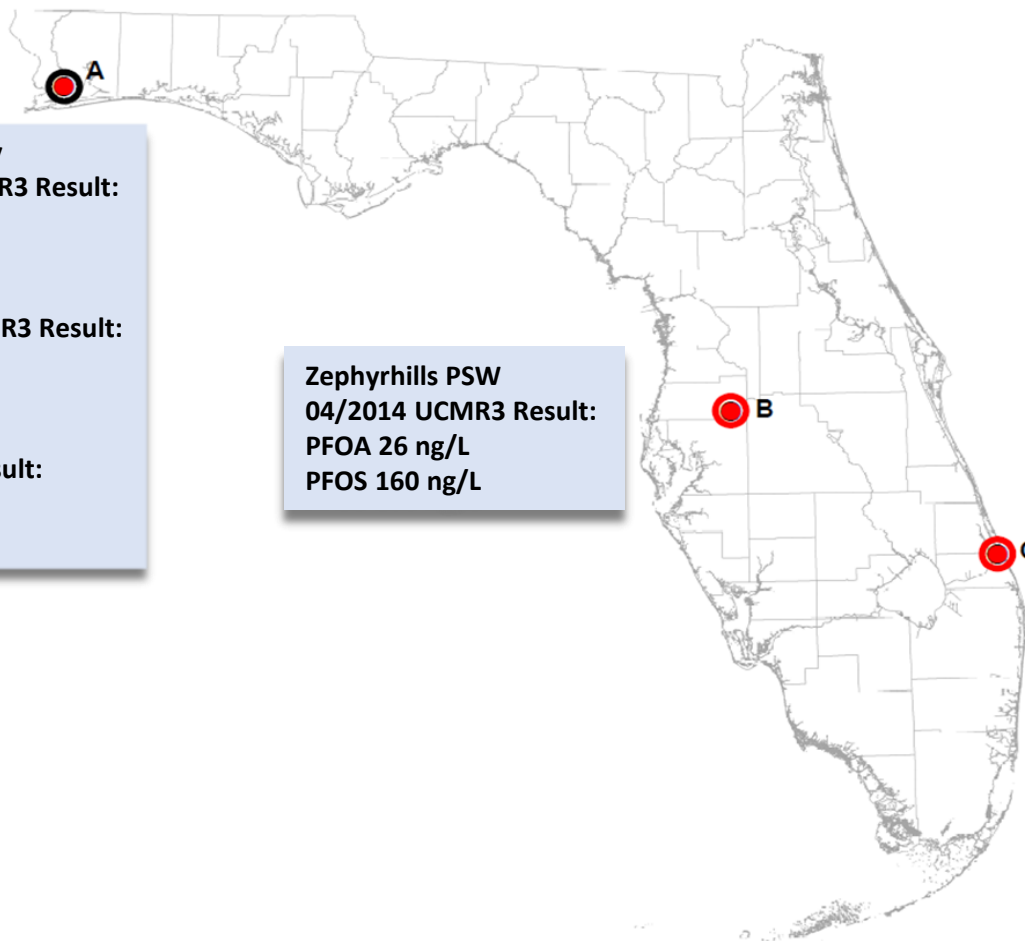
11/2014 Hagler PSW UCMR3 Result:
PFOA 65 ng/L
PFOS 380 ng/L

Zephyrhills PSW

04/2014 UCMR3 Result:
PFOA 26 ng/L
PFOS 160 ng/L

Stuart PSW

07/2014 UCMR3 Result:
PFOA not detected
PFOS 180 ng/L



Status

- < CTLs
- > CTLs

- FDOH Results < HAL
- FDOH Results > HAL
- Awaiting FDOH Results
- Yet to be Sampled by FDOH

Division of Waste Management PFAS Efforts

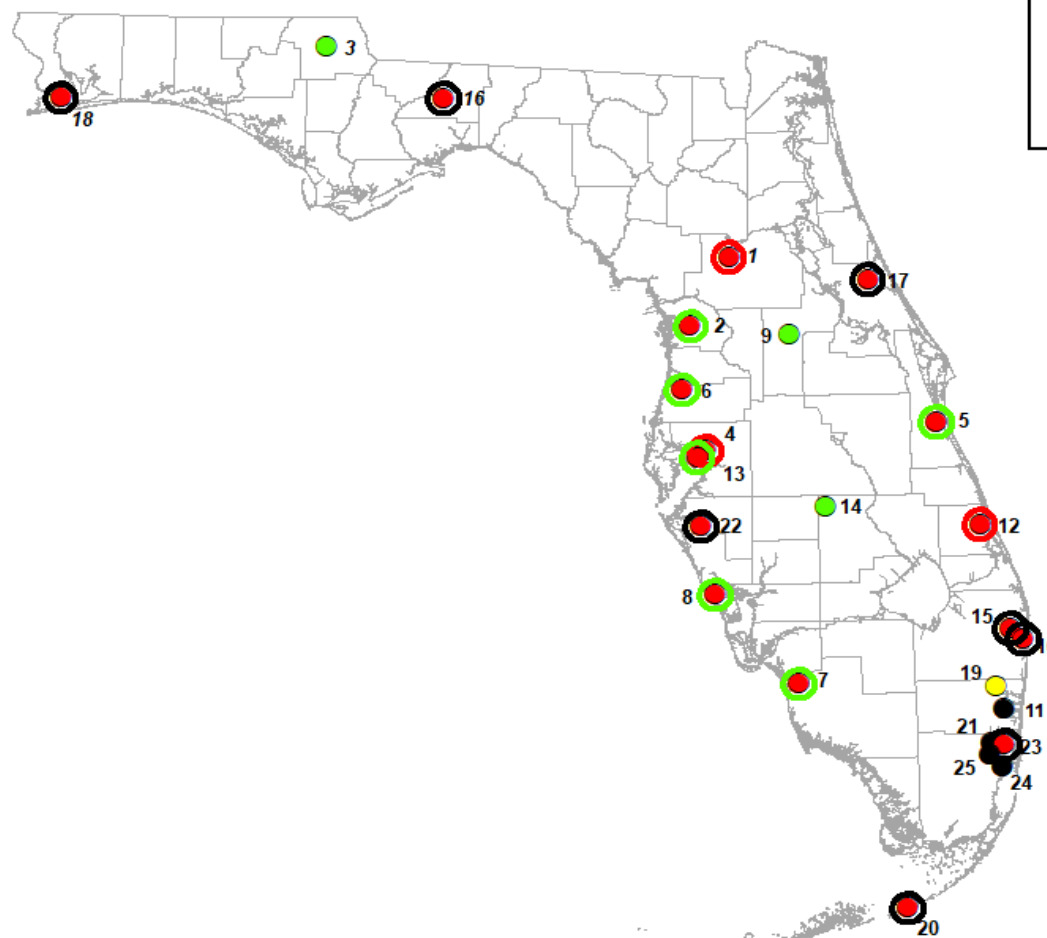


Current Sampling Efforts

- **Unregulated Contaminant Monitoring Rule 3 (UCMR3)**
- **Certified Fire Training Facilities**
- **Drycleaning Solvent Cleanup Program Sites**
- **State Cleanup Program Sites**
- **Department Of Defense Sites**

Certified Fire Training Facilities

ID	Training Center
1	Florida State Fire College
2	Citrus Sheriff Fire Training Center
3	Chipola College
4	Hillsborough Community College
5	Melbourne Fire Training Facility
6	Pasco County Fire Rescue Training Center
7	Bonita Spings Fire Control and Rescue District
8	Englewood Fire Department
9	Lake Tech Fire Academy
10	Palm Beach State College
11	Plantation Fire Department
12	Indian River State College
13	Tampa Fire Rescue Training Facility
14	South Florida State College
15	Palm Beach County Fire Rescue
16	Tallahassee Fire Department
17	Volusia County Fire Training Center
18	Pensacola Fire Department
19	Coral Springs Fire Academy
20	Monroe County Training Academy (Joe London)
21	City of Hialeah Training Facility
22	Manatee Technical Institute Fire Academy
23	Miami Dade College
24	City of Miami Fire Rescue Training Center
25	Miami Dade Fire Rescue

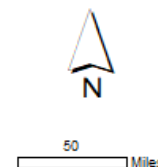


- < PFOA+PFOS Provisional GCTL
- > PFOA+PFOS Provisional GCTL
- Awaiting Analysis
- Yet to be Sampled

- FDOH Results < HAL
- FDOH Results > HAL
- Awaiting FDOH Results
- Yet to be Sampled by FDOH

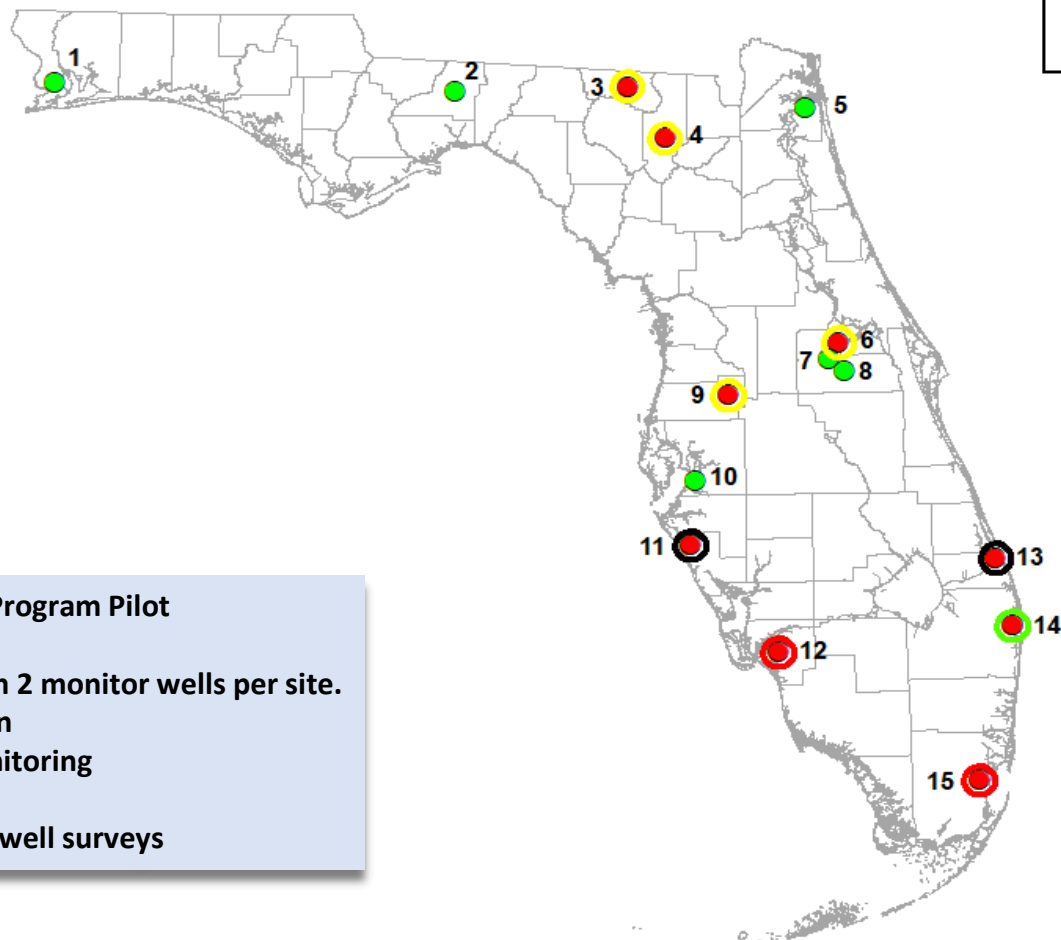
**Florida Fire Training Facilities PFAS Assessment Results
With Associated Florida Department of Health
Community Well Survey Sample Results
As of November 13, 2019**

Facilities are listed in order of priority to be addressed
PFAS: Per- and polyfluoroalkyl substances
PFOA: Perfluorooctanoic acid PFOS: Perfluorooctanesulfonic acid
ng/L: nanograms per Liter
GCTL: Provisional Groundwater Cleanup Target Level
HAL: Health Advisory Level
FDOH: Florida Department of Health



Drycleaning Solvent Cleanup Program Pilot

ID	Dry Cleaner
1	Vick's Cleaners
2	Randolph's Dry Cleaner
3	Jasper Laundry and Dry Cleaner
4	Moses Cleaners
5	Former Sages Dry Cleaners
6	Celebrity Dry Cleaners, Inc.
7	Nanak Cleaners
8	Dryclean World
9	Touch of Quality Dry Cleaners
10	Touch of Class
11	North Trail Laundryland
12	Dolphin Fabricare
13	Classic Cleaners
14	Cinderella Cleaners
15	International Professional

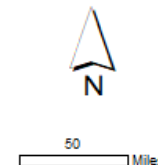


Drycleaning Solvent Cleanup Program Pilot

- 15 sites selected
- Groundwater sampled from 2 monitor wells per site.
 - source area location
 - long history of monitoring
- 9 sites > Provisional GCTL
- DOH assisting with private well surveys

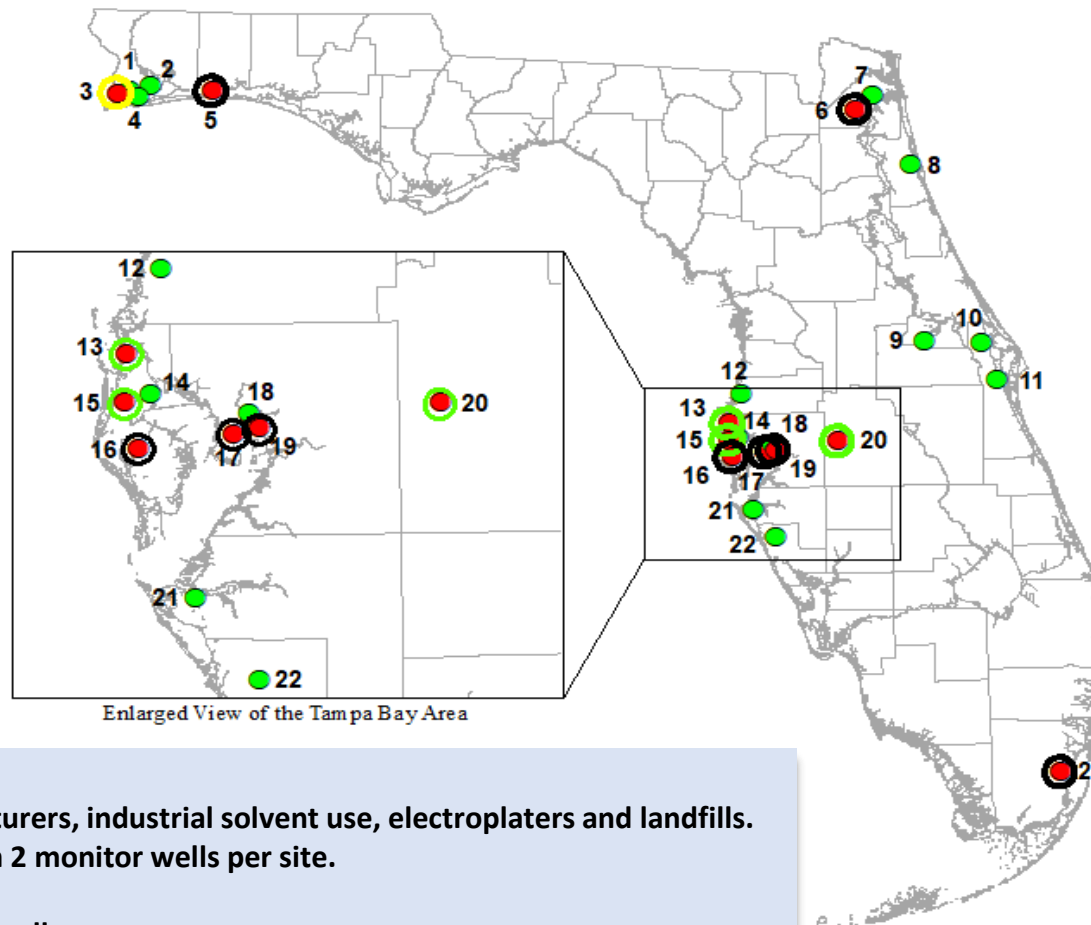
Florida Drycleaning Solvent Cleanup Program
 PFAS Sample Results With Associated
 Florida Department of Health
 Community Well Survey Sample Results
 As of November 13, 2019
 Florida Department of Environmental Protection

PFAS: Per- and polyfluoroalkyl substances
 PFOA: Perfluorooctanoic acid
 PFOS: Perfluorooctanesulfonic acid
 CTL: Provisional Cleanup Target Level
 HAL: Health Advisory Level
 FDOH: Florida Department of Health



State Lead Cleanup Sites

ID	PFAS State Lead Sites
1	Lee Brothers Holsberry C&D
2	Omni Vest Landfill
3	Saufley C&D Facility
4	Beggs Lane / FDC Holdings
5	Former West Florida Scrap
6	Eagle Picher Industries
7	960 North Market Street
8	Washac Industries
9	Technitronics
10	Pharmco Laboratories
11	Skippers
12	Satellite Archery
13	118th Avenue Landfill
14	Reliable Circuits
15	Kenbar Electroplating
16	Florida Superior Plating
17	Palm River Road VOC Plume
18	Revivation & Gulf Coast Metal Finishing, Inc.
19	Musselman Steel Corp
20	Lakeland Tanning Site
21	Tortuga, Inc.
22	Spindrift Whogas, Inc.
23	Upsilon Davis



23 State Lead Sites

- Includes chemical manufacturers, industrial solvent use, electroplaters and landfills.
- Groundwater sampled from 2 monitor wells per site.
- 10 sites > Provisional GCTL
- DOH assisting with private well surveys

Florida State Lead Sites PFAS Sample Results
With Associated Florida Department of Health
Community Well Survey Sample Results
As of November 13, 2019

PFAS: Per- and polyfluoroalkyl substances
PFOA: Perfluorooctanoic acid
PFOS: Perfluorooctanesulfonic acid
CTL: Provisional Cleanup Target Level
HAL: Health Advisory Level
FDOH: Florida Department of Health



PFAS at Federal Facilities

Air Force: 9 bases with PFAS onsite above HAL/PGCTL or PSCTL. No Off-Base sampling performed.

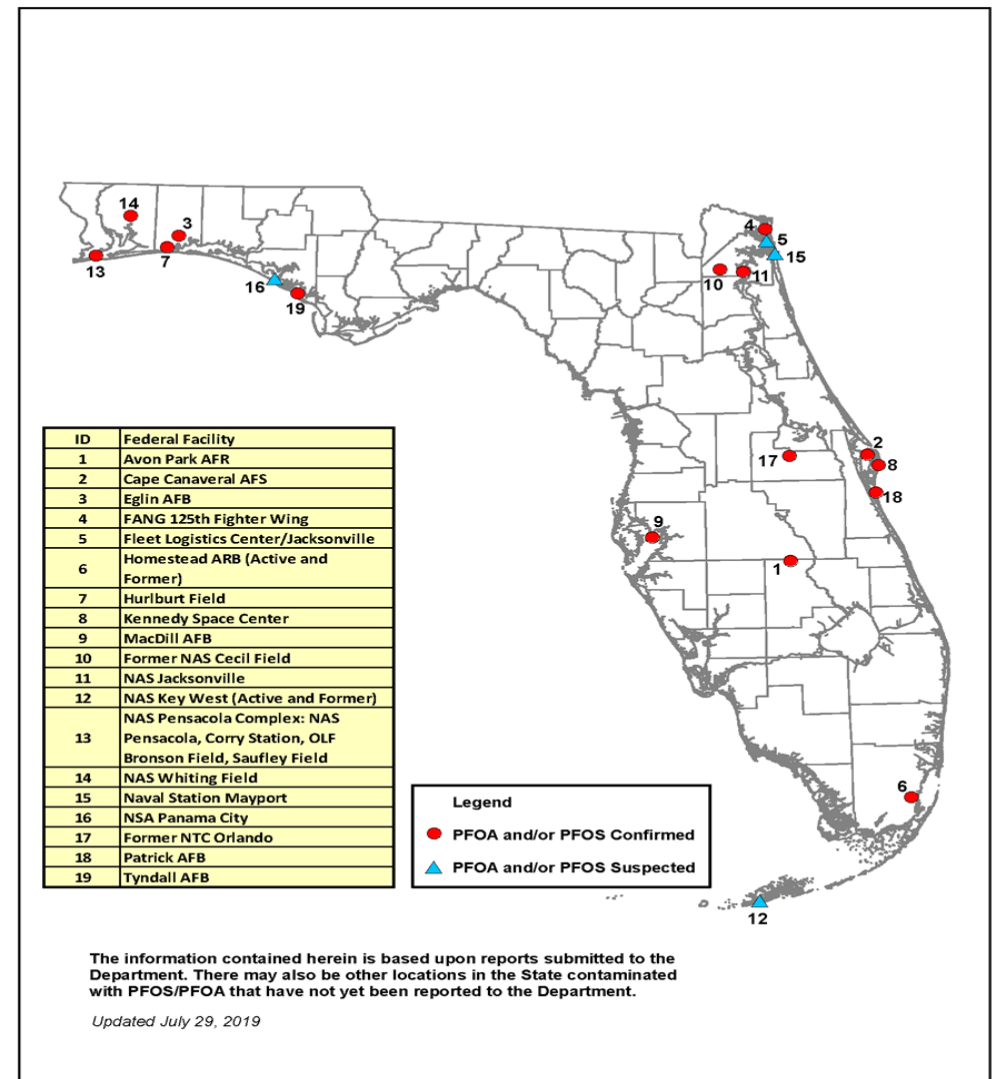
Air Force BRAC: 1 former base with PFAS in onsite soil.

Navy: 5 bases/outlying Fields with PFAS onsite above HAL/PGCTL and/or PSCTL. 2 bases have offsite private well impacts above HAL/PGCTL.

Navy BRAC: 2 former bases with PFAS in onsite groundwater above HAL/PGCTL. No offsite samples above HAL/PGCTLs to date.

NASA: Confirmed PFAS onsite above HAL/PGCTL. Investigations ongoing.

National Guard: Investigations ongoing. No information provided to the Department yet.





Thank You

John Truitt, Deputy Secretary
John.Truitt@FloridaDEP.gov | 850-245-2037

2405

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Laurel M. Lee, Secretary of State,
do hereby certify that

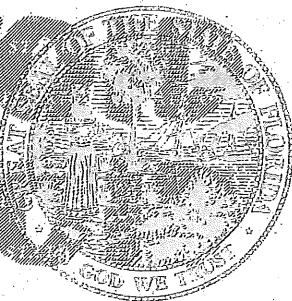
George A. Roberts

is duly appointed a member of the

Governing Board,

**Northwest Florida Water Management
District**

for a term beginning on the Twenty-Sixth day of August, A.D.,
2019, until the First day of March, A.D., 2022 and is subject to
be confirmed by the Senate during the next regular session of the
Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Nineteenth day of September, A.D., 2019.*

Laurel M. Lee

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



RON DeSANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE

2019 AUG 29 AM 9:31

DIVISION OF ELECTIONS
TALLAHASSEE, FL

August 26, 2019

Secretary Laurel M. Lee
Department of State
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Lee:

Please be advised I have made the following reappointment under the provisions of Section 373.073, Florida Statutes:

Mr. George Roberts
3233 Magnolia Islands Blvd.
Panama City Beach, FL 32408

as a member of the Northwest Florida Water Management District Governing Board, subject to confirmation by the Senate. This appointment is effective August 26, 2019 for a term ending March 1, 2022.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis", written over a horizontal line.

Ron DeSantis
Governor

RD/ sk

HAND DELIVERED

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Bay

RECEIVED
DEPARTMENT OF STATE

2019 SEP 18 PM 4:21

DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Governing Board of Northwest Florida Water Management District

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

George Roberts
Signature

Sworn to and subscribed before me this 16th day of September, 2019.

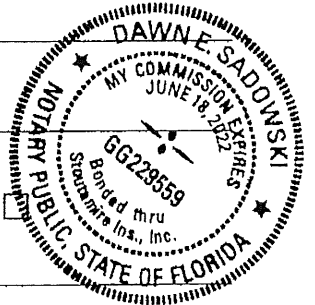
Dawne Sadowski
Signature of Officer Administering Oath or of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR

Produced Identification ☐

Type of Identification Produced _____



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☐ Home ☒ Office

1741 N. Sherman Ave.

Street or Post Office Box

Panama City, FL 32405

City, State, Zip Code

George A. Roberts

Print Name

Signature

2555

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Laurel M. Lee, Secretary of State,
do hereby certify that

Charles Keith

is duly appointed a member of the

Governing Board,

Suwannee River Water Management District

for a term beginning on the Eleventh day of September, A.D.,
2019, until the First day of March, A.D., 2022 and is subject to
be confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Second day of October, A.D., 2019.*



Laurel M. Lee

Secretary of State

DSDE 99 (3/03)



RON DESANTIS
GOVERNOR

RECEIVED

2019 SEP 12 AM 9:17

**DIVISION OF ELECTIONS
TALLAHASSEE, FL**

September 11, 2019

Secretary Laurel M. Lee
Department of State
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Lee:

Please be advised I have made the following reappointment under the provisions of Section 373.073, Florida Statutes:

Mr. Charles Keith

as a member of the Suwannee River Water Management District Governing Board, subject to confirmation by the Senate. This appointment is effective September 11, 2019 for a term ending March 1, 2022.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis", written over a horizontal line.

Ron DeSantis
Governor

RD/ sk

LAND DELIVERED

RECEIVED
DEPARTMENT OF STATE

2019 OCT -1 PM 2:57

DIVISION OF ELECTIONS
TALLAHASSEE, FL

Suwannee River Water Management Governing Board Member

on which I am now about to enter, so help me God.

Signature

Sworn to and subscribed before me this 18 day of Sept., 2019.

Kevin R. Gammon
Signature of Officer Administering Oath or of Notary Public

Robin R. Lamm

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR

Produced Identificatio

Type of Identification Produced n/a



Robin R. Lamm
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG107867
Expires 8/28/2021

I accept the office listed in the above Oath of Office.

Mailing Address: ☐ Home ☒ Office

Street or Post Office Box

City, State, Zip Code

CHARLES KOTH
Print Name

Print Name _____
Signature _____

2555

STATE OF FLORIDA
DEPARTMENT OF STATE

Division of Elections

I, Laurel M. Lee, Secretary of State,
do hereby certify that

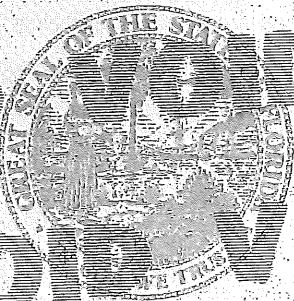
Richard W. Schwab

is duly appointed a member of the
Governing Board,

Suwannee River Water Management District

for a term beginning on the Eleventh day of September, A.D.,
2019, until the First day of March, A.D., 2023 and is subject to
be confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Second day of October, A.D., 2019.*



Laurel M. Lee

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.



RON DeSANTIS
GOVERNOR

RECEIVED

2019 SEP 12 AM 9:17

**DIVISION OF ELECTIONS
TALLAHASSEE, FL**

September 11, 2019

Secretary Laurel M. Lee
Department of State
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Lee:

Please be advised I have made the following reappointment under the provisions of Section 373.073, Florida Statutes:

Mr. Richard Schwab
200 Cheryl Drive
Perry, FL 32347

as a member of the Suwannee River Water Management District Governing Board, subject to confirmation by the Senate. This appointment is effective September 11, 2019 for a term ending March 1, 2023.

Sincerely,

A handwritten signature in black ink, appearing to be "Ron DeSantis", written over a horizontal line.

Ron DeSantis
Governor

RD/ sk

HAND DELIVERED

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Suwannee

RECEIVED
DEPARTMENT OF STATE

2019 OCT -1 PM 2:58

DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Suwannee River Water Management District Board Member

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Richard W. Schwab
Signature

Sworn to and subscribed before me this 18 day of Sept., 2019.

Robin R. Lamm
Signature of Officer Administering Oath or of Notary Public

Robin R. Lamm
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR Produced Identification

Type of Identification Produced na



Robin R. Lamm
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG107867
Expires 8/28/2021

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

200 Cheryl Drive

Street or Post Office Box

Perry, FL 32347

City, State, Zip Code

Richard W. Schwab

Print Name

Richard W. Schwab
Signature

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 Environment and Natural Resources

BILL: SB 640

INTRODUCER: Senator Harrell

SUBJECT: Indian River Lagoon State Matching Grant Program

DATE: December 6, 2019

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Schreiber	Rogers	EN	Favorable
2. _____	_____	AEG	_____
3. _____	_____	AP	_____

I. Summary:

SB 640 creates a grant program for state funding of certain projects that improve water quality and wastewater infrastructure in the Indian River Lagoon. The bill requires the Department of Environmental Protection (DEP) to coordinate with the appropriate water management districts to identify eligible projects. Each grant must require at least a 50 percent local match.

The bill requires DEP to submit an annual report on the proposed projects and projects receiving state funding. Counties or municipalities must submit annual status reports to DEP and the appropriate water management district on each project receiving funding through the program.

II. Present Situation:

The Indian River Lagoon

The Indian River Lagoon system (IRL) is a 156-mile-long estuary spanning approximately 40 percent of Florida's east coast.¹ There are six coastal counties in the IRL watershed: Volusia, Brevard, Indian River, St. Lucie, Martin, and Palm Beach.² The IRL extends from Ponce de Leon Inlet near New Smyrna Beach in Volusia County to the southern border of Jupiter Inlet in Martin County.³ There are three interconnected lagoons in the IRL basin: Mosquito Lagoon, Banana River Lagoon, and Indian River Lagoon.⁴ Seventy-one percent of its area and nearly half

¹ DEP, Basin Management Action Plan, *Indian River Lagoon Basin Central Indian River Lagoon*, xi (2013), available at <https://floridadep.gov/sites/default/files/central-irl-bmap.pdf>; IRLNEP, *About the Indian River Lagoon*, <http://www.irlcouncil.com/> (last visited Dec. 4, 2019).

² DEP, Basin Management Action Plan, *Indian River Lagoon Basin Central Indian River Lagoon*, xi (2013).

³ IRLNEP, *About the Indian River Lagoon*, <http://www.irlcouncil.com/> (last visited Dec. 4, 2019).

⁴ DEP, TMDL Report, *Nutrient and Dissolved Oxygen TMDLs for the Indian River Lagoon and Banana River Lagoon*, 1 (Mar. 2009), available at <https://floridadep.gov/sites/default/files/indian-banana-nutrient-do-tmdl.pdf>.

its length is within Brevard County.⁵ The IRL is considered the most biologically diverse estuary in North America.⁶

The IRL is home to more than 2,000 species of plants, 600 species of fish, 300 species of birds, and 53 threatened or endangered species.⁷ In 2014, the estimated annual economic value received from the IRL was approximately \$7.6 billion, around \$1.57 billion of which is attributable to recreation and visitor-related activity.⁸ Industry groups that are directly influenced by the IRL support nearly 72,000 jobs.⁹

The IRL ecosystem has been harmed by human activities in the region. Stormwater runoff from urban and agricultural areas, wastewater treatment facility discharges, canal discharges, septic systems, animal waste, and fertilizer applications have led to harmful levels of nutrients and sediments entering the lagoon.¹⁰ These pollutants create cloudy conditions, feed algal blooms, and lead to muck accumulation, all of which negatively impact the seagrass that provides habitat for much of the IRL's marine life.¹¹ During the 2011 "Superbloom," intense algal blooms of phytoplankton occurred throughout most of the IRL, lasting for seven months and resulting in massive losses of seagrass that has yet to fully recover.¹² There have also been recurring brown tides; unusual mortalities of dolphins, manatees, and shorebirds; and large fish kills due to low dissolved oxygen from decomposing algae.¹³ Brown tide is a type of algal bloom dominated by a brown, microscopic marine algae, which can be harmful to ecosystems in high concentrations, and was first documented in state waters in 2012.¹⁴ The St. Lucie Estuary is a major tributary to

⁵ Tetra Tech, Inc. & Closewaters, LLC, *Save Our Indian River Lagoon Project Plan 2019 Update*, xii (Mar. 2019)[hereinafter *Save Our Lagoon*], available at

<https://www.dropbox.com/s/j9pxd59mt1baf7q/Revised%202019%20Save%20Our%20Indian%20River%20Lagoon%20Project%20Plan%20Update%20032519.pdf?dl=0>.

⁶ DEP, Basin Management Action Plan, *Indian River Lagoon Basin Central Indian River Lagoon*, 18 (2013), available at <https://floridadep.gov/sites/default/files/central-irl-bmap.pdf>; An estuary is a partially enclosed, coastal waterbody where freshwater from rivers and streams mixes with saltwater from the ocean. Estuaries are among the most productive ecosystems on earth, home to unique plant and animal communities that have adapted to brackish water: freshwater mixed with saltwater. U.S. EPA, *What Is An Estuary?*, <https://www.epa.gov/nep/basic-information-about-estuaries> (last visited Dec. 2, 2019); NOAA, *What Is An Estuary?*, <https://oceanservice.noaa.gov/facts/estuary.html> (last visited Dec. 2, 2019).

⁷ IRLNEP, *About the Indian River Lagoon*, <http://www.irlcouncil.com/> (last visited Dec. 4, 2019).

⁸ East Central Florida Regional Planning Council and Treasure Coast Regional Planning Council, *Indian River Lagoon Economic Valuation Update*, vi, ix (Aug. 26, 2016), available at http://tcrpc.org/special_projects/IRL_Econ_Valu/FinalReportIRL08_26_2016.pdf.

⁹ *Id.* at ix.

¹⁰ *Save Our Lagoon* at xii; Marine Resources Council, *Indian River Lagoon Health Update*, 4-7 (2018), available at <https://savetheirl.org/wp-content/uploads/mrc-report-card-2018-min.pdf>.

¹¹ *Save Our Lagoon* at xii.

¹² IRL 2011 Consortium, *Indian River Lagoon 2011 Superbloom - Plan of Investigation*, 2-3 (2012), available at http://www.irlcouncil.com/uploads/7/9/2/7/79276172/2011superbloom_investigationplan_june_2012.pdf; IRLNEP, *Annual Report - 2018*, 9 (2018), available at http://www.irlcouncil.com/uploads/7/9/2/7/79276172/2018annualrept_medred.pdf.

¹³ *Save Our Lagoon* at xii.

¹⁴ SJRWMD, *Renewing the Lagoon - Frequently Asked Questions*, <https://www.sjrwmd.com/waterways/renew-lagoon/#faq-01> (last visited Nov. 25, 2019); FWC, *Effects of Brown Tide in the Indian River Lagoon* (2012), <https://myfwc.com/research/redtide/monitoring/historical-events/brown-tide/> (last visited Nov. 25, 2019).

the southern IRL, so freshwater discharges from Lake Okeechobee, which can include toxic cyanobacteria (“blue-green algae”), also impact the IRL.¹⁵

The St. John’s River Water Management District, South Florida Water Management District, and local governments implement projects that address water quality issues in the IRL.¹⁶ Brevard County established the Save Our Indian River Lagoon Project Plan, which outlines local projects to meet water quality targets and improve the health, productivity, aesthetic appeal, and economic value of the IRL.¹⁷ In 2016, Brevard County passed a referendum, approved by 62.4 percent of voters, to authorize the issuance of a half-cent infrastructure sales tax to pay for a portion of the plan.¹⁸ The sales tax will generate an estimated annual average of \$48.6 million from 2017 through 2026.¹⁹

The Indian River Lagoon National Estuary Program

The U.S. Environmental Protection Agency’s (EPA) National Estuary Program is a community-based program to protect and restore the water quality and ecological integrity of estuaries of national significance.²⁰ Currently, 28 estuaries located along the Atlantic, Gulf, and Pacific coasts and in Puerto Rico are designated as estuaries of national significance. Each National Estuary Program focuses within a study area that includes the estuary and surrounding watershed. Through a process of involving community stakeholders, the 28 National Estuary Programs develop and implement Comprehensive Conservation and Management Plans, which are long-term plans that contain actions to address water quality and living resource challenges and priorities. The NEP challenges and priorities are defined by local, city, state, federal, private, and non-profit stakeholders.²¹

The IRL National Estuary Program was established in 1990 under the sponsorship of the St. Johns River and South Florida Water Management Districts.²² The program developed the Indian River Lagoon Comprehensive Conservation and Management Plan Update, first

¹⁵ DEP, Basin Management Action Plan, *St. Lucie River and Estuary Basin*, xi (2013), available at <https://floridadep.gov/sites/default/files/stlucie-estuary-nutr-bmap.pdf>; IRLNEP, *Annual Report - 2018*, 9 (2018); Marine Resources Council, *Indian River Lagoon Health Update*, 11 (2018).

¹⁶ SJRWMD, *The Indian River Lagoon*, <https://www.sjrwmd.com/waterways/indian-river-lagoon/> (last visited Nov. 25, 2019); SFWMD, *Indian River Lagoon - C-44 Reservoir and Stormwater Treatment Area (STA) (STA Component Only)*, <https://sfwmd.maps.arcgis.com/apps/Shortlist/index.html?appid=dbe8d2d61be74986bf081c2a0f0a4108> (last visited Nov. 25, 2019).

¹⁷ *Save Our Lagoon* at xii, available at <https://www.dropbox.com/s/j9pxd59mt1baf7q/Revised%202019%20Save%20Our%20Indian%20River%20Lagoon%20Project%20Plan%20Update%20032519.pdf?dl=0>.

¹⁸ Brevard County Supervisor of Elections, *2016 General Election Official Results*, <https://enr.electionsfl.org/BRE/1616/Summary/> (last visited Nov. 25, 2019); Brevard County Ordinance 2016-15, *Placing a Referendum on November 8, 2016 Ballot for One-Half Cent Infrastructure Sales Tax to Fund Implementation of the Save Our Lagoon Project Plan* (Aug. 23, 2016), available at <https://www.brevardfl.gov/docs/default-source/countymanager/save-our-lagoon-referendum-election-2016-ordinance-august-23-2016.pdf?sfvrsn=2&sfvrsn=2>.

¹⁹ *Save Our Lagoon* at 96.

²⁰ 33 U.S.C. s. 1330; U.S. EPA, National Estuary Program (NEP), *Overview of the National Estuary Program*, <https://www.epa.gov/nep/overview-national-estuary-program> (last visited Nov. 22, 2019).

²¹ EPA, *Overview of the National Estuary Program*.

²² IRLNEP, *Program History*, <http://www.irlcouncil.com/> (last visited Nov. 22, 2019).

published in 1997 and updated in 2008.²³ The 2008 plan contains 23 action plans, including the Point Source Discharges Action Plan and the On-site Sewage Treatment and Disposal Systems Action Plan.²⁴

In 2015, the IRL Council was established to carry out the IRL National Estuary Program.²⁵ The Council includes DEP, the St. Johns River Water Management District, the South Florida Water Management District, Volusia County, Brevard County, St. Lucie County, Martin County, and a collection of local governments known as the Indian River County Lagoon Coalition.²⁶ The goals of the parties to the IRL Council's interlocal agreement are the goals set forth in the amended Comprehensive Conservation and Management Plan.²⁷ The interlocal agreement established minimum annual funding contributions from each party to the IRL Council.²⁸ These contributions supplement annual funding from the EPA.²⁹

DEP has designated both the Indian River Lagoon and Banana River Lagoon as impaired water bodies. In 2009, DEP adopted total maximum daily load (TMDL) water quality restoration targets for these two lagoons.³⁰ In 2013, DEP adopted three Basin Management Action Plans to achieve these TMDLs.³¹ In 2019, the Legislature appropriated recurring funds from the General Revenue Fund to the IRL National Estuary Program for activities necessary to achieve the TMDLs for the Indian River and Banana River Lagoons.³²

Consolidated Annual Reports

By March 1 of each year, each water management district must submit a consolidated annual report to the Governor, the Legislature, and DEP.³³ The districts must also provide copies of the report to the chairs of the legislative committees having substantive or fiscal jurisdiction over the districts, and the governing boards of each county in the district having jurisdiction or deriving any funds for operations of the district.³⁴ The report must also be made available to the public in

²³ IRLNEP, *Indian River Lagoon Comprehensive Conservation and Management Plan Update* (2008), available at http://www.irlcouncil.com/uploads/7/9/2/7/79276172/ccmp_update_2008_final.pdf.

²⁴ *Id.* at 10-18, 109-111.

²⁵ IRLNEP, *Program History*, <http://www.irlcouncil.com/> (last visited Nov. 22, 2019).

²⁶ *First Amended and Restated Indian River Lagoon National Estuary Program Interlocal Agreement*, 1-3 (Sept. 2015), available at http://www.irlcouncil.com/uploads/7/9/2/7/79276172/irlnep_amended_interlocal_agreement_2015.pdf.

²⁷ *Id.* at 4.

²⁸ *Id.* at 10.

²⁹ IRLNEP, *EPA 5-Year Program Evaluation*, <http://www.irlcouncil.com/5-year-program-evaluation.html> (last visited Nov. 11, 2019); IRLNEP, *Annual Report - 2018*, 13 (2018), available at http://www.irlcouncil.com/uploads/7/9/2/7/79276172/2018annualrept_medred.pdf.

³⁰ DEP, *TMDL Report, Nutrient and Dissolved Oxygen TMDLs for the Indian River Lagoon and Banana River Lagoon*, 49-64 (Mar. 2009), available at <https://floridadep.gov/sites/default/files/indian-banana-nutrient-do-tmdl.pdf>; see also DEP, *TMDL Report, Dissolved Oxygen and Nutrient TMDLs for Eight Tributary Segments of the Indian River Lagoon* (2013), available at http://publicfiles.dep.state.fl.us/DEAR/DEARweb/TMDL/Final_TMDL/gp5/irltrib_donut_tmdl_mainreport.pdf.

³¹ DEP, *Basin Management Action Plans (BMAPs)*, <https://floridadep.gov/dear/water-quality-restoration/content/basin-management-action-plans-bmaps> (last visited Nov. 22, 2019). Links to the three plans are located under “adopted BMAPS.”

³² Chapter 2019-115, Laws of Fla., Specific Appropriation 1678.

³³ Section 373.036(7), F.S.

³⁴ *Id.*

either a printed or an electronic format.³⁵ The consolidated annual reports must include various plans and reports regarding the status of each district's respective water resource programs.³⁶

III. Effect of Proposed Changes:

Section 1 creates s. 373.4594, F.S., entitled "Indian River Lagoon State Matching Grant Program." The program makes projects dedicated to the conservation and management of the Indian River Lagoon eligible for state funding consideration.

The bill requires the Department of Environmental Protection (DEP) to use program funds to provide grants for the following projects identified in the Indian River Lagoon Comprehensive Conservation and Management Plan, as updated in 2008:

- Upgrading existing facilities that provide "advanced waste treatment," as specifically defined in s. 403.086(4), F.S.³⁷
- Expanding existing wastewater treatment facilities to bring services to existing homes and business that are not connected to an existing wastewater treatment facility.
- The connection of onsite sewage treatment and disposal systems to a central sewer system.

The bill requires DEP to coordinate with the South Florida Water Management District and the St. Johns River Water Management District to identify eligible projects and grant recipients for state funding consideration. Each grant must require a minimum of a 50 percent local match.

The bill requires DEP to create an annual report on the projects proposed for state funding consideration and the projects receiving state funding through the grant program. DEP must submit the report by January 1, 2021, and each January 1 thereafter, to the Governor, the President of the Senate, the Speaker of the House of Representatives, and each state senator and state representative for the areas in the Indian River Lagoon Comprehensive Conservation and Management Plan. The report must include:

- The projects identified for state funding consideration, including, at a minimum:
 - A priority ranking based on the most cost-effective pollutant reduction projects for each listed project that will be ready to proceed in the upcoming fiscal year.
 - The estimated cost of each listed project.
 - The estimated completion date of each listed project.
 - The source and amount of financial assistance to be provided by county or municipal governments, water management districts, or other entities for each listed project.
- The implementation status of each projects receiving state funding through the grant program.

³⁵ *Id.*

³⁶ *Id.*

³⁷ Section 403.086(4), F.S. The statute defines "advanced waste treatment" as treatment which will provide a reclaimed water product that: (a) Contains not more, on a permitted annual average basis, than the following concentrations: 1. Biochemical Oxygen Demand (CBOD5) - 5mg/l, 2. Suspended Solids - 5mg/l, 3. Total Nitrogen, expressed as N - 3mg/l, and 4. Total Phosphorus, expressed as P - 1mg/l; and (b) Has received high level disinfection, as defined by rule of the department (see Fla. Admin. Code R. 62-600.440(6)). In those waters where the concentrations of phosphorus have been shown not to be a limiting nutrient or a contaminant, the department may waive or alter the compliance levels for phosphorus until there is a demonstration that phosphorus is a limiting nutrient or a contaminant.

The bill requires a county or municipality that has had a project funded through the grant program to submit a status report annually on each project receiving state funding through the grant program. The status report must be submitted to DEP and the appropriate water management district for inclusion in the consolidated water management district annual report.

Section 2 states that the act shall take effect on July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill requires DEP to administer a new grant program and produce additional annual reports, which may cause DEP to incur additional costs.

The bill would provide grant funding opportunities to local governments for certain water quality and wastewater infrastructure projects. This funding may pay up to 50 percent of the project costs, where local governments may otherwise be paying the entire cost of such projects. Therefore, this bill may have an indeterminate, positive fiscal impact on local governments.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 373.4594 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.

By Senator Harrell

25-00849-20

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A bill to be entitled
An act relating to the Indian River Lagoon State
Matching Grant Program; creating s. 373.4594, F.S.;
providing that certain projects identified in a
specified Indian River Lagoon Comprehensive
Conservation and Management Plan are eligible for
state funding consideration; directing the Department
of Environmental Protection to coordinate with the
South Florida Water Management District and the St.
Johns River Water Management District to identify
projects and grant recipients and to submit an annual
report to the Governor, the Legislature, and specified
persons; requiring certain county and municipal
governments to submit annual reports to the department
and appropriate water management districts; providing
an effective date.

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

Section 1. Section 373.4594, Florida Statutes, is created
to read:

373.4594 Indian River Lagoon State Matching Grant Program.—

(1) Projects dedicated to the conservation and management
of the Indian River Lagoon are eligible for state funding
consideration. The department shall use program funds to provide
grants for the following projects identified in the Indian River
Lagoon Comprehensive Conservation and Management Plan, as
updated in 2008:

(a) The upgrade of existing facilities that provide

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advanced waste treatment, as defined in s. 403.086(4).

(b) The expansion of existing wastewater treatment facilities to bring services to existing homes and businesses that are not connected to an existing wastewater treatment facility.

(c) The connection of onsite sewage treatment and disposal systems to a central sewer system.

(2) Each grant shall require a minimum of a 50 percent local match.

(3) The department shall coordinate with the South Florida Water Management District and the St. Johns River Water Management District to identify eligible projects and grant recipients for state funding consideration.

(4) Beginning January 1, 2021, and each January 1 thereafter, the department shall submit a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and each state senator and state representative for the areas in the Indian River Lagoon Comprehensive Conservation and Management Plan regarding the projects proposed for state funding consideration and the projects receiving state funding under this section. The report must include:

(a) The projects identified for state funding consideration, including, at a minimum:

1. A priority ranking based on the most cost-effective pollutant reduction projects for each listed project that will be ready to proceed in the upcoming fiscal year.

2. The estimated cost of each listed project.

3. The estimated completion date of each listed project.

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59 4. The source and amount of financial assistance to be
60 provided by county or municipal governments, water management
61 districts, or other entities for each listed project.

62 (b) The implementation status of each project receiving
63 state funding under this section.

64 (5) The county or municipal government shall annually
65 submit a status report on each project receiving state funding
66 under this section to the department and to the appropriate
67 water management district for inclusion in the consolidated
68 water management district annual report required by s.
69 373.036(7) .

70 Section 2. This act shall take effect July 1, 2020.

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 Environment and Natural Resources

BILL: SB 648

INTRODUCER: Senator Berman

SUBJECT: Sargassum Seaweed Matching Grant Program

DATE: December 6, 2019

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Schreiber	Rogers	EN	Favorable
2. _____	_____	AEG	_____
3. _____	_____	AP	_____

I. Summary:

SB 648 requires the Department of Environmental Protection (DEP) to create a *Sargassum* Seaweed Matching Grant Program. The annual grants are subject to legislative appropriation. Each grant must require at least a 50 percent local match. DEP must adopt by rule procedures to govern the program. DEP must submit an annual report on the projects funded by the program.

II. Present Situation:

Sargassum

Sargassum is a genus of large brown seaweed (a type of algae) that floats freely in the ocean and does not attach to the seafloor.¹ This seaweed has round “berries,” gas-filled structures that provide buoyancy allowing it to float on the surface.² *Sargassum* is common in the Sargasso Sea (in the North Atlantic Ocean), the Northwestern Gulf of Mexico, and throughout the Caribbean region and beyond, moving with currents, waves, and tides.³ When nutrients are available and temperatures are high, it can grow into large floating mats.⁴ *Sargassum* supports tremendous biodiversity, providing habitat and food for sea turtles, marine birds, crabs, shrimp, many types of fish, and more.⁵ These mats naturally wash up on beaches, where they help stabilize the shoreline and provide nourishment for coastal ecosystems.⁶

¹ NOAA, *What is Sargassum?*, <https://oceanexplorer.noaa.gov/facts/sargassum.html> (last visited Nov. 27, 2019); DOH, *Sargassum Frequently Asked Questions Factsheet*, 2 (2019)[hereinafter *Sargassum FAQs*], available at <https://www.documentcloud.org/documents/6181491-Sargassum-Fact-Sheet.html>.

² NOAA, *What is Sargassum?*, <https://oceanexplorer.noaa.gov/facts/sargassum.html> (last visited Nov. 27, 2019).

³ *Sargassum FAQs* at 2; NOAA, *What is the Sargasso Sea?*, <https://oceanservice.noaa.gov/facts/sargassosea.html> (last visited Nov. 27, 2019).

⁴ *Sargassum FAQs* at 2.

⁵ *Id.*; NOAA, *What is Sargassum?*, <https://oceanexplorer.noaa.gov/facts/sargassum.html> (last visited Nov. 27, 2019).

⁶ *Sargassum FAQs* at 2.

Since 2011, an enormous and recurring bloom of *Sargassum*, known as the “Great Atlantic *Sargassum* Belt,” has often stretched from West Africa to the Gulf of Mexico.⁷ A recent study suggests that the bloom events show connections to large-scale nutrient enrichment, particularly from the Amazon River, due in part to deforestation and fertilizer runoff, and from upwelling in areas around the west coast of Africa.⁸ The blooms have caused two common species of *Sargassum* (*Sargassum natans* and *Sargassum fluitans*) to begin washing up along Florida’s coastline in massive quantities.⁹



(left) *Sargassum natans* and (right) *Sargassum fluitans*. Each square represents 1 square centimeter. Credit: A. N. S. Studio

After a beaching event, *Sargassum* decomposes and produces an unpleasant, rotten egg smell from the natural production of hydrogen sulfide gas.¹⁰ Hydrogen sulfide is an irritant to the respiratory system, especially for those with respiratory illnesses, and it can cause irritation to the eyes, nose, and throat.¹¹ However, wind on beaches helps hydrogen sulfide gas mix into the air and become diluted, and high constant levels of hydrogen sulfide are not expected in open environments.¹² *Sargassum* can accumulate relatively large amounts of heavy metals such as arsenic and cadmium, posing health issues if the seaweed is consumed.¹³ *Sargassum* itself does not sting or cause rashes or blisters, but it provides habitat for organisms that do.¹⁴

Abnormally high concentrations of *Sargassum* can cause numerous environmental problems. As the seaweed decays, it consumes oxygen, creating low-oxygen conditions harmful to marine

⁷ Mengqiu Wang, et al., *The Great Atlantic Sargassum Belt*, 365 SCIENCE 6448, pp. 83-87 (2019), available at <https://science.sciencemag.org/content/365/6448/83>. In 2018, the belt stretched 8,850 kilometers (5,500 miles) and contained over 20 million metric tons of *Sargassum* biomass; see Florida Atlantic University, *Scientists Discover World’s Largest Seaweed Bloom*, <https://www.fau.edu/newsdesk/articles/great-atlantic-sargassum-belt.php> (last visited Nov. 27, 2019).

⁸ Mengqiu Wang, et al., at 85-87. The study also suggests that higher sea surface temperatures suppress *Sargassum* growth.
⁹ *Sargassum* FAQs at 2, available at <https://www.documentcloud.org/documents/6181491-Sargassum-Fact-Sheet.html>; see University of South Florida, *Satellite-based Sargassum Watch System (SaWS)*, <https://optics.marine.usf.edu/projects/SaWS.html> (last visited Dec. 3, 2019).

¹⁰ *Sargassum* FAQs at 2-3.

¹¹ *Id.* at 3.

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.* at 2.

life.¹⁵ Major influxes of *Sargassum* can block sunlight for bottom marine ecosystems such as seagrasses and corals.¹⁶ The seaweed can also entangle or trap wildlife.¹⁷

Sargassum beaching events in Florida can pose significant economic issues. Tourism may be threatened when areas of beach are covered in the foul-smelling, decomposing seaweed.¹⁸ Removing *Sargassum* from the beach can pose a significant cost to local governments. For example, Miami-Dade County estimates that complete daily removal of the seaweed could cost the county as much as \$45 million per year.¹⁹ Local governments are using a variety of methods and machinery to remove the seaweed from beaches, including pushing it back into the water with a tractor, scooping it with a front loader and piling it above the high tide line, using tractors with blades to mix it with the sand and bury it, hauling it away in trucks and composting it into soil, and more.²⁰

Chapter 161, Parts I and II, F.S., are known as the “Dennis L. Jones Beach and Shore Preservation Act (Act).” In order to protect, preserve, and manage Florida’s beaches and coastal systems, the Act provides for three interrelated programs administered by the Department of Environmental Protection (DEP): the Coastal Construction Control Line Program; the Beach Management Funding Assistance Program; and the Beaches, Inlets, and Ports Program.²¹ Under the Act, DEP regulates work and activities likely to affect the physical condition of the beach or shore. Generally, in addition to local government permits, DEP requires a permit for mechanical beach cleaning or seaweed removal.²² During sea turtle nesting season, further restrictions on beach cleaning or seaweed removal activities may apply in certain areas of the state.²³ Federal law may also apply to *Sargassum* management. For instance, in 2003, *Sargassum* in certain areas was designated “essential fish habitat” under federal law, establishing certain requirements and

¹⁵ Grant Currin, Live Science, *A Massive Seaweed Bloom Is Smothering Life from the Caribbean to West Africa* (July 5, 2019), <https://www.livescience.com/65873-record-breaking-sargassum-bloom.html> (last visited Dec. 3, 2019).

¹⁶ Ana Zangroniz, UF/IFAS, *Sargassum Seaweed in South Florida*, <http://blogs.ifas.ufl.edu/miamidadeco/2018/08/31/sargassum-seaweed-in-south-florida/> (last visited Dec. 3, 2019).

¹⁷ Ed Yong, The Atlantic, *Why Waves of Seaweed Have Been Smothering Caribbean Beaches*, <https://www.theatlantic.com/science/archive/2019/07/great-atlantic-sargassum-belt-here-stay/593290/> (last visited Dec. 3, 2019).

¹⁸ Elina Shirazi, Fox News, *South Florida, In Effort to Save Tourism Industry, May Spend Millions to Remove Seaweed Invading Beaches*, <https://www.foxnews.com/travel/slimy-stinky-seaweed-invades-south-florida-beaches> (last visited Dec. 2, 2019); Mexico News Daily, *Tourism Down 30-35% Due to Sargassum: Playa del Carmen Mayor-Elect*, <https://mexiconewsdaily.com/news/tourism-down-30-35-due-to-sargassum/> (last visited Dec. 3, 2019).

¹⁹ Jai-Leen James, Miami Beach Times, *Miami Beach Holds Committee Meeting to Address Seaweed Takeover June 19th* (June 21, 2019), <https://miamibeachtimes.com/politics/miami-beach-holds-committee-meeting-to-address-seaweed-takeover-june-19th/> (last visited Dec. 3, 2019).

²⁰ Ana Zangroniz, UF/IFAS, *Sargassum Seaweed in South Florida*, <http://blogs.ifas.ufl.edu/miamidadeco/2018/08/31/sargassum-seaweed-in-south-florida/> (last visited Dec. 3, 2019).

²¹ DEP, *Beaches*, <https://floridadep.gov/rcp/beaches> (last visited Dec. 4, 2019).

²² FWC, *Mechanical Beach Cleaning Guidelines*, <https://myfwc.com/wildlifehabitats/wildlife/sea-turtle/beach-activities/beach-cleaning-guidelines/> (last visited Dec. 3, 2019); Volusia County, *Beach Cleanup and Repair Information*, https://www.volusia.org/services/growth-and-resource-management/environmental-management/irma_beach_cleanup.stml (last visited Dec. 5, 2019).

²³ See Fla. Admin. Code Ch. 62B-55.

limitations for harvesting.²⁴ In 2014, *Sargassum* in certain areas was designated “critical habitat” of the loggerhead sea turtle, providing further protection for the seaweed under federal law.²⁵

III. Effect of Proposed Changes:

Section 1 creates s. 403.926, F.S.

The bill requires the Department of Environmental Protection (DEP) to develop a *Sargassum* Seaweed Matching Grant Program. Subject to legislative appropriation, the program will provide annual grants to qualified local government entities to fund projects related to the buildup of *Sargassum* in their coastal communities.

The bill requires DEP to adopt by rule procedures to govern the program. At a minimum, the procedures must do all of the following:

- Provide a selection process designed to maximize the benefit to the public.
- Require that each grant include a minimum of a 50 percent local match of funds.
- Require that each grant recipient comply with the Dennis L. Jones Beach and Shore Preservation Act and any other rules established by DEP regarding beach cleanup.

The bill requires DEP to produce an annual report regarding the projects funded through the program. DEP must submit the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2021, and each January 1 thereafter.

Section 2 states that the act shall take effect July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

²⁴ *Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Pelagic Sargassum Habitat of the South Atlantic Region*, 68 Fed. Reg. 57375–57379 (Oct. 3, 2003), available at <https://www.govinfo.gov/content/pkg/FR-2003-10-03/pdf/FR-2003-10-03.pdf>.

²⁵ *Endangered and Threatened Species: Critical Habitat for the Northwest Atlantic Ocean Loggerhead Sea Turtle Distinct Population Segment (DPS) and Determination Regarding Critical Habitat for the North Pacific Ocean Loggerhead DPS*, 79, Fed. Reg. 39855–39912 (Jul. 10, 2014), available at <https://www.govinfo.gov/content/pkg/FR-2014-07-10/pdf/2014-15748.pdf>; 50 C.F.R. s. 226.223.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill requires DEP to administer a new grant program and produce additional annual reports, which may cause DEP to incur additional costs.

The bill would provide grant funding opportunities to local governments for projects related to *Sargassum*. This funding may pay up to 50 percent of the project costs, where local governments may otherwise be paying the entire cost of such projects. Therefore, this bill may have an indeterminate, positive fiscal impact on local governments.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 403.926 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 Berman

31-00467-20

2020648__

A bill to be entitled
An act relating to a *Sargassum* Seaweed Matching Grant Program; creating s. 403.926, F.S.; requiring the Department of Environmental Protection to establish a *Sargassum* Seaweed Matching Grant Program for a specified purpose; requiring the department to adopt rules to govern the program; requiring the department to submit an annual report to the Governor and the Legislature by a specified date; providing an effective date.

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

Section 1. Section 403.926, Florida Statutes, is created to read:

403.926 *Sargassum* Seaweed Matching Grant Program; financial assistance to local governments.—

(1) The Department of Environmental Protection shall develop a *Sargassum* Seaweed Matching Grant Program to provide annual grants, subject to legislative appropriation, to qualified local governmental entities to fund projects related to the buildup of *Sargassum* seaweed in their coastal communities.

(2) The department shall adopt, by rule, procedures to govern the program which, at a minimum, do all of the following:

(a) Provide a selection process designed to maximize the benefit to the public.

(b) Require that each grant for a project described in this section include a minimum of a 50 percent local match of funds.

31-00467-20

2020648__

30 (c) Require that a grant recipient comply with the Dennis
31 L. Jones Beach and Shore Preservation Act and any other rules
32 established by the department regarding beach cleanup.

33 (3) Beginning January 1, 2021, and each January 1
34 thereafter, the department shall submit a report regarding the
35 projects funded pursuant to this section to the Governor, the
36 President of the Senate, and the Speaker of the House of
37 Representatives.

38 Section 2. This act shall take effect July 1, 2020.

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 Environment and Natural Resources

BILL: CS/SB 724

INTRODUCER: Environment and Natural Resources Committee and Senator Albritton

SUBJECT: Local Government Recycling Programs

DATE: December 10, 2019 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Schreiber	Rogers	EN	Fav/CS
2.			CA	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 724 provides an exemption for fiscally constrained counties from recycling goals required for county recycling programs. The bill creates within the Department of Environmental Protection (DEP) the Florida Recycling Working Group, consisting of members from eleven public and private organizations. The working group must submit a report to the Legislature. The working group is repealed on July 1, 2021.

II. Present Situation:

Local Government Solid Waste Responsibilities

Each Florida county has the responsibility and authority to provide for the operation of solid waste disposal facilities to meet the needs of all incorporated and unincorporated areas of the county.¹ Counties may charge reasonable fees for the handling and disposal of solid waste at their facilities.² Municipalities are responsible for collecting and transporting solid waste from their jurisdictions to a solid waste disposal facility operated by a county or operated under a contract with a county.³ Under Florida law, “recycling” is defined as “any process by which solid waste, or materials that would otherwise become solid waste, are collected, separated, or

¹ Section 403.706(1), F.S. Municipalities may also be authorized to construct and operate solid waste disposal facilities, if certain statutory requirements are met; Fla. Admin. Code Ch. 62-701.

² *Id.*

³ *Id.*

processed and reused or returned to use in the form of raw materials or intermediate or final products.”⁴

Each Florida county must have a recyclable materials recycling program that has a goal of recycling 40 percent of recyclable solid waste by December 31, 2012; 50 percent by December 31, 2014; 60 percent by December 31, 2016; 70 percent by December 31, 2018; and 75 percent by December 31, 2020.⁵ These programs must be designed to recover a significant portion of at least four of the following materials from the solid waste stream prior to final disposal at a solid waste disposal facility and to offer these materials for recycling:

- Newspapers.
- Aluminum cans.
- Steel cans.
- Glass.
- Plastic bottles.
- Cardboard.
- Office paper.
- Yard trash.⁶

Each county must ensure, to the maximum extent possible, that municipalities within its boundaries participate in the preparation and implementation of recycling and solid waste management programs through interlocal agreements or other means provided by law.⁷ Counties and municipalities are encouraged to form cooperative arrangements for implementing recycling programs.⁸ Certain activities are eligible for special credit towards achieving a county’s recycling goals, including the use of solid waste as a fuel in a renewable energy facility, the innovative use of yard trash or other clean wood waste or paper waste, and providing opportunities to recycle in counties with smaller populations.⁹ To assess progress, counties must provide information on their solid waste management programs and recycling activities to the Department of Environmental Protection (DEP) by April 1 of each year.¹⁰

“Municipal solid waste” includes any solid waste, except for sludge, resulting from the operation of residential, commercial, governmental, or institutional establishments that would normally be collected, processed, and disposed of through a public or private solid waste management service.¹¹ The term includes yard trash but does not include solid waste from industrial, mining, or agricultural operations. DEP may reduce or modify the municipal solid waste recycling goal that a county is required to achieve if the county demonstrates to DEP that:

- The achievement of the goal would have an adverse effect on the financial obligations of the county that are directly related to the county’s waste-to-energy facility; and

⁴ Section 403.703(31), F.S.

⁵ Section 403.706(2)(a), F.S. These are interim goals to help Florida reach the goal of recycling at least 75% of municipal solid waste by 2020; Ch. 2010-143, s. 7, Laws of Fla.; *see also* s. 403.7032(2), F.S.

⁶ Section 403.706(2)(f), F.S.

⁷ Section 403.706(3), F.S.

⁸ Section 403.706(2)(a), F.S.

⁹ Section 403.706(4), F.S.

¹⁰ Section 403.706(7), F.S.; Fla. Admin. Code R. 62-716.450.

¹¹ Section 403.706(5), F.S.

- The county cannot remove normally combustible materials from solid waste that is to be processed at a waste-to-energy facility because of the need to maintain a sufficient amount of solid waste to ensure the financial viability of the facility.¹²

The goal may only be reduced or modified to the extent necessary to alleviate the adverse effects on the financial viability of a county's waste-to-energy facility.¹³

In the development and implementation of a curbside recyclable materials collection program, a county or municipality must enter into negotiations with a franchisee who is operating to exclusively collect solid waste within a service area of a county or municipality to undertake curbside recyclable materials collection responsibilities for a county or municipality.¹⁴ Local governments are authorized to enact ordinances that require and direct all residential properties, multifamily dwellings, and apartment complexes and industrial, commercial, and institutional establishments as defined by the local government to establish programs for the separation of recyclable materials designated by the local government.¹⁵ Local governments are authorized to provide for the collection of the recyclable materials. A market must exist for the recyclable materials, and the local government must specifically intend for them to be recycled.¹⁶ Such ordinances may include, but are not limited to, prohibiting any person from knowingly disposing of recyclable materials designated by the local government, and ensuring the collection of recovered materials as necessary to protect public health and safety.¹⁷

A local government may not:

- Require a commercial establishment that generates source-separated recovered materials to sell or otherwise convey its recovered materials to the local government or to a facility designated by the local government;
- Restrict such a generator's right to sell or otherwise convey such recovered materials to any properly certified recovered materials dealer who has satisfied the statutory requirements; or
- Enact any ordinance that prevents such a dealer from entering into a contract with a commercial establishment to purchase, collect, transport, process, or receive source-separated recovered materials.¹⁸

Local governments may require a commercial establishment to source separate the recovered materials generated on the premises.¹⁹

Florida's Recycling Goal

In 2008, in recognition of the volume of waste generated by Floridians and visitors every year and the value of some of these discarded commodities, the Legislature set a statewide goal to recycle at least 75 percent of the municipal solid waste that would otherwise be disposed of in

¹² Section 403.706(6), F.S.

¹³ *Id.*

¹⁴ Section 403.706(9), F.S.

¹⁵ Section 403.706(21), F.S.

¹⁶ *Id.*

¹⁷ Section 403.706(21), F.S.

¹⁸ Section 403.7046(3), F.S.

¹⁹ Section 403.7046(3)(a), F.S.

waste management facilities, landfills, or incineration facilities by 2020.²⁰ DEP has established numerous programs and initiatives to reach that goal.²¹ In 2010, the Legislature established the interim goals that counties must pursue leading up to 2020.²²

In those years when the recycling rate does not meet the statutory thresholds for these interim goals, DEP must provide a report to the President of the Senate and the Speaker of the House of Representatives.²³ This report must identify those additional programs or statutory changes needed to achieve the state's recycling goals.²⁴ Florida achieved the interim recycling goals established for 2012 and 2014, but Florida's recycling rate for 2016 was 56 percent, falling short of the interim recycling goal of 60 percent by 2017.²⁵ DEP submitted the most recent report in 2017.²⁶ The current practices in Florida are not expected to significantly increase the recycling rate beyond the 56 percent rate.²⁷ The most recent interim goal was 70 percent by January 1, 2019, and DEP is expected to submit a report prior to the 2020 session. Without significant changes to Florida's current approach, the state's recycling rate will likely fall short of the 2020 goal of 75 percent.²⁸

DEP, in partnership with material recycling facilities (MRFs) across the state, has developed a statewide public education campaign, entitled "Rethink. Reset. Recycle."²⁹ The campaign addresses the need to educate Florida residents on how to reduce single stream curbside recycling contamination. Plastic bags, cords, clothing and packaging are causing contamination problems that can shut down MRF operations and cause good loads of recyclables to become trash. The campaign also serves to remind Florida residents of the basics of curbside recycling: clean and dry aluminum and steel cans, plastic bottles and jugs, and paper and cardboard. DEP is also working on the following recycling options:

- Evaluating the implications of shifting from a weight-based recycling goal to sustainable materials management processes.
- Researching the concept of moving from a weight-based recycling goal of 75 percent by 2020, to market specific goals such as a food diversion goal or an organics recycling goal.
- Engaging Florida's state universities and the Florida Department of Education to review potential K-12 curriculum programs emphasizing waste reduction and recycling practices.
- Continuing to work with state agencies to identify recycling/cost saving measures specific to their operations.
- Providing counties not achieving the interim recycling goals with assistance in analyzing, planning, and executing opportunities to increase recycling.³⁰

²⁰ Section 403.7032, F.S.; Ch. 2008-227, s. 95, Laws of Fla.; see DEP, *Florida and the 2020 75% Recycling Goal, Volume I - Report*, 5 (2017), available at https://floridadep.gov/sites/default/files/FinalRecyclingReportVolume1_0_0.pdf.

²¹ DEP, *Recycling*, <http://www.dep.state.fl.us/waste/categories/recycling/default.htm> (last visited Oct. 29, 2019).

²² Section 403.706(2)(a), F.S.

²³ Section 403.706(2)(e), F.S.; see s. 403.705(3), F.S. DEP must evaluate and report biennially to the President of the Senate and the Speaker of the House on the state's success in meeting the solid waste recycling goal in s. 403.706(2), F.S.

²⁴ Section 403.706(2)(e), F.S.

²⁵ DEP, *Florida and the 2020 75% Recycling Goal, Volume I - Report*, 5 (2017), available at https://floridadep.gov/sites/default/files/FinalRecyclingReportVolume1_0_0.pdf.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.* at 11.

³⁰ *Id.*

A number of counties and municipalities have instituted single stream recycling programs.³¹ Single stream recycling programs allow all accepted recyclables to be placed in a single, curbside recycling cart, comingling materials from paper and plastic bottles to metal cans and glass containers. Single stream recycling programs have been marginally successful in providing curbside collection efficiency by increasing the amount of recyclables collected and residential participation. While there are many advantages to single stream recycling, it has not consistently yielded positive results for the recycling industry. The unexpected consequence of single stream recycling has been the collection of unwanted materials and poorly sorted recyclables, resulting in increased contamination originating in the curbside recycling cart.³²

Contamination hinders processing at MRFs when unwanted items are placed into recycling carts.³³ For example, plastic bags are often harmful to the automated equipment typically used to process and separate recyclable materials from single stream collections. While MRFs are equipped to handle some non-recyclable materials, excessive contamination can undermine the recycling process resulting in additional sorting, processing, energy consumption, and other increased costs due to equipment downtime, repair or replacement needs. In addition to increased recycling processing costs, contamination also results in poorer quality recyclables, and increased rejection and landfilling of unusable materials. Although some local governments have implemented successful single stream recycling programs with low contamination rates, contamination rates for other programs have continued to rise, in some case reaching contamination rates of more than 30-40 percent by weight.³⁴

Recycling Markets

Until 2017, China consumed over 50 percent of the recycled paper and plastic in the world, including 70 percent of the plastics collected for recycling in the U.S.³⁵ In 2018, China banned the import of 24 recyclable materials, such as post-consumer plastics and mixed paper, and also announced a 0.5 percent contamination standard for most recyclables not named in the ban.³⁶ The ban was later expanded to include post-industrial plastics and a variety of scrap metals, and China implemented pre-shipment inspection requirements for inbound loads of scrap material.³⁷ The ban has caused shipments of recyclables to other Southeast Asian countries to increase

³¹ *Id.* at 13.

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ National Waste & Recycling Association, *Issue Brief: China's Changing Policies on Important Recyclables*, 1 (Apr. 2018), available at https://c.ymcdn.com/sites/wasterecycling.site-ym.com/resource/resmgr/files/issue_brief/China%27s_Changing_Policies_on.pdf; Cheryl Katz, *Piling Up: How China's Ban on Importing Waste Has Stalled Global Recycling*, Yale Environment 360 (March 7, 2019), <https://e360.yale.edu/features/piling-up-how-chinas-ban-on-importing-waste-has-stalled-global-recycling> (last visited Nov. 26, 2019).

³⁶ Resource Recycling, *From Green Fence to Red Alert: A China Timeline*, <https://resource-recycling.com/recycling/2018/02/13/green-fence-red-alert-china-timeline/> (last visited Oct. 29, 2019); National Waste & Recycling Association, *Issue Brief: China's Changing Policies on Important Recyclables*, 1 (Apr. 2018).

³⁷ *Id.*; see Resource Recycling, *China Reiterates Total Ban and Tries to Define "Solid Waste"* (Apr. 9, 2019), <https://resource-recycling.com/recycling/2019/04/09/china-reiterates-total-ban-and-tries-to-define-solid-waste/> (last visited Nov. 26, 2019). China is planning a total ban on virtually all recovered material imports.

dramatically, resulting in nations including Malaysia, Indonesia, Thailand, and Vietnam enacting policies restricting the import of recyclable materials.³⁸

China's recycling ban has created substantial challenges around the world for the solid waste and recycling industry.³⁹ The loss of the Chinese export markets has caused recyclable materials to be sent to landfills or burned.⁴⁰ China's ban and higher standards for contamination are leading to higher costs and lower revenues for the U.S. recycling industry.⁴¹ In Florida, local governments are struggling with issues such as rising costs of processing and high contamination rates.⁴² DEP reports that these changes in the markets create challenges for Florida as it tries to increase its recycling rates because future growth is dependent on healthy markets.⁴³ The increased supply of recyclable materials and decreased demand from end markets has resulted in a depression of commodities prices in the recycling industry.⁴⁴ In response, DEP has utilized state programs and engaged various agencies and stakeholders in efforts to develop and grow Florida's recycling markets.⁴⁵

Fiscally Constrained Counties

Section 218.67, F.S., defines "fiscally constrained counties" as:

- Each county entirely within a rural area of opportunity⁴⁶ as designated by the Governor pursuant to the Rural Economic Development Initiative in s. 288.0656, F.S.; or
- Each county for which the value of a mill will raise no more than \$5 million in revenue, based on the taxable value certified pursuant to the required local effort for school districts in s. 1011.62(4)(a)1.a., F.S., from the previous July 1.⁴⁷

³⁸ Resource Recycling, *From Green Fence to Red Alert: A China Timeline*; Christopher Joyce, *Where Will Your Plastic Trash Go Now That China Doesn't Want It?*, NPR (Mar. 13, 2019), <https://www.npr.org/sections/goatsandsoda/2019/03/13/702501726/where-will-your-plastic-trash-go-now-that-china-doesnt-want-it> (last visited Nov. 26, 2019).

³⁹ See Brooks et. al., *The Chinese Import Ban and Its Impact on Global Plastic Waste Trade*, SCIENCES ADVANCES (Jun. 20, 2019), available at <https://advances.sciencemag.org/content/advances/4/6/eaat0131.full.pdf>.

⁴⁰ Cheryl Katz, *Piling Up: How China's Ban on Importing Waste Has Stalled Global Recycling*, Yale Environment 360 (March 7, 2019), <https://e360.yale.edu/features/piling-up-how-chinas-ban-on-importing-waste-has-stalled-global-recycling> (last visited Nov. 26, 2019).

⁴¹ National Waste & Recycling Association, *Issue Brief: China's Changing Policies on Important Recyclables*, 1-2 (Apr. 2018), available at https://c.ymcdn.com/sites/wasterecycling.site-ym.com/resource/resmgr/files/issue_brief/China%27s_Changing_Policies_on.pdf.

⁴² Waste Dive, *How Recycling is Changing in All 50 States* (June 5, 2019), <https://www.wastedive.com/news/what-chinese-import-policies-mean-for-all-50-states/510751/> (last visited Nov. 26, 2019).

⁴³ DEP, *Florida and the 2020 75% Recycling Goal, Volume I - Report*, 15 (2017), available at https://floridadep.gov/sites/default/files/FinalRecyclingReportVolume1_0_0.pdf (last visited Oct. 29, 2019).

⁴⁴ *Id.*

⁴⁵ *Id.* at 15-17.

⁴⁶ See s. 288.0656(2), F.S. A rural area of opportunity is a rural community (such as counties with a population of 75,000 or fewer) or a region composed of rural communities, designated by the Governor, which has been adversely affected by an extraordinary economic event, severe/chronic distress, or a natural disaster, or which presents a unique economic development opportunity of regional impact.

⁴⁷ Section 218.67(1), F.S.

The Department of Revenue currently identifies 29 fiscally constrained counties pursuant to s. 218.67(1), F.S.⁴⁸

Recycling Organizations in Florida

In addition to the efforts of state and local government, there is a broad range of organizations working to improve recycling rates in Florida. These include:

- The Hinkley Center for Solid and Hazardous Waste Management - created by the Solid Waste Management Act of 1988, primarily funded by DEP through the Solid Waste Management Trust Fund, and hosted at the University of Florida, the Center facilitates research and provides information and technical assistance to develop solutions for solid and hazardous waste management.⁴⁹
- The Florida Recycling Partnership - a coalition of businesses and associations dedicated to improving Florida's recycling rates.⁵⁰
- Keep Florida Beautiful - a volunteer-based nonprofit working with over 40 county and city affiliates to advance increased recycling and other environmental efforts through community action and education.⁵¹
- The Florida Beverage Association - the state trade association of non-alcoholic beverage producers, marketers, bottlers, and distributors.⁵²
- The Southern Waste Information eXchange, Inc. (SWIX) - a nonprofit clearinghouse and repository for businesses and government agencies looking for information on many different topics regarding waste management. SWIX also conducts clean-ups and recycling events.⁵³
- The National Waste and Recycling Association - the trade association representing private-sector U.S. waste and recycling companies, as well as the manufacturers and service providers that do business with those companies.⁵⁴ This organization has a Florida chapter.
- Recycle Florida Today, Inc. - a nonprofit professional association comprised of individuals engaged in the business of recycling, which works to advance recycling in Florida.⁵⁵

III. Effect of Proposed Changes:

Section 1 amends s. 403.706, F.S., which contains recycling goals required for county government recycling programs.

The bill exempts from the required county recycling goals any fiscally constrained county, as defined in s. 218.67(1), F.S. This exemption expires on July 1, 2035.

⁴⁸ See Florida Department of Revenue, Property Tax Oversight, *Fiscally Constrained Counties*, available at <http://floridarevenue.com/property/Documents/fcco081210.pdf>.

⁴⁹ Hinkley Center for Solid and Hazardous Waste Management, *About the Hinkley Center*, <http://www.hinkleycenter.org/about-the-center.html> (last visited Dec. 5, 2019); see ch. 88-130, Laws of Fla.

⁵⁰ Florida Recycling Partnership, *About Us*, <https://flrecycling.org/about-us/> (last visited Dec. 5, 2019).

⁵¹ Keep Florida Beautiful, *Mission*, <https://www.keepfloridabeautiful.org/about-us/mission> (last visited Dec. 5, 2019).

⁵² The Florida Beverage Association, *About Us*, <https://flabev.org/about-us> (last visited Dec. 5, 2019).

⁵³ Southern Waste Information eXchange, Inc., *About SWIX*, <http://swix.ws/> (last visited Dec. 5, 2019).

⁵⁴ National Waste and Recycling Association, *About Us*, <https://wasterecycling.org/page/AboutUs> (last visited Dec. 5, 2019).

⁵⁵ Recycle Florida Today, *About Us*, <https://recyclefloridatoday.org/about-us/> (last visited Dec. 5, 2019).

The bill creates the Florida Recycling Working Group within the Department of Environmental Protection (DEP). The working group must be composed of eleven members, with each of the following eleven organizations appointing one representative member from within their respective organizations:

- DEP.
- The University of Florida's Engineering School of Sustainable Infrastructure and Environment.
- The Hinkley Center for Solid and Hazardous Waste Management.
- The Florida League of Cities.
- The Florida Association of Counties.
- The Florida Recycling Partnership.
- Keep Florida Beautiful.
- The Florida Beverage Association.
- Southern Waste Information eXchange, Inc.
- The Florida Chapter of the National Waste and Recycling Association.
- Recycle Florida Today, Inc.

The bill requires the working group to meet at least three times. A chair and vice chair must be elected by quorum. A quorum will consist of a majority of the members. The chair of the working group must preside at all meetings and call meetings as often as necessary to carry out the working group's responsibilities. DEP must keep a complete record of the proceedings of each meeting, including the names of the members present at each meeting and the actions taken. The records are public records pursuant to ch. 119, F.S.

The bill requires the working group to compile a report recommending programs and statutory changes necessary for achieving future recycling goals based on current progress toward achieving the goals required of county recycling programs. The working group must submit the report to the President of the Senate and the Speaker of the House of Representatives by July 1, 2021.

The subsection creating the Florida Recycling Working Group expires on July 1, 2021.

Section 2 states that the bill shall take effect July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill requires DEP to administer and participate in the Florida Recycling Working Group, including producing a report to the Legislature. These responsibilities may cause DEP to incur additional costs.

The bill exempts fiscally constrained counties from required recycling goals for county recycling programs. This may have an indeterminate, positive fiscal impact on fiscally constrained counties in the short term.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 403.706 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

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

CS by Environment and Natural Resources Committee on December 9, 2019:

- Removes all changes to the timeline regarding the goals required of county recycling programs, including DEP's reporting requirements related to the goals, but retains the exemption for fiscally constrained counties through July 1, 2035.

- Creates within DEP the Florida Recycling Working Group, that must produce a report recommending programs and statutory changes necessary for achieving future recycling goals based on current progress. The language establishes the working group's composition, administrative procedures, and obligations for submitting its report to the Legislature by July 1, 2021. The working group is repealed on July 1, 2021.

B. Amendments:

None.

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



838606

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/09/2019	.	
	.	
	.	
	.	

The Committee on Environment and Natural Resources (Albritton)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (23) and (24) are added to s.
403.706, Florida Statutes, to read:

(23) (a) The Florida Recycling Working Group is created
within the department and shall be composed of eleven members,
with each of the following eleven organizations appointing one
representative member from within their respective



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organizations:

1. The department.

2. The University of Florida's Engineering School of Sustainable Infrastructure and Environment.

3. The Hinkley Center for Solid and Hazardous Waste Management.

4. The Florida League of Cities.

5. The Florida Association of Counties.

6. The Florida Recycling Partnership.

7. Keep Florida Beautiful.

8. The Florida Beverage Association.

9. Southern Waste Information eXchange, Inc.

10. The Florida Chapter of the National Waste and Recycling Association.

11. Recycle Florida Today, Inc.

(b) The working group shall meet at least three times and elect, by quorum, a chair and a vice chair. A quorum shall consist of a majority of the members. The chair of the working group shall preside at all meetings and shall call a meeting as often as necessary to carry out this subsection. The department shall keep a complete record of the proceedings of each meeting, including the names of the members present at each meeting and the actions taken. The records are public records pursuant to chapter 119.

(c) The working group shall compile a report recommending programs and statutory changes necessary for achieving future recycling goals based on current progress toward achieving the goals set in subsection (2). The working group shall submit the report to the President of the Senate and the Speaker of the



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House of Representatives by July 1, 2021.

(d) This subsection expires July 1, 2021.

(24) A fiscally constrained county, as defined in s. 218.67(1), is exempt from the goals and requirements set forth in this section. This subsection expires July 1, 2035.

Section 2. This act shall take effect July 1, 2020.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to local government recycling
programs; amending s. 403.706; creating the Florida
Recycling Working Group; providing the duties and
membership of the working group; requiring the working
group to submit a report to the Legislature by a
specified date; providing an expiration date for the
working group; providing an exemption for fiscally
constrained counties from recycling requirements;
providing an expiration date for the exemption;
providing an effective date.



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
12/06/2019	.	
	.	
	.	
	.	

The Committee on Environment and Natural Resources (Albritton)
recommended the following:

Senate Amendment (with directory and title amendments)

Delete lines 27 - 51
and insert:
2020. Counties and municipalities are encouraged to form
cooperative arrangements for implementing recycling programs. A
fiscally constrained county, as defined in s. 218.67(1), is
exempt from the goals set forth in this paragraph.

(23) (a) The Florida Recycling Working Group is created
within the department and shall be composed of eleven members,



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with each of the following eleven organizations appointing one representative member from within their respective organizations:

1. The department.
2. The University of Florida's Engineering School of Sustainable Infrastructure and Environment.
3. The Hinkley Center for Solid and Hazardous Waste Management.
4. The Florida League of Cities.
5. The Florida Association of Counties.
6. The Florida Recycling Partnership.
7. Keep Florida Beautiful.
8. The Florida Beverage Association.
9. Southern Waste Information eXchange, Inc.
10. The Florida Chapter of the National Waste and Recycling Association.
11. Recycle Florida Today, Inc.

(b) The working group shall meet at least three times and elect, by quorum, a chair and a vice chair. A quorum shall consist of a majority of the members. The chair of the working group shall preside at all meetings and shall call a meeting as often as necessary to carry out this subsection. The department shall keep a complete record of the proceedings of each meeting, including the names of the members present at each meeting and the actions taken. The records are public records pursuant to chapter 119.

(c) The working group shall compile a report recommending programs and statutory changes necessary for achieving future recycling goals based on current progress toward achieving the



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goals set in subsection (2). The working group shall submit the report to the President of the Senate and the Speaker of the House of Representatives by July 1, 2021.

(d) This subsection expires July 1, 2021.

===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

And the directory clause is amended as follows:

Delete lines 19 - 20

and insert:

Section 1. Paragraph (a) of subsection (2) of section 403.706, Florida Statutes, is amended, and subsection (23) is added to that section, to read:

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

And the title is amended as follows:

Delete lines 3 - 8

and insert:

programs; amending s. 403.706, F.S.; providing an exemption from recycling goals for fiscally constrained counties; creating the Florida Recycling Working Group within the Department of Environmental Protection; requiring the working group to submit a report to the Legislature by a specified date; providing an expiration date for the working group; making technical

By Senator Albritton

26-00586A-20

2020724__

A bill to be entitled
An act relating to local government recycling programs; amending s. 403.706, F.S.; extending the goal date for the recycling of 75 percent of recyclable solid waste by counties other than fiscally constrained counties; conforming a provision to changes made by the act; requiring a report to the Legislature by a specified date; making technical changes; reenacting ss. 403.7049(5), 403.705(2)(c) and (3), and 403.7145(3) F.S., relating to the determination of full cost for solid waste management, the state solid waste management program, and recycling, respectively, to incorporate the amendment made to s. 403.706, F.S., in references thereto; providing an effective date.

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

Section 1. Paragraphs (a), (d), and (e) of subsection (2) of section 403.706, Florida Statutes, are amended to read:

403.706 Local government solid waste responsibilities.—

(2)(a) Each county shall implement a recyclable materials recycling program that has ~~shall have~~ a goal of recycling recyclable solid waste by 40 percent by December 31, 2012; 50 percent by December 31, 2014; 60 percent by December 31, 2016; 70 percent by December 31, 2018; and 75 percent by December 31, 2024 ~~2020~~. Counties and municipalities are encouraged to form cooperative arrangements for implementing recycling programs. A fiscally constrained county, as defined in s. 218.67(1), is

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30 exempt from the goals set forth in this paragraph.

31 (d) If, by January 1, 2025, ~~of 2013, 2015, 2017, 2019, or~~
32 ~~2021~~, the county is, ~~as~~ determined by the department in
33 accordance with applicable rules to have failed to reach its,
34 ~~has not reached the~~ recycling goals established under ~~as set~~
35 ~~forth in~~ paragraph (a), the department may direct the county to
36 develop a plan to expand recycling programs to existing
37 commercial and multifamily dwellings, including, but not limited
38 to, apartment complexes.

39 (e) ~~If the state's recycling rate for the 2013 calendar~~
40 ~~year is below 40 percent; below 50 percent by January 1, 2015;~~
41 ~~below 60 percent by January 1, 2017; below 70 percent by January~~
42 ~~1, 2019; or below 75 percent by January 1, 2021,~~ The department
43 shall provide a report to the President of the Senate and the
44 Speaker of the House of Representatives by January 1, 2021. The
45 report shall identify any ~~those~~ additional programs or statutory
46 changes needed to achieve the goals established under ~~set forth~~
47 ~~in~~ paragraph (a). ~~The report shall be provided no later than 30~~
48 ~~days prior to the beginning of the regular session of the~~
49 ~~Legislature. The department is not required to provide a report~~
50 ~~to the Legislature if the state reaches its recycling goals as~~
51 ~~described in this paragraph.~~

52 Section 2. For the purpose of incorporating the amendment
53 made by this act to section 403.706, Florida Statutes, in a
54 reference thereto, subsection (5) of section 403.7049, Florida
55 Statutes, is reenacted to read:

56 403.7049 Determination of full cost for solid waste
57 management; local solid waste management fees.—

58 (5) In order to assist in achieving the municipal solid

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waste reduction goal and the recycling provisions of s. 403.706(2), a county or a municipality which owns or operates a solid waste management facility is hereby authorized to charge solid waste disposal fees which may vary based on a number of factors, including, but not limited to, the amount, characteristics, and form of recyclable materials present in the solid waste that is brought to the county's or the municipality's facility for processing or disposal.

Section 3. For the purpose of incorporating the amendment made by this act to section 403.706, Florida Statutes, in references thereto, paragraph (c) of subsection (2) and subsection (3) of section 403.705, Florida Statutes, are reenacted to read:

403.705 State solid waste management program.—

(2) The state solid waste management program shall include, at a minimum:

(c) Planning guidelines and technical assistance to counties and municipalities to aid in meeting the municipal solid waste recycling goals established in s. 403.706(2).

(3) The department shall evaluate and report biennially to the President of the Senate and the Speaker of the House of Representatives on the state's success in meeting the solid waste recycling goal as described in s. 403.706(2).

Section 4. For the purpose of incorporating the amendment made by this act to section 403.706, Florida Statutes, in a reference thereto, subsection (3) of section 403.7145, Florida Statutes, is reenacted to read:

403.7145 Recycling.—

(3) The department shall develop and contract for an

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88 innovative recycling pilot project for the Capitol recycling
89 area. The project shall be designed to collect recyclable
90 materials and create a more sustainable recycling system.
91 Components of the project shall be designed to increase
92 convenience, incentivize and measure participation, reduce
93 material volume, and assist in achieving the recycling goals
94 enumerated in s. 403.706.

95 Section 5. This act shall take effect July 1, 2020.

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 Environment and Natural Resources

BILL: SB 638

INTRODUCER: Senator Montford

SUBJECT: Apalachicola Environmental Stewardship Act

DATE: November 22, 2019 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Dyson	Rogers	EN	Favorable
2. _____	_____	AEG	_____
3. _____	_____	AP	_____

I. Summary:

SB 638 creates the Apalachicola Environmental Stewardship Act, which creates an annual appropriation of at least \$12 million from the funds allocated to Division of State Lands from the Florida Forever Trust Fund beginning in the 2020-2021 through the 2024-2025 fiscal years, to be spent on land acquisition and projects that improve surface water and groundwater quality within the Apalachicola River and in Apalachicola Bay within the Apalachicola Area of Critical State Concern. Priority for these funds are given to land acquisitions that achieve a combination of conservation goals, including protecting and preserving fisheries and wildlife habitats, recreational spaces, nearshore water quality, surface water resources, and groundwater recharge. The bill requires at least three, but no more than ten percent of the allocated funds to be spent on projects and activities including land management, increased public access and recreation, and greenways.

The bill renames the Apalachicola Bay Area of Critical State Concern to the Apalachicola Area of Critical State Concern, and amends any references to the area.

The bill provides additional principles for guiding development within the Apalachicola Area of Critical State Concern to include projects that protect and improve water quality through a variety of facility and operations upgrades.

II. Present Situation:

Florida Forever

As a successor to Preservation 2000, the Legislature created the Florida Forever program in 1999 as the Blueprint for conserving Florida's natural resources.¹ The Florida Forever Act reinforced the state's commitment to conserve its natural and cultural heritage, provide urban open space, and better manage the land acquired by the state.² Florida Forever encompasses a wide range of goals including: land acquisition; environmental restoration; water resource development and supply; increased public access; public lands management and maintenance; and increased protection of land through the purchase of conservation easements.³ The state has acquired more than 2.4 million acres since 1991 under the Preservation 2000 and the Florida Forever programs.⁴ Under Florida Forever, the issuance of up to \$5.3 billion in Florida Forever bonds is authorized to finance or refinance the cost of acquisition and improvement of land, water areas, and related property interests and resources, in urban and rural settings, for the purposes of restoration, conservation, recreation, water resource development, or historical preservation, and for capital improvements⁵ to lands and water areas which accomplish environmental restoration, enhance public access and recreational enjoyment, promote long-term management goals, and facilitate water resource development.⁶

The Florida Forever Trust Fund was created to serve as the repository for Florida Forever bond proceeds to fund the Florida Forever Program. The Florida Forever Trust Fund is administered by the Department of Environmental Protection (DEP). DEP is required to distribute revenues from the Florida Forever Trust Fund in accordance with s. 259.105(3), F.S., which sets forth the allocation of the proceeds of cash payments or bonds deposited into the Florida Forever Trust Fund and is depicted in the graph below.

¹ Chapter 99-247, Laws of Fla.

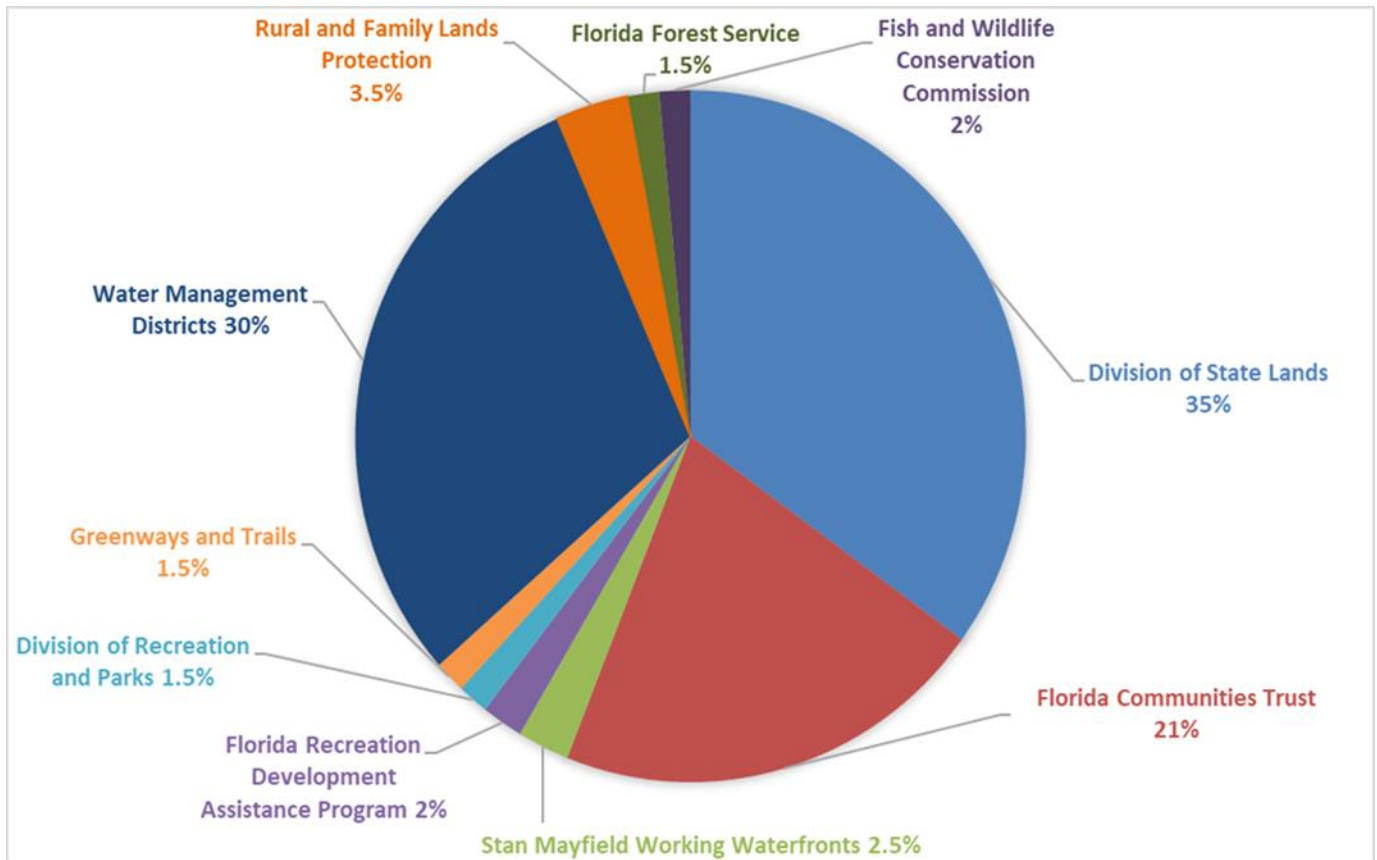
² Department of Environmental Protection (DEP), *Florida Forever Five Year Plan* (2019), 49, available at <http://publicfiles.dep.state.fl.us/DSL/FFWeb/Current%20Florida%20Forever%20Five-Year%20Plan.pdf> (last visited Nov. 25, 2019).

³ Section 259.105, F.S.

⁴ DEP, *Frequently Asked Questions about Florida Forever*, <https://floridadep.gov/lands/environmental-services/content/faq-florida-forever> (last visited Nov. 25 2019). See Florida Natural Areas Inventory, *Summary of Florida Conservation Lands* (Feb. 2019), available at https://www.fnai.org/PDF/Maacres_201902_FCL_plus_LTF.pdf (last visited Nov. 25, 2019) for a complete summary of the total amount of conservation lands in Florida.

⁵ As defined in s. 259.03, F.S., the terms "capital improvement" or "capital project expenditure" when used in ch. 259, F.S., mean "those activities relating to the acquisition, restoration, public access, and recreational uses of such lands, water areas, and related resources deemed necessary to accomplish the purposes of this chapter. Eligible activities include, but are not limited to: the initial removal of invasive plants; the construction, improvement, enlargement or extension of facilities' signs, firelanes, access roads, and trails; or any other activities that serve to restore, conserve, protect, or provide public access, recreational opportunities, or necessary services for land or water areas. Such activities shall be identified prior to the acquisition of a parcel or the approval of a project. The continued expenditures necessary for a capital improvement approved under this subsection shall not be eligible for funding provided in this chapter."

⁶ Section 215.618, F.S.



Division of State Lands – 35 Percent

The Division of State Lands (DSL) within DEP oversees the Florida Forever program, under which the state has protected over 770,279 acres of land purchased with about \$3 billion in Florida Forever funds.⁷ Florida Forever projects and acquisitions are required to contribute to the achievement of one or more of the following program goals:

- Enhance the coordination and completion of land acquisition projects;
- Increase the protection of Florida’s biodiversity at the species, natural community, and landscape levels;
- Protect, restore, and maintain the quality and natural functions of land, water, and wetlands systems of the state;
- Ensure that sufficient quantities of water are available to meet the current and future needs of natural systems and the citizens of the state;
- Increase natural resource-based public recreational and educational opportunities;
- Preserve significant archaeological or historic sites;
- Increase the amount of forestland available for sustainable management of natural resources;
- Increase the amount of open space available in urban areas; and
- Mitigate the effects of natural disasters and floods in developed areas.⁸

⁷ DEP, *Florida Forever Five Year Plan*, (2019), 51, available at <http://publicfiles.dep.state.fl.us/DSL/FFWeb/Current%20Florida%20Forever%20Five-Year%20Plan.pdf> (last visited Nov. 26, 2019).

⁸ Section 259.105(4), F.S.

The Acquisition and Restoration Council (ARC) is a 10-member body⁹ that makes recommendations on the acquisition, management, and disposal of state-owned lands.¹⁰ ARC accepts applications from state agencies, local governments, nonprofit and for-profit organizations, private land trusts, and individuals for project proposals eligible for Florida Forever funding. In evaluating each application, ARC is required to consider whether the project:

- Meets multiple program goals;
- Is part of an ongoing governmental effort to restore, protect, or develop land areas or water resources;
- Enhances or facilitates management of properties already under public ownership;
- Has significant archaeological or historic value;
- Has funding sources that are identified and assured through at least the first 2 years of the project;
- Contributes to the solution of water resource problems on a regional basis;
- Has a significant portion of its land area in imminent danger of development, losing its significant natural attributes or recreational open space, or subdivision that would result in multiple ownership and make acquisition of the project more costly or less likely to be accomplished;
- Implements an element from a plan developed by an ecosystem management team;
- Is one of the components of Everglades restoration efforts;
- May be purchased at 80 percent of appraised value;
- May be acquired, in whole or in part, using alternatives to fee simple; and
- Is a joint acquisition.¹¹

ARC is required to give increased priority to:

- Projects for which matching funds are available;
- Project elements previously identified on an acquisition list which can be acquired at 80 percent or less of appraised value;
- Projects that can be acquired in less than fee ownership (acquiring land at less than fee ownership means acquisition of an interest in the property which allows the conservation and protection of resources on the property at less cost while keeping the land in private ownership);
- Projects that contribute to improving the quality or quantity of surface water or groundwater;
- Projects that contribute to improving the water quality and flow of springs; and

⁹ Section 259.035(1), F.S. Four of ARC's 10 members are appointed by the Governor, three from scientific disciplines related to land, water, or environmental sciences and one with least five years of experience in managing lands for both active and passive types of recreation. Four of the members are the Secretary of Environmental Protection, the director of the Florida Forest Service of the Department of Agriculture and Consumer Services, the executive director of the Fish and Wildlife Conservation Commission, and the director of the Division of Historical Resources of the Department of State, or their respective designees. One member is appointed by the Commissioner of Agriculture from a discipline related to agriculture, including silviculture, and one member is appointed by the Fish and Wildlife Conservation Commission from a discipline related to wildlife management or wildlife ecology.

¹⁰ DEP, *Florida Forever Five Year Plan*, 49 (2019), available at <http://publicfiles.dep.state.fl.us/DSL/FFWeb/Current%20Florida%20Forever%20Five-Year%20Plan.pdf> (last visited Nov. 25, 2019).

¹¹ Section 259.105(9), F.S.

- Projects for which the state's land conservation plans overlap with the military's need to protect lands, water, and habitat to ensure the sustainability of military missions.¹²

Using its established criteria, ARC develops a priority list of applications submitted. An affirmative vote of at least five members of ARC is required to place a proposed project on the priority list. ARC evaluates and selects projects twice per year, in June and December, and ranks the projects annually.¹³ Each project on the priority list is placed in one of the following categories of expenditure for land conservation projects: climate change, critical natural lands, less-than-fee, partnerships or regional incentives, and substantially complete (greater than 85 percent complete).¹⁴ Projects are ranked within each category from highest to lowest priority.

The proposed project list is presented to the Governor and the Cabinet sitting as the Board of Trustees of the Internal Improvement Trust Fund (BOT).¹⁵ The BOT is responsible for acting on ARC's recommendations by approving the acquisition of each parcel.¹⁶ While the BOT is authorized to remove projects from the proposed list, the BOT may not add or rearrange projects on the list.¹⁷

DSL prepares an annual work plan based on the priority list developed by ARC, which outlines the specific projects and acquisitions within projects that will be negotiated for purchase with Florida Forever funds available for that fiscal year for land acquisition.¹⁸

At least \$5 million of the funds allocated to DSL under Florida Forever, beginning in the 2017-2018 fiscal year and continuing through the 2026-2027 fiscal year, are required to be spent on land acquisition within the Florida Keys Area of Critical State Concern.¹⁹

Area of Critical State Concern

The Areas of Critical State Concern Program was created in the "Florida Environmental Land and Water Management Act of 1972."²⁰ The purpose of the program is to ensure that the state, in accordance with s. 7, Art. II of the State Constitution, ensures a water management system that will reverse the deterioration of water quality and provide optimum utilization of the state's limited water resources, facilitate orderly and well-planned development, and protect the health, welfare, safety, and quality of life of residents of this state.²¹

¹² Section 259.105(10), F.S.

¹³ DEP, *Frequently Asked Questions about Florida Forever*, <https://floridadep.gov/lands/environmental-services/content/faq-florida-forever> (last visited Nov. 25, 2019).

¹⁴ Section 259.105(17), F.S.

¹⁵ Section 259.105(14), F.S.

¹⁶ DEP, *Florida Forever Five Year Plan*, 50 (2019), available at http://publicfiles.dep.state.fl.us/DSL/OESWeb/FF2017/FLDEP_DSL_SOLI_2018FloridaForever5YrPlan_20180706.pdf (last visited Nov. 25, 2019).

¹⁷ Section 259.105(14), F.S.

¹⁸ Section 259.105(17), F.S.

¹⁹ Section 259.105(3)(b), F.S.

²⁰ Chapter 72-317, s. 1, Laws of Fla.

²¹ Section 380.021, F.S.

The current designated Areas of Critical State Concern are the Apalachicola Bay Area, the Green Swamp Area, the Big Cypress Area, and the Florida Keys Area and the City of Key West Area.²²

Apalachicola Bay Area of Critical State Concern

The Legislature designated the Apalachicola Bay Area as an Area of Critical State Concern in 1985.²³ The initial designation of the Apalachicola Bay Area included the City of Apalachicola, the City of Carrabelle, and unincorporated Franklin County (excluding Alligator Point).²⁴ All of the designation was repealed in 1993 except for the City of Apalachicola.²⁵

The Apalachicola River is the largest river in Florida and provides 35 percent of the freshwater entering the northeastern Gulf of Mexico.²⁶ The Apalachicola River and the adjoining Chattahoochee and Flint Rivers comprise a drainage system encompassing more than 19,000 square miles of southern Georgia, eastern Alabama, and northern Florida.²⁷ The area harbors one of the highest concentrations of threatened and endangered species in the United States.²⁸ Apalachicola Bay is a productive estuary, supplying approximately 90% of the oysters in Florida and 10% nationally, and is an important nursery ground for numerous commercially and recreationally important fish and invertebrate species.²⁹

The designated area is shown below:³⁰

²² Department of Economic Opportunity, *Areas of Critical State Concern Program*, available at <http://www.floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/areas-of-critical-state-concern> (last visited Nov. 26, 2019).

²³ Chapter 85-360, ss. 1-10, Laws of Fla.

²⁴ *Id.*

²⁵ Chapter 93-135, s. 1, Laws of Fla.

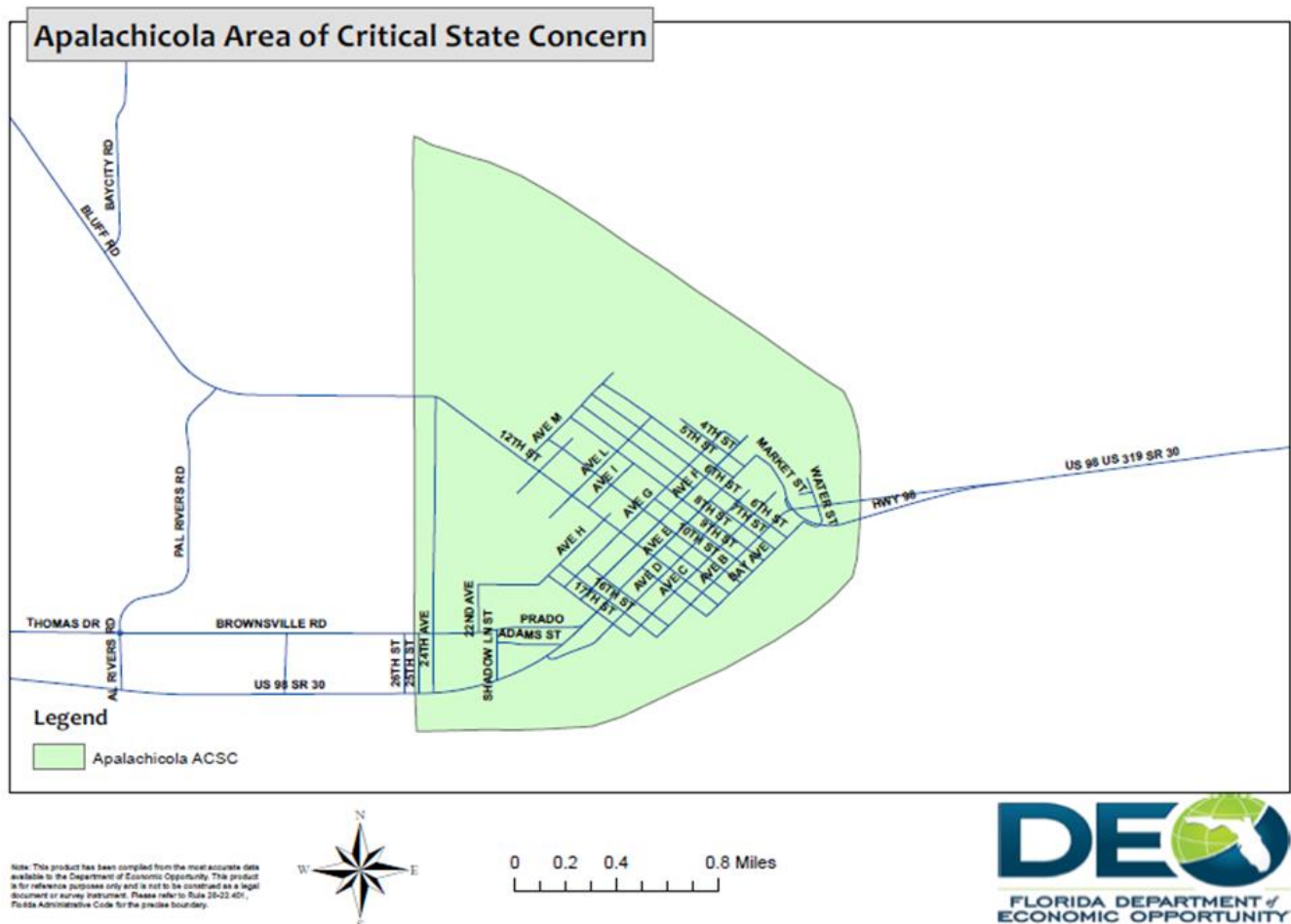
²⁶ Department of Economic Opportunity, *Apalachicola Bay Area*, <http://www.floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/areas-of-critical-state-concern/city-of-apalachicola> (last visited Nov. 25, 2019); *see also*, U.S. Fish and Wildlife Service, *Next Steps for a Healthy Gulf of Mexico Watershed*, <https://www.fws.gov/southeast/gulf-restoration/next-steps/focal-area/greater-apalachicola-basin/> (last visited Nov. 25, 2019).

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ Department of Economic Opportunity, *Apalachicola Area of Critical State Concern Program*, <http://www.floridajobs.org/docs/default-source/2015-community-development/community-planning/2015-cmty-plan-acsc/apalachicolamap.pdf?sfvrsn=2> (last visited Nov. 26, 2019).



The legislative intent of the designation is to:

- Protect the water quality of the Apalachicola Bay Area to ensure a healthy environment and thriving economy for area and state residents;
- Financially assist Franklin County and its municipalities in upgrading and expanding their sewerage systems;
- Protect the Apalachicola Bay Area's natural and economic resources by implementing and enforcing comprehensive plans and land development regulations;
- Assist Franklin County and its municipalities with technical and advisory assistance in formulating land development regulations and modifications to comprehensive plans;
- Monitor activities within the Apalachicola Bay Area to ensure the long-term protection of all the area's resources;
- Promote a broad base of economic growth which is compatible with the protection and conservation of the natural resources of the Apalachicola Bay Area;
- Educate the residents of the Apalachicola Bay Area in order to protect and preserve its natural resources;
- Provide affordable housing in close proximity to places of employment in the Apalachicola Bay Area; and

- Protect and improve the water quality of the Apalachicola Bay Area through federal, state, and local funding of water quality improvement projects, including the construction and operation of wastewater management facilities that meet state requirements.³¹

State, regional, and local agencies and units of government in the Apalachicola Bay Area are required to coordinate their plans and conduct their programs and regulatory activities consistently using principles for guiding development of the area.³² These principles require that:

- Land development be guided so that the basic functions and productivity of the Apalachicola Bay Area's natural land and water systems be conserved to reduce or avoid health, safety, and economic problems for present and future residents of the Apalachicola Bay Area;
- Land development be consistent with a safe environment, adequate community facilities, a superior quality of life, and a desire to minimize environmental hazards;
- Growth and diversification of the local economy be fostered only if it is consistent with protecting the natural resources of the Apalachicola Bay Area through appropriate management of the land and water systems;
- Aquatic habitats and wildlife resources of the Apalachicola Bay Area be conserved and protected;
- Water quantity be managed to conserve and protect the natural resources and the scenic beauty of the Apalachicola Bay Area;
- Water quality be protected, maintained, and improved for public water supply, propagation of aquatic life, and recreational and other uses;
- No wastes be discharged into any waters of the Apalachicola Bay Area without first being given the degree of treatment necessary to protect water uses;
- Stormwater discharges be managed in order to minimize impacts on the bay system and protect its uses;
- Coastal dune systems, specifically the area extending landward from the extreme high-tide line to the beginning of the pinelands of the Apalachicola Bay Area, be protected; and
- Public lands be managed, enhanced, and protected so that the public may continue to enjoy the traditional use of such lands.³³

III. Effect of Proposed Changes:

The bill creates the Apalachicola Environmental Stewardship Act which creates an annual appropriation of at least \$12 million from funds allocated to the Division of State Lands from the Florida Forever Trust Fund, beginning in the 2020-2021 fiscal year and continuing through the 2024-2025 fiscal year to be spent on land acquisition and projects that improve surface water and groundwater quality in the Apalachicola River and in Apalachicola Bay within the Apalachicola Area of Critical State Concern. Projects could include:

- The construction and replacement of stormwater management facilities and central sewage collection facilities;
- Installation of onsite sewage treatment and disposal systems;
- Direct and indirect potable reuse;

³¹ Section 380.0555(2), F.S.

³² Section 380.0555(7), F.S.

³³ *Id.*

- Other water quality and water supply projects; and
- Land acquisition projects that protect water quality.

The bill specifies that priority must be given to land acquisitions that achieve a combination of conservation goals, including protecting and preserving fisheries and wildlife habitats, recreational spaces, nearshore water quality, surface water resources, and groundwater recharge. Additionally, the bill specifies that at least 3 percent but not more than 10 percent of the funds allocated for land acquisition shall be spent on projects and activities identified during the time of acquisition, including land management, increased public access and recreational opportunities, and greenways.

The bill removes any reference to the Apalachicola Bay Area, changing all references to read as “Apalachicola Area” while also making technical changes.

The bill deletes an obsolete provision relating to a plan that was required to be submitted by February 1, 1986.

The bill adds an additional principle for guiding development in the Apalachicola Area, which requires that water quality be protected and improved by the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection facilities; treatment and disposal facilities; the installation and proper operation and maintenance of onsite sewage treatment and disposal systems; indirect and direct potable reuse; and other water quality and water supply projects.

The bill provides an effective date of July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill creates a specific annual distribution from the funds allocated to the Division of State Lands from the Florida Forever Trust Fund through the 2024-2025 fiscal year, which may affect other programs that are funded through the trust fund.

Local governments in the Apalachicola Bay Area of Critical State Concern may have a positive fiscal impact by receiving funds to use for land acquisition and projects that improve surface and groundwater quality.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 259.105 and 380.0555 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.

By Senator Montford

3-00560A-20

2020638__

A bill to be entitled
An act relating to the Apalachicola Environmental
Stewardship Act; providing a short title; amending s.
259.105, F.S.; appropriating a sum annually for a
specified timeframe from the Florida Forever Fund to
the Apalachicola Area of Critical State Concern for
specified purposes; amending s. 380.0555, F.S.;
renaming the Apalachicola Bay Area of Critical State
Concern as the Apalachicola Area of Critical State
Concern; deleting obsolete language; making technical
changes; providing additional principles for guiding
development within the Apalachicola Area of Critical
State Concern to include projects that protect and
improve water quality; providing an effective date.

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

Section 1. This act may be referred to as "The Apalachicola
Environmental Stewardship Act."

Section 2. Paragraph (b) of subsection (3) of section
259.105, Florida Statutes, is amended to read:

259.105 The Florida Forever Act.—

(3) Less the costs of issuing and the costs of funding
reserve accounts and other costs associated with bonds, the
proceeds of cash payments or bonds issued pursuant to this
section shall be deposited into the Florida Forever Trust Fund
created by s. 259.1051. The proceeds shall be distributed by the
Department of Environmental Protection in the following manner:

(b) Thirty-five percent to the Department of Environmental

3-00560A-20

2020638__

Protection for the acquisition of lands and capital project expenditures described in this section. Of the proceeds distributed pursuant to this paragraph, it is the intent of the Legislature that an increased priority be given to those acquisitions which achieve a combination of conservation goals, including protecting Florida's water resources and natural groundwater recharge.

1. At a minimum, 3 percent, and no more than 10 percent, of the funds allocated pursuant to this paragraph shall be spent on capital project expenditures identified during the time of acquisition which meet land management planning activities necessary for public access.

2. Beginning in the 2017-2018 fiscal year and continuing through the 2026-2027 fiscal year, at least \$5 million of the funds allocated pursuant to this paragraph shall be spent on land acquisition within the Florida Keys Area of Critical State Concern as authorized pursuant to s. 259.045.

3. Beginning in the 2020-2021 fiscal year and continuing through the 2024-2025 fiscal year, at least \$12 million of the funds allocated pursuant to this paragraph shall be spent on land acquisition and projects that improve surface water and groundwater quality in the Apalachicola River and in Apalachicola Bay within the Apalachicola Area of Critical State Concern as authorized pursuant to s. 380.0555, including the construction and replacement of stormwater management facilities and central sewage collection facilities, installation of onsite sewage treatment and disposal systems, direct and indirect potable reuse, other water quality and water supply projects, and land acquisition projects that protect water quality.

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a. Priority must be given to land acquisitions that achieve a combination of conservation goals, including protecting and preserving fisheries and wildlife habitats, recreational spaces, nearshore water quality, surface water resources, and groundwater recharge.

b. At least 3 percent but not more than 10 percent of the funds allocated for land acquisition shall be spent on projects and activities identified during the time of acquisition, including land management, increased public access and recreational opportunities, and greenways.

Section 3. Section 380.0555, Florida Statutes, is amended to read:

380.0555 Apalachicola ~~Bay~~ Area; protection and designation as area of critical state concern.—

(1) SHORT TITLE.—This act shall be known and cited as the “Apalachicola ~~Bay~~ Area Protection Act.”

(2) LEGISLATIVE INTENT.—It is hereby declared that the intent of the Legislature is:

(a) To protect the water quality of the Apalachicola ~~Bay~~ Area to ensure a healthy environment and a thriving economy for the residents of the area and the state.

(b) To financially assist Franklin County and its municipalities in upgrading and expanding their sewerage systems.

(c) To protect the Apalachicola ~~Bay~~ Area’s natural and economic resources by implementing and enforcing comprehensive plans and land development regulations.

(d) To assist Franklin County and its municipalities with technical and advisory assistance in formulating additional land

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development regulations and modifications to comprehensive plans.

(e) To monitor activities within the Apalachicola ~~Bay~~ Area to ensure the long-term protection of all the area's resources.

(f) To promote a broad base of economic growth which is compatible with the protection and conservation of the natural resources of the Apalachicola ~~Bay~~ Area.

(g) To educate the residents of the Apalachicola ~~Bay~~ Area in order to protect and preserve its natural resources.

(h) To provide affordable housing in close proximity to places of employment in the Apalachicola ~~Bay~~ Area.

(i) To protect and improve the water quality of the Apalachicola ~~Bay~~ Area through federal, state, and local funding of water quality improvement projects, including the construction and operation of wastewater management facilities that meet state requirements.

(3) DESIGNATION.—Franklin County, as described in s. 7.19, less all federally owned lands, less all lands lying east of the line formed by the eastern boundary of State Road 319 running from the Ochlockonee River to the intersection of State Road 319 and State Road 98 and thence due south to the Gulf of Mexico, and less any lands removed under subsection (4), is hereby designated an area of critical state concern on June 18, 1985. State road, for the purpose of this section, shall be defined as in s. 334.03. For the purposes of this act, this area shall be known as the Apalachicola ~~Bay~~ Area.

(4) REMOVAL OF DESIGNATION.—The state land planning agency may recommend to the Administration Commission the removal of the designation from all or part of the area specified in

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subsection (3), if it determines that all local land development regulations and local comprehensive plans and the administration of such regulations and plans are adequate to protect the Apalachicola Bay Area, continue to carry out the legislative intent set forth in subsection (2), and are in compliance with the principles for guiding development set forth in subsection (7). If the Administration Commission concurs with the recommendations of the state land planning agency to remove any area from the designation, it shall, within 45 days after receipt of the recommendation, initiate rulemaking to remove the designation. The state land planning agency shall make recommendations to the Administration Commission annually.

(5) APPLICATION OF CHAPTER 380 PROVISIONS.—Section 380.05(1)-(5), (8), (9), (12), (15), (17), and (21), does ~~shall~~ not apply to the area designated by this act for so long as the designation remains in effect. Except as otherwise provided in this act, s. 380.045 does ~~shall~~ not apply to the area designated by this act. All other provisions of this chapter shall apply, including ss. 380.07 and 380.11, except that the "local development regulations" in s. 380.05(13) shall include the regulations set forth in subsection (8) for purposes of s. 380.05(13), ~~and the plan or plans submitted pursuant to s. 380.05(14) shall be submitted no later than February 1, 1986.~~ All or part of the area designated by this act may be redesignated pursuant to s. 380.05 as if it had been initially designated pursuant to that section.

(6) VESTED RIGHTS OF DEVELOPER.—If a developer has by his or her actions in reliance on prior regulations obtained vested or other legal rights including rights obtained by approval of a

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development of regional impact or a substantial deviation thereof pursuant to s. 380.06 that would have prevented a local government from changing those regulations in a way adverse to the developer's interests, ~~nothing in~~ this act does not authorize ~~authorizes~~ any governmental agency to abridge those rights.

(7) PRINCIPLES FOR GUIDING DEVELOPMENT.—State, regional, and local agencies and units of government in the Apalachicola ~~Bay~~ Area of Critical State Concern shall coordinate their plans and conduct their programs and regulatory activities consistent ~~consistently~~ with the following principles for guiding the development of the Apalachicola Area of Critical State Concern:

(a) Land development shall be guided so that the basic functions and productivity of the Apalachicola ~~Bay~~ Area's natural land and water systems will be conserved to reduce or avoid health, safety, and economic problems for present and future residents of the Apalachicola ~~Bay~~ Area.

(b) Land development shall be consistent with a safe environment, adequate community facilities, a superior quality of life, and a desire to minimize environmental hazards.

(c) Growth and diversification of the local economy shall be fostered only if it is consistent with protecting the natural resources of the Apalachicola ~~Bay~~ Area through appropriate management of the land and water systems.

(d) Aquatic habitats and wildlife resources of the Apalachicola ~~Bay~~ Area shall be conserved and protected.

(e) Water quantity shall be managed to conserve and protect the natural resources and the scenic beauty of the Apalachicola ~~Bay~~ Area.

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(f) The quality of water shall be protected, maintained, and improved for public water supplies, the propagation of aquatic life, and recreational and other uses which are consistent with these uses.

(g) No wastes shall be discharged into any waters of the Apalachicola Bay Area without first being given the degree of treatment necessary to protect the water uses as set forth in paragraph (f).

(h) Stormwater discharges shall be managed in order to minimize their impacts on the bay system and protect the uses as set forth in paragraph (f).

(i) Coastal dune systems, specifically the area extending landward from the extreme high-tide line to the beginning of the pinelands of the Apalachicola Bay Area, shall be protected.

(j) Public lands shall be managed, enhanced, and protected so that the public may continue to enjoy the traditional use of such lands.

(k) Water quality shall be protected and improved by the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection facilities; treatment and disposal facilities; the installation and proper operation and maintenance of onsite sewage treatment and disposal systems; indirect and direct potable reuse; and other water quality and water supply projects.

(8) COMPREHENSIVE PLAN ELEMENTS AND LAND DEVELOPMENT REGULATIONS.—

(a) *Local governments to administer plan elements and regulations.*—The following comprehensive plan elements and land development regulations shall be administered by local

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governments within their jurisdiction in the Apalachicola ~~Bay~~ Area, as part of their local comprehensive plan and land development regulations. If a local government within the Apalachicola ~~Bay~~ Area has a provision in its local comprehensive plan or its land development regulations which conflicts with a provision of this paragraph or has no comparable provision, the provision of this paragraph shall control.

1. Comprehensive plan.—Chapter 1 of Volume I, and chapters 4, 5, 7, and 9 of Volume II of the Franklin County Comprehensive Land Use Plan adopted by Ordinance No. 81-4 on June 22, 1981, by the Franklin County Board of County Commissioners and filed with the Secretary of State on June 30, 1981, are incorporated by reference and adopted herein.

2. Zoning ordinances.—Ordinance No. 81-5 adopted June 22, 1981, by the Franklin County Board of County Commissioners and filed with the Secretary of State on June 30, 1981, and the following amendments are incorporated by reference and adopted herein:

a. Ordinance 82-4, adopted June 18, 1982, and filed with the Secretary of State on July 28, 1982.

b. Ordinance 83-4, adopted July 19, 1983, and filed with the Secretary of State on July 25, 1983.

c. Ordinance 83-7, adopted October 4, 1983, and filed with the Secretary of State on October 6, 1983.

d. Ordinance 84-2, adopted April 24, 1984, and filed with the Secretary of State on April 27, 1984.

3. Subdivision regulations.—Ordinance No. 74-1 adopted November 15, 1974, by the Franklin County Board of County Commissioners and filed with the Secretary of State on December

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4, 1974, and December 5, 1974, and the following amendment are incorporated by reference and adopted herein: Ordinance 79-5, filed with the Secretary of State on May 30, 1979.

4. Flood plain management ordinance.—Ordinance No. 83-5 adopted on July 7, 1983, by the Franklin County Board of County Commissioners and filed with the Secretary of State on July 15, 1983, is incorporated by reference and adopted herein.

5. Septic tank ordinance.—Ordinance 79-8 adopted on June 22, 1979, by the Franklin County Board of County Commissioners and filed with the Secretary of State on June 27, 1979, is incorporated by reference and adopted herein.

6. Construction; electrical connection.—Ordinance No. 73-5A adopted July 3, 1973, by the Franklin County Board of County Commissioners and filed with the Secretary of State on March 6, 1981, is incorporated by reference and adopted herein.

7. Alligator Point Water Resource District Act.—Ordinance No. 76-7 adopted on November 16, 1976, by the Franklin County Board of County Commissioners and filed with the Secretary of State on March 6, 1981, is incorporated by reference and adopted herein.

8. Coastal area building codes.—Ordinance No. 84-1 establishing building codes for coastal areas adopted by the Franklin County Board of County Commissioners on February 8, 1984, and filed with the Secretary of State on February 2, 1984, is incorporated by reference and adopted herein.

9. Standard building code.—Ordinance adopting the 1976 Standard Building Code, Ordinance No. 83-1, adopted January 18, 1983, by the Franklin County Board of County Commissioners and filed with the Secretary of State January 20, 1983, is

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incorporated by reference and adopted herein.

10. Local planning agency.—Ordinance No. 77-6 adopted on June 21, 1977, by the Franklin County Board of County Commissioners and filed with the Secretary of State on June 22, 1977, is incorporated by reference and adopted herein.

11. Coastal high-hazard zones.—Ordinance No. 80-5 adopted on May 29, 1980, by the Franklin County Board of County Commissioners and filed with the Secretary of State on May 30, 1980, is incorporated by reference and adopted herein.

(b) *Conflicting regulations.*—In the event of any inconsistency between subparagraph (a)1. and subparagraphs (a)2.-11., subparagraph (a)1. shall control. Further, in the event of any inconsistency between subsection (7) and paragraph (a) of this subsection and a development order issued pursuant to s. 380.06, which has become final prior to June 18, 1985, or between subsection (7) and paragraph (a) and an amendment to a final development order, which amendment has been requested prior to April 2, 1985, the development order or amendment thereto shall control. However, any modification to paragraph (a) enacted by a local government and approved by the state land planning agency pursuant to subsection (9) may provide whether it shall control over an inconsistent provision of a development order or amendment thereto. A development order or any amendment thereto referred to in this paragraph shall not be subject to approval by the state land planning agency pursuant to subsection (9).

(c) *Effect of existing plans and regulations.*—Legally adopted comprehensive plans and land development regulations other than those listed in this subsection shall remain in full

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291 force and effect unless inconsistent with the principles for
292 guiding development set forth in subsection (7), the elements of
293 the comprehensive plan listed in this subsection, or the land
294 development regulations listed in this subsection.

295 (d) *Developments of regional impact.*—A local government
296 shall approve a development subject to the provisions of s.
297 380.06 only if it also complies with the provisions of this
298 subsection.

299 (9) MODIFICATION TO PLANS AND REGULATIONS.—Any land
300 development regulation or element of a local comprehensive plan
301 in the Apalachicola ~~Bay~~ Area may be enacted, amended, or
302 rescinded by a local government, but the enactment, amendment,
303 or rescission becomes effective only upon the approval thereof
304 by the state land planning agency. The state land planning
305 agency shall review the proposed change to determine if it
306 complies with the principles for guiding development specified
307 in subsection (7) and must approve or reject the requested
308 change as provided in s. 380.05. Further, the state land
309 planning agency, after consulting with the appropriate local
310 government, may, from time to time, recommend the enactment,
311 amendment, or rescission of a land development regulation or
312 element of a comprehensive plan. Within 45 days following the
313 receipt of such recommendation by the state land planning agency
314 or enactment, amendment, or rescission by a local government the
315 commission shall reject the recommendation, enactment,
316 amendment, or rescission or accept it with or without
317 modification and adopt, by rule, any changes. Any such local
318 land development regulation or comprehensive plan or part of
319 such regulation or plan may be adopted by the commission if it

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finds that it is in compliance with the principles for guiding development.

(10) REQUIREMENTS; LOCAL GOVERNMENTS.—

(a) As used in this subsection:

1. "Alternative onsite system" means any approved onsite disposal system used in lieu of a standard subsurface system.

2. "Critical shoreline zone" means all land within a distance of 150 feet landward of the mean high-water line in tidal areas, the ordinary high-water line in nontidal areas, or the inland wetland areas existing along the streams, lakes, rivers, bays, and sounds within the Apalachicola ~~Bay~~ Area.

3. "Pollution-sensitive segment of the critical shoreline" means an area which, due to its proximity to highly sensitive resources, including, but not limited to, productive shellfish beds and nursery areas, requires special regulatory attention.

4. "Low-income family" means a group of persons residing together whose combined income does not exceed 200 percent of the 1985 Poverty Income Guidelines for all states and the District of Columbia, promulgated by the United States Department of Health and Human Services, as published in Volume 50, No. 46 of the Federal Register, pages 9517-18. Income shall be as defined in said guidelines.

(b) Franklin County and the municipalities within it shall, within 60 days after a sewerage system is available for use, notify all owners and users of onsite sewage disposal systems of the availability of such a system and that connection is required within 180 days of the notice. Failure to connect to an available system within the time prescribed shall be a misdemeanor of the second degree, punishable as provided in ss.

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775.082 and 775.083. Further, Franklin County and the municipalities within it shall have the right to make the connection if it is not made within the prescribed time and to assess the owner of the real property on which the connection is made for the cost of such connection. Such assessments shall be levied according to law and shall become a lien against the real property, enforced according to law. Franklin County and the municipalities within it shall develop a program and implement ordinances to make available to low-income families the sewer services available upon completion of the proposed sewer projects being funded by this act.

(c)1. The Department of Health shall survey all septic tank soil-absorption systems in the Apalachicola ~~Bay~~ Area to determine their suitability as onsite sewage treatment systems. Within 6 months from June 18, 1985, Franklin County and the municipalities within it, after consultation with the Department of Health and the Department of Environmental Protection, shall develop a program designed to correct any onsite sewage treatment systems that might endanger the water quality of the bay.

2. Franklin County and the municipalities within it shall, within 9 months from June 18, 1985, enact by ordinance procedures implementing this program. These procedures shall include notification to owners of unacceptable septic tanks and procedures for correcting unacceptable septic tanks. These ordinances shall not be effective until approved by the Department of Health and the Department of Environmental Protection.

(d) Franklin County and the municipalities within it shall,

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within 12 months from June 18, 1985, establish by ordinance a map of "pollution-sensitive segments of the critical shoreline" within the Apalachicola ~~Bay~~ Area, which ordinance shall not be effective until approved by the Department of Health and the Department of Environmental Protection. Franklin County and the municipalities within it, after the effective date of these ordinances, shall no longer grant permits for onsite wastewater disposal systems in pollution-sensitive segments of the critical shoreline, except for those onsite wastewater systems that will not degrade water quality in the river or bay. These ordinances shall not become effective until approved by the resource planning and management committee. Until such ordinances become effective, the Franklin County Health Department shall not give a favorable recommendation to the granting of a septic tank variance pursuant to section (1) of Ordinance 79-8, adopted on June 22, 1979, by the Franklin County Board of County Commissioners and filed with the Secretary of State on June 27, 1979, or issue a permit for a septic tank or alternative waste disposal system pursuant to Ordinance 81-5, adopted on June 22, 1981, by the Franklin County Board of County Commissioners and filed with the Secretary of State on June 30, 1981, as amended as set forth in subparagraph (8)(a)2., unless the Franklin County Health Department certifies, in writing, that the use of such system will be consistent with paragraph (7)(f) and subsection (8).

(e) Franklin County and the municipalities within it shall, within 9 months from June 18, 1985, enact land development regulations to protect the Apalachicola ~~Bay~~ Area from stormwater pollution, including provisions for development approval, before

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the issuance of building permits pursuant to chapter 17-25, Florida Administrative Code, Franklin County and the municipalities within it shall, within 90 days following the above deadline, survey existing stormwater management systems and discharges to determine their effect on the bay and develop a comprehensive stormwater management plan to minimize such effects. The plan will include recommendations and financing options for the retrofitting of existing systems. Franklin County and the municipalities within it shall, as part of an overall stormwater management program, inform its citizens about stormwater, its relationship to land use, and its effect upon the resources of the Apalachicola ~~Bay~~ Area.

(f) Franklin County and the municipalities within it shall, beginning 12 months from June 18, 1985, prepare semiannual reports on the implementation of paragraphs (b)-(e) on the environmental status of the Apalachicola ~~Bay~~ Area. The state land planning agency may prescribe additional detailed information required to be reported. Each report shall be delivered to the resource planning and management committee and the state land planning agency for review and recommendations. The state land planning agency shall review each report and consider such reports when making recommendations to the Administration Commission pursuant to subsection (9).

Section 4. This act shall take effect July 1, 2020.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Health Policy, *Vice Chair*
Appropriations Subcommittee on Agriculture,
Environment, and General Government
Education
Environment and Natural Resources

SENATOR LORI BERMAN
31st District

November 19, 2019

The Honorable Bill Galvano
Senate President
409 The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear President Galvano:

Due to the scheduling of upcoming knee surgery, I hereby request to be excused from the December 9-13th committee week.

Please let me know if you have any questions regarding this request.

Best regards,

A handwritten signature in cursive script that reads "Lori Berman". The signature is written in dark ink and includes a horizontal line extending to the right.

Lori Berman

REPLY TO:

- ☐ 2300 High Ridge Road, Suite 161, Boynton Beach, Florida 33426 (561) 292-6014 FAX: (888) 284-6491
- ☐ 311 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5031

Senate's Website: www.flsenate.gov

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Health Policy, *Vice Chair*
Appropriations Subcommittee on Agriculture,
Environment, and General Government
Education
Environment and Natural Resources

SENATOR LORI BERMAN
31st District

December 6, 2019

The Honorable Bill Montford
Chair, Environment & Natural Resources
410 Senate Building
404 South Monroe Street
Tallahassee, FL 32399-1100

To the Committee on Environment & Natural Resources:

Due to knee surgery that I received on December 3rd, I will not be present in Tallahassee for the December committee week. My absence has been excused by President Galvano.

I am requesting permission via this letter that Senator Bill Montford may be able to present SB 648, Sargassum Seaweed Matching Grant Program, in my stead. Should you have any questions or concerns about this, please do not hesitate to let me know.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Lori Berman".

Lori Berman
Senator, District 31

cc: Ellen Rogers, Staff Director
Kim Bonn, Committee Administrative Assistant

REPLY TO:

- ☐ 2300 High Ridge Road, Suite 161, Boynton Beach, Florida 33426 (561) 292-6014 FAX: (888) 284-6491
- ☐ 311 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5031

Senate's Website: www.flsenate.gov

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

✓

THE FLORIDA SENATE
APPEARANCE RECORD

12/9/2019

Meeting Date

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

N/A

Bill Number (if applicable)

N/A

Amendment Barcode (if applicable)

Topic Update on the Implmenetation of the Florida Springs and Aquifer Protection Act

Name Julie Espy

Job Title Acting Director for DEP's Division of Environmental Assessment and Restoration

Address 2600 Blair Stone Rd.

Street

Tallahassee

City

FL

State

32399

Zip

Phone (850) 245-8416

Email Julie.Espy@FloridaDEP.gov

Speaking: ☐ For ☐ Against ☒ Information

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

Representing Department of Environmental Protection

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

12/9
Meeting Date

Bill Number (if applicable)

Topic PFAS Presentation

Amendment Barcode (if applicable)

Name John Truitt

Job Title Deputy Secretary

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 FL Dept. of Environmental Protection

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)

Dec 9 2019
Meeting Date

638
Bill Number (if applicable)

Topic Environmental Stewardship Bill

Amendment Barcode (if applicable)

Name PATRICIA Ann MURPHY

Job Title RETIRED

Address 235 16th STREET
Street

Phone 786 566 1504

APALACHICOLA FL 32320
City State Zip

Email PMURPHY408@MECA

Speaking: ☐ For ☐ Against ☐ Information

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

Representing MAIN STREET BOARD

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

12/9/19

Meeting Date

638

Bill Number (if applicable)

Topic Apalachicola Environmental Stewardship Bill

Amendment Barcode (if applicable)

Name Augusta West

Job Title Director, Apalachicola Main Street

Address 135 17th St

Street

Apalachicola, FL

City

State

32320

Zip

Phone 850-274-1321

Email awest@apalachicola
mainstreet.org

Speaking: ☒ For ☐ Against ☐ Information

N/A

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

Representing Apalachicola Main Street

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)

12-9-19
Meeting Date

638
Bill Number (if applicable)

Topic Environmental Stewardship

Amendment Barcode (if applicable)

Name Jim Bachrach

Job Title retired

Address 187 Ave C
Street

Phone 850-899-8689

Apalachicola FL 32320
City State Zip

Email shouldfair
point.net

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Mainstreet - Board Chair

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)

12-9-19
Meeting Date

638
Bill Number (if applicable)

Topic Environmental Stewardship

Amendment Barcode (if applicable)

Name Susan Bachrach

Job Title Retired

Address 187 Ave C
Street

Phone 850-323-0169

Apalachicola, FL 32320
City State Zip

Email slbachrach@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing monstrous volunteer

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)

2-9-19

Meeting Date

638

Bill Number (if applicable)

Topic Environmental Stewardship Bill

Amendment Barcode (if applicable)

Name Pam Richardson

Job Title _____

Address 203 9th street

Street

Phone 413-657-3621

Apalachicola FL 32320

City

State

Zip

Email stoneoak2003@yahoo.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Main Street Volunteer ^{Apalachicola}

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)

12/9/19
Meeting Date

638
Bill Number (if applicable)

Topic ENVIRONMENTAL STEWARDSHIP BILL

Amendment Barcode (if applicable)

Name JODY ROSENBAUM

Job Title _____

Address 153 BAY AVE
Street

Phone 617-800 4516

APALACHICOLA FL 32320
City State Zip

Email MADAMEJODY@COL.COM

Speaking: ☐ For ☐ Against ☐ Information

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

Representing APALACHICOLA MAIN STREET VOLUNTEER

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)

12/9/18

Meeting Date

638

Bill Number (if applicable)

Topic Apalachicola Environmental Stewardship Bill

Amendment Barcode (if applicable)

Name Ron Nalley

Job Title CITY MANAGER - CITY of Apalachicola

Address 192 Coach Wagner Blvd.
Street

Phone (828) 747-2110

Apalachicola FL 32320
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 Apalachicola

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)

12-9-19
Meeting Date

638
Bill Number (if applicable)

Topic Apalachicola

Amendment Barcode (if applicable)

Name Amy Datz

Job Title Retired

Address ↓
Street

Phone (850) 322-7599

Tallahassee
City State Zip

Email amalie.datz@mac.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Environmental Caucus 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

Dec. 9 2019

Meeting Date

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

SB 638

Bill Number (if applicable)

Topic Apalachicola Environmental Stewardship Act

Amendment Barcode (if applicable)

Name Kevin Begos

Job Title Mayor of Apalachicola

Address _____
Street

Phone 850 323 1867

City

State

Zip

Email kbegos@cityofapalachicola.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing City of Apalachicola

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)

12-4-14
Meeting Date

SB 724
Bill Number (if applicable)

Topic Local Government Recycling

Amendment Barcode (if applicable)

Name Rebecca O'Hara

Job Title Deputy General Counsel

Address PO Box 1757
Street

Phone 850-701-3692

Tallahassee, FL 32302
City State Zip

Email rohara@flcities.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Florida League of Cities

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

CourtSmart Tag Report

Room: LL 37
Caption: Senate Environment and Natural Resources Committee

Case No.:

Type:
Judge:

Started: 12/9/2019 4:02:14 PM

Ends: 12/9/2019 4:59:05 PM

Length: 00:56:52

4:02:13 PM Meeting called to order
4:02:17 PM Roll call
4:02:22 PM quorum is present
4:02:29 PM Senator Berman excused
4:03:02 PM Pledge of allegiance
4:03:16 PM Chair Montford - recognizes Julie Espy
4:03:38 PM Program Administrator for FL Dept of Environmental Protection.
4:05:07 PM Presentation of Florida Springs and Aquifer Protection Act
4:06:34 PM Ms. Espy explains the maps
4:07:51 PM The springs restoration update is discussed
4:08:48 PM Land aquisition and agriculture BMP's
4:09:15 PM Benefits from the project
4:10:07 PM Fund allocation discussion
4:10:35 PM Questions from the members.
4:10:43 PM Senator Albritton with question
4:10:56 PM Ms. Espy responds
4:11:24 PM Senator Albritton
4:11:32 PM Senator Montford question on slide 10
4:11:44 PM Julie Espy answers
4:12:12 PM Senator Montford with follow up question on springs
4:12:25 PM Julie Espy responds
4:12:48 PM Senator Montford
4:13:03 PM Ms Espy responds
4:13:45 PM Discussion on Hurricane Michael damage to Chipola plans for restoration
4:14:26 PM No further questions
4:14:34 PM Take up tab 6 - Senator Harrell
4:14:59 PM Senator Harrell presents SB 640
4:16:27 PM Questions from members
4:17:27 PM Senator Montford with question
4:17:38 PM Senator Harrell answers - explains the benefits to framework the program
4:18:18 PM Senator Wright with concerns on help requests
4:18:52 PM Senator Harrell responds
4:19:02 PM No debate
4:19:06 PM Senator Harrell closes on bill SB 640
4:19:23 PM Roll Call on SB640
4:19:33 PM SB 640 is reported Favorable
4:19:40 PM Tab 2 presentation by John Truitt Deputy Secretary of FL Dept of Environmental Protection
4:20:40 PM Topic - PFAS Presentation
4:21:17 PM History of PFAS
4:21:47 PM Per-and Polyfluoroalkyl Substances PFAS - discussed the impacts
4:23:09 PM How to filter the water
4:23:31 PM Challenges of the PFAS
4:24:24 PM PFAS is found in sunscreen that ends up the water
4:25:24 PM National Perspective EPA
4:28:01 PM Why did PFAS hit the radar?
4:28:28 PM Senator Montford requests repeat of information on wells
4:29:33 PM Mr. Truitt responds
4:29:53 PM Senator Montford with question
4:30:00 PM John Truitt responds
4:30:30 PM Senator Montford follow up question
4:30:39 PM John Truitt responds
4:31:10 PM Senator Montford - continues about Wells and communication with Georgia

4:31:29 PM Mr. Truitt answers
 4:32:50 PM Certified Fire Fighting training facilities - explanation on foam used
 4:33:56 PM Discussion of maps
 4:34:38 PM Senator Montford
 4:34:47 PM John Truitt continues on fire fighting water usage
 4:35:34 PM Senator Montford - asks for explanation at the site
 4:36:15 PM DOH went out to test 1/2 mile radius
 4:36:26 PM Senator Montford follow up
 4:36:49 PM John Truitt continues
 4:37:28 PM Senator Montford
 4:37:33 PM John Truitt responds
 4:37:41 PM Senator Montford requests information repeated
 4:38:17 PM John Truitt
 4:38:24 PM Senator Montford
 4:38:29 PM John Truitt
 4:38:37 PM In the event of negative findings in water source, all adjacent owners will be notified.
 4:39:14 PM Assessment discussion
 4:39:28 PM Senator Montford
 4:39:41 PM John Truitt
 4:39:57 PM 15 sites tested by DOH - 2 sites found impacts
 4:40:31 PM John Truitt continues
 4:41:48 PM Senator Montford with question on gas tank removal, and cleanup
 4:42:32 PM John Truitt responds
 4:42:41 PM Senator Montford continues
 4:42:58 PM John Truitt continues
 4:43:28 PM Stability of gas over long term
 4:43:50 PM John Truitt with ideas on Policy question
 4:44:25 PM Senator Montford
 4:44:39 PM John Truitt response
 4:44:42 PM No public testimony
 4:44:49 PM take up tab 3- 5 Confirmation hearings. Motion to take one vote on these appointments
 4:45:38 PM Appointees were not required to be here today.
 4:45:46 PM George A. Roberts, of Panama City to the Governing Board of the Northwest Florida Water Management District
 4:46:24 PM Charles g. Keith and Richard Schwab of Perry appointed to Governing Board of The Suwannee River Water Management District
 4:46:36 PM Take up tab 8 bill SB 724 by Senator Albritton
 4:46:45 PM Senator Albritton presents the bill
 4:46:56 PM Questions on the bill
 4:47:14 PM Go to Strike all Amendment. Amendment 838606 is explained.
 4:47:53 PM Bill will sunset in 15 years. Creates working group to make recycling program work.
 4:48:27 PM No questions, no appearances, no debate.
 4:48:44 PM The amendment 838606 is adopted. Back on the bill as amended.
 4:49:08 PM Appearance card on SB 724
 4:49:22 PM Rebecca O' Hara Deputy General Counsel for Florida League of Cities in support
 4:49:39 PM Roll call on SB 724 - found favorably
 4:49:55 PM Tab 7 - gavel is passed to Senator Albritton.
 4:50:16 PM SB 648 is presented by Senator Montford
 4:50:43 PM Questions on the bill- none
 4:51:15 PM No appearances, no debate
 4:51:23 PM Roll call - SB 648 is reported favorable
 4:51:38 PM Senator Albritton recognizes Senator Montford for his next bill.
 4:51:39 PM Tab 9 SB 638 by Senator Montford.
 4:51:59 PM The bill is explained.
 4:52:14 PM Questions from Members - none
 4:52:49 PM Appearance cards
 4:52:53 PM Kevin Begos - Mayor of Apalachicola in support
 4:55:03 PM Senator Albritton comments
 4:55:08 PM Amy Datz - retired - representing Environmental Caucus of Florida in support
 4:56:43 PM Ron Nalley City Manager- City of Apalachicola in support
 4:56:59 PM Jody Rosenbaum volunteer from Apalachicola Main Street in support , also another Volunteer - no name on card

4:57:24 PM Susan Bachvzol Mainstreet Volunteer of Apalachicola in support
4:57:48 PM Jim Bachvsol Mainstreet - Board Chair of Apalachicola in support
4:57:51 PM Augusta West Director, Apalachicola Main Street in support
4:58:15 PM Patricia ann Murphy Main Street Board of Apalachicola in support
4:58:18 PM Roll Call on SB 638 - reported favorably
4:58:33 PM Senator Montford takes gavel back
4:58:42 PM Senator Albritton moves to adjourn the meeting. The meeting is adjourned