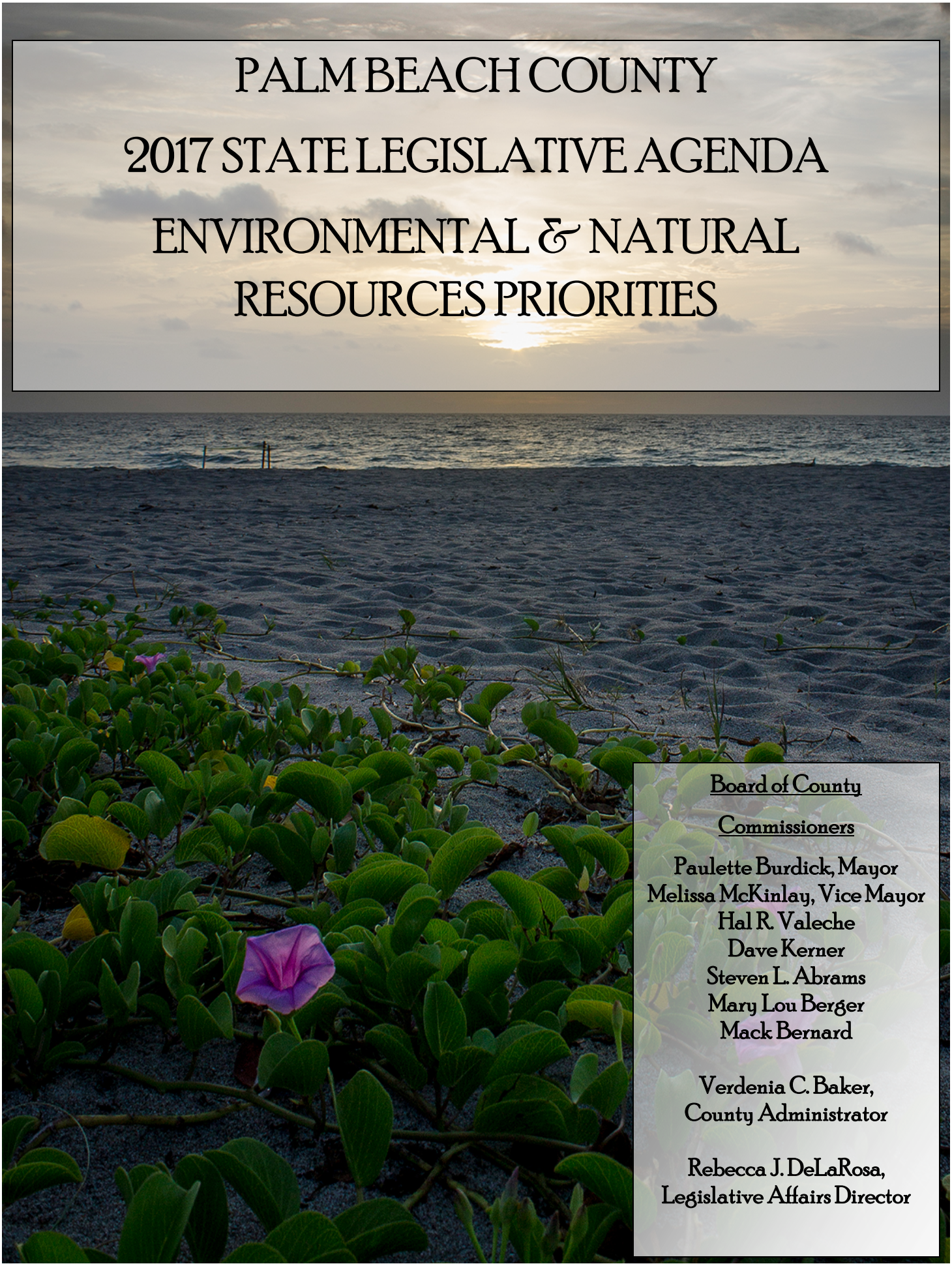
# PALM BEACH COUNTY

# 2017 STATE LEGISLATIVE AGENDA

# ENVIRONMENTAL & NATURAL RESOURCES PRIORITIES

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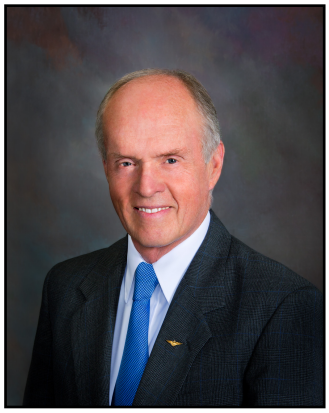

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# Table of Contents

## 2017 STATE LEGISLATIVE ISSUES

**ENVIRONMENTAL/NATURAL RESOURCES** ..... **4**

*LEGISLATIVE PRIORITIES* ..... 4

***Lake Region Water Infrastructure Improvement Projects $1,000,000*** ..... *4*
***Beach and Inlet Management Project Appropriations: $28,532,615*** ..... *5*
***Loxahatchee River Preservation Initiative $4,048,426*** ..... *6*
***Lake Worth Lagoon Initiative $3,410,750*** ..... *7*
***Lake Okeechobee Restoration $2,000,000*** ..... *8*
***Phase II of the J.W. Corbett Levee System Improvement Project*** ..... *9*
***C-51 Structural Improvements*** ..... *9*
***Mosquito Borne Disease Funding*** ..... *10*
***Department of Environmental Protection – Beach Funding & Permitting*** ..... *10*
***Water and Land Conservation Initiative: Land Acquisition Trust Fund*** ..... *11*
***Petroleum Storage Tank Compliance Local Program Funding*** ..... *11*
***Maintain Funding for the State Petroleum Cleanup Program*** ..... *12*
***Renewable Energy/South Florida Climate Change Compact*** ..... *13*
***Flexibility in Mitigation Credit Generation*** ..... *14*
***Expansion of Reclaimed Water*** ..... *14*
***Alternative Water Supply, Water Resource Development and Infrastructure Funding*** ..... *15*
***Utility Worker Safety*** ..... *16*
***Regulatory Flexibility*** ..... *16*
***Florida Recreation Development Assistance Program*** ..... *16*

# ENVIRONMENTAL/NATURAL RESOURCES

## *LEGISLATIVE PRIORITIES*

### *LAKE REGION WATER INFRASTRUCTURE IMPROVEMENT PROJECTS $1,000,000*

Water infrastructure in the Lake Region (including the economically distressed cities of Belle Glade, South Bay and Pahokee) suffers from a history of inadequate design, substandard construction, the utilization of improper materials and a severe lack of investment for replacement and repair. As a result, the Lake Region suffers from the inadequate provision of water pressure and quality during both average and maximum daily flow conditions. Provision of adequate fire flow pressure during daily flow conditions is also difficult due to the significant deterioration of existing water mains. The continued deterioration of the water infrastructure has resulted in historic rates of 40% water loss throughout the system, leading to threats to the health, safety and welfare of the citizens of the Lake Region. It has also curtailed the ability of Palm Beach County and the municipalities of the Lake Region to attract economic development and business expansion, as well as supporting residential and commercial development. Additionally, the Lake Region Water Treatment Plant, previously funded with state and federal contributions to produce high quality water for the Region, is depreciating at an accelerating rate, further preventing the expansion of the water delivery system to promote economic growth in the Region. A suite of Water Infrastructure Improvement Projects (Projects) are required in order to repair and restore the water infrastructure of the Lake Region to a level that will ensure the provision of high quality water delivery, protect the health, safety and welfare of the public and businesses of the Lake Region and improve the economic development outlook of the Region. The proposed projects are prioritized in the Glades Region Master Plan and are being coordinated with necessary storm water and transportation improvements to provide a multi-faceted approach to foster economic development through the improvement of basic infrastructure throughout the Region.

The Lake Region Infrastructure Improvement Projects were previously funded through a $1 million appropriation during the 2014 Legislative Session and a $1.5 million appropriation during the 2016 Legislation Session. The 2014 appropriation resulted in the completion of the $3 million Bacom Point Project that restored adequate potable water and fire flow to adjacent residents and businesses within the project footprint and was completed within a 12-month timeframe, with expenditure of the appropriated funds within the first 5 months. The 2016 appropriation is being utilized to undertake a $3.3 million project to improve Zones 2E and 2W in the City of Belle Glade that will be completed by early next year.

| | **FY 2016 Funding Request** | |
|---|---|---|
| Project Name | Estimated Project Cost | Requested State Allocation |
| Lake Region Water Infrastructure Improvements | $5 million | $1 million |

## *BEACH AND INLET MANAGEMENT PROJECT APPROPRIATIONS: $28,532,615*

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

| FY 2017/18 Beach & Inlet Management FUNDING REQUESTS | | | | |
|---|---|---|---|---|
| No. | Project Name | Grant Funding Request | Local Match | Estimated Project Cost |
| 1 | Coral Cove Park Dune Restoration | $825,000 | $825,000 | $1,650,000 |
| 2 | Jupiter/Carlin Shore Protection | $100,000 | $100,000 | $200,000 |
| 3 | Juno Beach Shore Protection | $150,000 | $150,000 | $300,000 |
| 4 | Southern Palm Beach Island Comprehensive Shore Stabilization | $6,487,648 | $6,487,648 | $12,975,296 |
| 5 | South Lake Worth Inlet Mgmt | $90,000 | $30,000 | $120,000 |
| 6 | Ocean Ridge Shore Protection | $100,000 | $100,000 | $200,000 |
| 7 | Singer Island Shore Protection Project | $599,175 | $900,825 | $1,500,000 |
| 8 | South Jupiter Beach | $100,000 | $100,000 | $200,000 |
| 9 | Delray Beach Nourishment | $26,013 | $26,013 | *$119,130 |
| 10 | Boca Raton North Beach Shore Protection | $ 52,500 | $52,500 | $105,000 |
| 11 | Boca Raton Central Beach Shore Protection | $3,260,454 | $4,443,833 | $7,704,287 |
| 12 | Boca Raton South Beach Shore Protection | $824,915 | $837,885 | $1,662,800 |
| 13 | Boca Raton Inlet | $425,800 | $141,900 | $567,700 |
| 14 | Lake Worth Inlet Maintenance Dredging | $198,000 | $66,000 | $264,000 |
| 15 | Midtown Beach Restoration | $7,855,420 | $9,221,580 | $17,077,000 |
| 16 | Phipps Park Restoration | $7,437,690 | $11,633,310 | $19,071,000 |
| | **TOTAL** | **$28,532,615** | **$35,116,494** | **$63,597,083** |

*includes federal funding

## *LOXAHATCHEE RIVER PRESERVATION INITIATIVE $4,048,426*

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

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

| Rank | Project Name | Applicant | LRPI Request | Local Match | Estimated Project Cost |
|---|---|---|---|---|---|
| 1 | Moonshine Creek Oxbow Restoration | Jupiter Inlet District | $ 375,000 | $ 375,000 | $750,000 |
| 2 | Cypress Creek Weir: Construction | Martin County Ecosystem Restoration Division | $ 300,000 | $ 300,000 | $600,000 |
| 3 | Neighborhood Sewering Phase 6 | Loxahatchee River District | $ 498,000 | $ 498,000 | $996,000 |
| 4 | Neighborhood Sewering Phase 7- Whispering Trails | Loxahatchee River District | $ 543,000 | $ 2,000,000 | $2,543,000 |
| 5 | Jupiter Inlet Village Water Quality Improvements | Town of Jupiter | $ 624,731 | $ 624,731 | $1,249,462 |
| 6 | Seminole Avenue Stormwater Basin Improvements | Town of Jupiter | $ 473,680 | $ 473,680 | $947,360 |
| 7 | Jupiter Farms Elementary Force Main | Loxahatchee River District | $ 200,000 | $ 200,000 | $400,000 |
| 7 | Elsa and Paulina Roads Infrastructure Improvements | Town of Jupiter | $ 70,000 | $ 636,245 | $706,245 |
| 9 | Hydrologic Restoration Phase II FY2017-2018 | Jonathan Dickinson State Park | $ 150,000 | $ 150,000 | $300,000 |
| 10 | Urban Stormwater Management System Rehabilitation Phase VIII – Yacht Club Estates | Town of Jupiter | $ 200,000 | $ 220,000 | $400,000 |

| | | | | | |
|---|---|---|---|---|---|
| 11 | Loxahatchee River Water Quality Monitoring FY2018 | Loxahatchee River District | $ 60,000 | $ 60,000 | $120,000 |
| 12 | Loxahatchee Slough / Hungryland Slough Hydrological Enhancement Study | Palm Beach County Environmental Resources Management | $ 158,645 | $ 158,645 | $314,290 |
| 13 | 127th Drive North Drainage Improvement | South Indian River Water Control District (SIRWCD) | $ 72,320 | $ 72,320 | $144,640 |
| 14 | Exotic Vegetation Removal of Drainage Outfalls | South Indian River Water Control District (SIRWCD) | $ 34,050 | $ 34,050 | $68,100 |
| 15 | Pine Glades Natural Area Habitat Restoration | Palm Beach County Environmental Resources Management | $ 225,000 | $ 225,000 | $450,000 |
| 16 | Comprehensive Bio-Assessment of Invertebrates for the Loxahatchee River Floodplain | The Institute For Regional Conservation (IRC) | $ 64,000 | $ 64,000 | $128,000 |
| Total | | | $ 4,048,426 | $ 6,071,671 | $10,120,097 |

## *LAKE WORTH LAGOON INITIATIVE $3,410,750*

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

The Initiative was created to define and evaluate the status of the entire watershed and propose actions that would improve and protect the natural resources within the lagoon and watershed. Each State dollar is matched at the local level on a minimum 50:50 cost-share basis. Through this program, over $17 million in State funds and $59 million in local funds have been dedicated to restoring the Lagoon. The projects below were prioritized by the LWLI members and funding partners:

**LWL Funding Requests for Fiscal Year 2017-18**

| FY 2017-18 LWLI FUNDING REQUESTS | | | | |
|---|---|---|---|---|
| | Project Name | Grant Funding Request | Local Match | Estimated Project Cost |
| 1 | Lantana Cove Storm Water Improvements – Town of Lantana | $160,000 | $160,000 | $320,000 |
| 2 | Singer Island South – City of Riviera Beach | $1,183,000 | $4,331,334 | $5,514,334 |
| 3 | Lost Tree Village Septic to Sewer Conversion – Lost Tree Village Property Owners Association | $1,646,750 | $1,646,750 | $3,293,500 |
| 4 | Bingham Islands Restoration – Town of Palm Beach | $83,000 | $83,000 | $166,000 |
| 5 | Sediment Sourcing Study of Lake Worth Lagoon – Palm Beach County | $50,000 | $50,000 | $100,000 |
| | Monitoring and Administration | $288,000 | $288,000 | $576,000 |
| | **TOTAL** | **$3,410,750** | **$6,559,084** | **$9,969,834** |

## *LAKE OKEECHOBEE RESTORATION $2,000,000*

Historically, the shoreline of Lake Okeechobee along Palm Beach County had a gradual transition into the water with beaches and grassy waters. Without those natural barriers and natural water filtration systems, seasonal wave and wind patterns, as well as wind and wave variations from storms have negatively affected the aquatic ecosystem, with the associated effects of increased turbidity, muck accumulation, and sedimentation. These physical influences impair the local environmental resources upon which this area depends as well as negatively impacting the economy. Discharges from the lake in high water periods result in deleterious impacts to receiving estuaries and coastal waters. Palm Beach County is actively working with the US Army Corps of Engineers on a suite of projects to improve the near shore habitat of the lake.

| FY 2017-18 Lake Okeechobee FUNDING REQUESTS | | | | |
|---|---|---|---|---|
| | Project Name | Grant Funding Request | Local Match | Estimated Project Cost |
| 1 | Lake Okeechobee CAP Feasibility Study with USACE – Littoral Shelf Creation and Muck Removal | $400,000 | $400,000 | $800,000 |
| 2 | Lake Okeechobee Littoral Shelf Construction and Habitat Development | $1,600,000 | $1,600,000 | $3,200,000 |
| | | **$2,000,000** | **$2,000,000** | **$4,000,000** |

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

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

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

***Recommendation:*** **SUPPORT** the Florida Department of Environmental Protection and South Florida Water Management District in securing the remaining funding to complete Phase II of the Project.

## *C-51 STRUCTURAL IMPROVEMENTS*

***Background:*** The S155 tidal gate discharges stormwater from the C-51 canal to the Lake Worth Lagoon. The existing S-155 structure discharges from its base. It is the largest such structure with the highest discharge volume along the Lagoon. The stormwater discharges also carry suspended sediments that settle out as muck over the natural shelly-sand substrate of the Lagoon. Muck sediments are easily resuspended, reducing needed light penetration to nearby seagrasses. Sediments coat natural benthic and oyster habitat, leaving large areas devoid of sea life. Within two miles of the structure, 1.2 million cubic yards of muck has accumulated (~.9cm/yr). Significant federal, state and local funding is being expended to cap the sediment and restore the habitat, but continued discharge must be restricted in order for these projects to remain successful.

A muck trap, built just upstream in concert with Palm Beach County, the City of West Palm Beach and the South Florida Water Management District, is able to accumulate ~150 tons/year, but the canal carries an average of 8,000 tons of sediment per year (USGS). The muck trap fills rapidly, resulting in additional discharges of muck to the Lake Worth Lagoon that could be avoided through improved maintenance.

During the 2016 Legislative Session, $286,900 was appropriated for an engineering study of the development of a boat lift at the S-155 structure to improve navigation from inland waters to the Lagoon. The study is currently being completed and efforts are being undertaken to secure funding to support the construction of the boat lift.

**Recommendation: SUPPORT** funding or policy direction to the South Florida Water Management District to empty and maintain the C-51 sediment trap.

**SUPPORT** studies to modify the S-155 structure from its current bottom discharge configuration. Modification of the structure could allow it to act as an additional muck trap, minimizing further degradation to the Lagoon's resources and dramatically reducing the cost of habitat restoration in the area.

**SUPPORT** funding for the construction of the C-51 boat lift to be constructed at the S-155 structure

## *Mosquito Borne Disease Funding*

***Background:*** Heightened concerns regarding mosquito-borne diseases such as Dengue, Chikungunya and the Zika Virus have been especially challenging for local government mosquito control programs. The mosquito that transmits the three diseases is a daytime active container breeding mosquito species requiring daytime inspection of properties, elimination of artificial breeding sites, hand fogging residences, immediate response to suspect cases and public education. Current staffing levels and the need for additional equipment and chemicals limits the ability of local governments to operate an integrated program as required under Chapter 388 F.S. in protecting the public's health. Although additional state funding has recently been provided to address short-term needs, an expanded dedicated funding commitment from the state would allow for long-term program planning and ensure the availability of well-trained staff.

**Recommendation: SUPPORT** increased state funding for mosquito control and the eradication of mosquito borne diseases.

## *Department of Environmental Protection – Beach Funding & Permitting*

***Background:*** A Beach Management Working Group, formed pursuant to proviso language contained in the General Appropriations Act for FY 2008-9, was directed to review the state's beach management program and make recommendations for improvements. While several of the recommendations were subsequently implemented and recent rule clarifications represent a significant step in improving the Department's efficiency, additional changes are necessary to streamline a program that is vital to both the state and local economies.

**Recommendation:** Encourage and **SUPPORT** additional state beach program streamlining and dedicated funding for dune restoration as part of the beach management funding program.

- Dune restoration is a vital aspect of providing protection to our coastal shorelines that goes beyond sand placement. Funding criteria as articulated in Chapter 161, Florida Statutes and implementing regulations should be updated to enhance funding opportunities for dune restoration projects.
- With the reduction in federal, state and local funding availability for shoreline protection projects, the state's grant program should be adjusted to focus on reimbursement for completed rather than anticipated work.
- Eliminating redundancy in state and federal permit application review to reduce project costs, accelerate the permitting process and eliminate agency conflicts.
- Regionalization as defined in the Strategic Beach Management Plan is intended to coordinate multiple beach nourishment and inlet management efforts to result in cost savings through reduced mobilization and elimination of duplicative administrative tasks. Many times a single

local sponsor (County) will coordinate these consolidated activities through funding agreements with local partners (Municipalities). Project Ranking Procedures should be updated to enhance funding opportunities for regionalized projects by eliminating the requirement for multiple local sponsors.

- Project Ranking Procedures should be revised to recognize efficiencies associated with smaller-scale projects that dramatically reduce mobilization costs, minimize environmental impacts and reduce administrative costs.

## *WATER AND LAND CONSERVATION INITIATIVE: LAND ACQUISITION TRUST FUND*

***Background:*** Palm Beach County and its municipalities manage approximately 48,570 acres of conservation and preserve lands within its Natural Areas and Park properties. Statewide, local governments manage about 10% of the government owned lands. Funding management activities on these lands is an on-going financial commitment, particularly in South Florida where the subtropical climate allows exotic plan and animal species to thrive and necessitate continual treatment to maintain natural areas in their natural condition. The Florida Local Environmental Resource Agencies' (FLERA) land conservation committee has adopted a plan that calls for 10% of LATF funds targeted for land management or restoration activities being allocated to local governments. The 10% figure is linked to the fact that local governments currently manage about 10% of the lands conserved in the State. A suggested method of allocating that 10% funding would be based on the acreages of conservation lands reported and tracked by the Florida Natural Areas Inventory for each County. Each County's share would be based on their per acre share of the available funding.

***Recommendation:*** The County **SUPPORTS** setting aside 10% of the available funds from the Land Acquisition Trust Fund that are appropriated for the management of natural lands for the management and maintenance of local government natural lands and adoption of the allocation method based on per acre shares of the available funding.

The County additionally **SUPPORTS** additional funding from the Land Acquisition Trust Fund for beach restoration, Everglades Restoration, efforts to benefit Lake Okeechobee, the Lake Worth Lagoon, the Loxahatchee River, alternative water supply, and regional multi-faceted projects that benefit the environment and inhabitants of Palm Beach County, including the C-51 Reservoir Project, as well as the inclusion of the Loxahatchee River and Lake Worth Lagoon in legislation establishing dedicated funding for Everglades Restoration, including those local projects under consideration and development as locally preferred projects.

Additionally, the County **SUPPORTS** legislation expanding the approved uses of funding under the Florida Communities Trust (Chapter 380, F.S.) to address climate change, land management and coastal resiliency projects, as well as the expansion of funding appropriated for land acquisition under the FCT.

## *PETROLEUM STORAGE TANK COMPLIANCE LOCAL PROGRAM FUNDING*

***Background:*** Since 1988, PBC has contracted with the Florida Dept. of Environmental Protection (FDEP) to administer the Petroleum Storage Tank Compliance Verification Program. During 2012, FDEP moved towards a regional approach with the program and this resulted in PBC expanding its program

duties into Martin and St. Lucie Counties. The current budget for FDEP's compliance program is $5,900,000, a 41% budget reduction since FY 2010-11. The budget reductions have resulted in a dramatic decrease in the number of facilities being inspected annually. The rationale behind this reduction was that all petroleum storage tank systems are now double walled and less likely to leak, therefore requiring less frequent inspections. The reality is:

• Double-walled petroleum storage tank systems statewide are nearly 20 years old.

• Historical inspection records show that as tank systems age, equipment failures and maintenance issues occur more frequently. These issues are only discovered by regular site inspections.

• Reduced inspection frequencies has decreased compliance rates and increased the chances for petroleum discharges as equipment failures and maintenance issues persist for longer periods before being discovered by inspectors.

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

| COUNTY | # OF REGULATED FACILITIES TO MANAGE | # OF TANKS TO INSPECT |
|---|---|---|
| PALM BEACH | 1377 | 2898 |
| ST. LUCIE | 358 | 825 |
| MARTIN | 229 | 484 |
| **TOTAL** | **1964** | **4207** |

## MAINTAIN FUNDING FOR THE STATE PETROLEUM CLEANUP PROGRAM

***Background:*** Palm Beach County's local petroleum cleanup program provides supervision of state contractors conducting assessment and remediation of petroleum contamination within the County. The Program also provides enforcement and oversight for non-eligible contamination cleanups. Contamination cleanups are overseen by an experienced local program staff with the ability to maintain on-site observation and supervision of the many phases of the cleanup process essential to conducting contamination cleanups in a timely and cost-effective manner. The cleanup process encourages development of impacted properties and protects local drinking water supplies.

***Recommendation:***

The state's Petroleum Restoration Program was encouraged during the 2016 Legislative session to use contracted services to improve the efficiency and productivity of the Petroleum Restoration Program. To ensure the continued success of the mandated programmatic changes, the established Palm Beach County local program should be designated the primary petroleum cleanup contracted service.

| Petroleum Cleanup Sites Administered by Palm Beach County per FDEP Task Assignment Year | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Sites | 171 | 186 | 174 | 171 | 150 | 129 | 178 | 241 |
| Fiscal Year | 2009/10 | 2010/12 | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 |

## ***RENEWABLE ENERGY/SOUTH FLORIDA CLIMATE CHANGE COMPACT***

### Background

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

The County is committed to supporting the Principles and Priorities established by the Compact and has identified its top priorities from the Compact Program as:

**SUPPORT** Land Acquisition Trust Fund funding for regional priorities, including living shorelines, beaches, coastal and coral reef protection, preservation of native habitat areas, and maintenance of existing conservation lands.

**SUPPORT** legislation altering the funding criteria for beach renourishment projects to include shoreline protection measures beyond placement of sand, including dune projects.

### **The *Southeast Florida Regional Climate Change Compact Counties 2017 State Energy and Climate Legislative Priorities* are:**

OPPOSE any changes that would weaken existing net metering policies, which allow customers to receive retail-rate credits for any excess energy produced by their on-site renewable energy devices and returned to the grid.

SUPPORT legislation and funding for a matching fund program for local government flood risk reduction projects resulting from Adaptation Action Area designations or the risk reduction policies and actions

included in the coastal elements of comprehensive plans pursuant to Chapter 2015-69, and legislation to add flood mitigation to the list of eligible uses of Florida Communities Trust funding.

OPPOSE preemption of local environmental regulations, including those pertaining to extreme well stimulation techniques and oil/gas exploration and extraction.

SUPPORT legislation to implement Amendment 4, "Solar Devices or Renewable Energy Source Devices; Exemption from Certain Taxation and Assessment."

SUPPORT legislation to authorize third-party sales of electricity in Florida.

SUPPORT Land Acquisition Trust Fund funding for regional priorities, including living shorelines, beaches, coastal and coral reef protection, preservation of native habitat areas, and maintenance of existing conservation lands.

SUPPORT legislation altering the funding criteria for beach renourishment projects to include shoreline protection measures beyond placement of sand, including dune projects.

SUPPORT legislation requiring assessment and evaluation of state agency efforts to address sea level rise and other weather impacts.

SUPPORT incentives for electric vehicle charging infrastructure and electric vehicle purchases by businesses and individuals.

## *Flexibility in Mitigation Credit Generation*

The County **SUPPORTS** efforts to create flexibility in the ability of businesses to obtain mitigation credits for the impacts of proposed projects when those projects are economic drivers for a local economy and will result in a certain level of job creation within the area.

## *Expansion of Reclaimed Water*

As part of the Florida Department of Environmental Protection's Reclaimed Water Work Group, The Utility Council of the Florida Water Environment Association (FWEAUC), of which the County is a member, has proposed legislation that will encourage the continued expansion of the efficient utilization of reclaimed water. The proposed language creates flexibility in the utilization of impact offsets and substitution credits created through the development of reclaimed water projects, provides clarification regarding feasibility analyses regarding the utilization of reclaimed water by permittees, creates a study group to investigate the feasibility of reclaimed water by agricultural stakeholders, and other provisions encouraging the effective utilization of reclaimed water.

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

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

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

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

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

The County **SUPPORTS** restoring previous alternative water supply and reclaimed water/reuse funding through existing mechanisms and the creation of new statewide funding programs to provide substantial and perennial funding to:

• Enhance regional and local water resource and supply capacity development

• Provide adequate and reliable long-term funding for water and wastewater infrastructure

• Provide funding for alternative water supply development

• Provide funding for water quality protection and treatment of impaired waters

• Establish a system for prioritizing water resource projects to ensure that funding is utilized in the most efficient manner available

## *UTILITY WORKER SAFETY*

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

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

## *REGULATORY FLEXIBILITY*

The County **SUPPORTS** legislation that increases regulatory flexibility in permitting and promoting cost effective solutions to deal with compliance priorities. The County specifically **SUPPORTS** legislation that amends or eliminates statutory provisions that duplicate requirements or causes of action already provided for in statute or rule, or that clarifies the sovereign immunity of local governments in the provision of necessary public services.

## *FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM*

The Florida Department of Environmental Protection administers the Florida Recreation Development Assistance Program (FRDAP). This program is a competitive grant program that provides financial assistance through grants to local governments for the acquisition and development of land for public outdoor recreation purposes. This grant program has two funding thresholds, the Large Project Fund provides grants of up to $200,000, and the Small Project Fund provides grants of up to $50,000. In 2016/2017, the Legislature appropriated $10,400,000 in funding with proviso language that $3,000,000 was to be dedicated to projects that provide opportunities to individuals with disabilities, $7,000,000 was to be dedicated to fund the Small Project Development List and the remaining funds were to be dedicated to fund four large development projects, none located in Palm Beach County. In 2015/2016, the Legislature approved $5,491,500 in funding with proviso language that the funds were to be dedicated to the Small Development Project list containing projects under $50,000. In 2014/2015 the state approved $2,479,820 in funding with proviso language that all the money was to fund municipal projects of $50,000 or less. In 2013/2014 the state provided only $642,000 in funding and FRDAP was not funded during the 2012 Legislative Session. For FY 2010-2011, total statewide funding for FRDAP was

$300,000 and the Village of Royal Palm Beach received $200,000 for their Village Commons Park, one of only two applications funded statewide. In FY 2008-2009, funding was $24 million and funded 212 projects in 54 counties/cities. Palm Beach County Parks and Recreation submitted two FRDAP applications last year for Large Development projects and while both projects scored well they were not funded.

The County **SUPPORTS** restoring FRDAP funding to levels that fund at least the top twenty projects in the Large Project Development list, including two large development project that have been submitted:

- John Prince Memorial Park Mound Circle Area Phase 1: Project elements include a new five pen dog park, pathways and renovations to the existing cricket field. The project also includes additional support facilities such as lighting, expanded parking and new landscaping.

- Okeeheelee Park South Boating Center: Project elements include a new non-motorized boat launching facility, car/trailer parking, restroom and associated underground infrastructure.