

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members

AGENDA ITEM 12

From: Staff

Date: February 19, 2016 Council Meeting

Subject: Resolution of Support for Proposed House Bill 989 and Senate Bill 1168

Introduction

Representative Gayle Harrell and Senator Joe Negrón are sponsoring identical bills related to implementation of the Water and Land Conservation Constitutional Amendment (Amendment 1). The bills essentially require that, at a minimum, the lesser of 25 percent or \$200 million of Amendment 1 monies collected annually shall be allocated for Everglades restoration projects that implement the Comprehensive Everglades Restoration Plan. Preference is to be given to those restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries (Attachment 1).

Council's top 2016 legislative priorities are **Restore the Everglades and Eliminate Harmful Freshwater Discharges into the St. Lucie River Estuary and Indian River and Lake Worth Lagoons**. Both of these bills do a nice job of supporting these priorities.

Background and Analysis

The Everglades, Lake Okeechobee, Indian River and Lake Worth lagoons and the St. Lucie River Estuary are imperiled ecosystems and critical to the economy and quality of life in the Treasure Coast Region and all of Southeast Florida. Last year Council's Gubernatorial Committee developed its 2016 legislative priorities document in support of restoring these ecosystems, which Council approved at its December 11, 2015 meeting (Attachment 2). Besides the two priorities outlined above, it also identified ten initiatives or actions the legislature could take in support of these priorities. The top three legislative actions in order are:

- significantly increasing the long-term use of Land Acquisition Trust Fund (Amendment 1) monies for Everglades restoration, including bonding these monies;
- restoring historic flows south to Everglades National Park; and
- creating significant additional storage in the Caloosahatchee and St. Lucie River/Indian River Lagoon Estuary basins.

With the exception of requesting authority to bond Amendment 1 monies, both House Bill 989 and Senate Bill 1168 strongly support Council's 2016 legislative priorities and should result in

the supporting actions outlined above. Resolution 16-01 is provided for Council adoption in support of House Bill 989 and Senate Bill 1168 (Attachment 3).

Recommendation

Council should adopt Resolution 16-01 and authorize its transmittal to the Florida Legislature and Governor.

Attachments

ATTACHMENT 1

F L O R I D A H O U S E O F R E P R E S E N T A T I V E S

HB 989

CORRECTED COPY

2016

1                                   A bill to be entitled  
2           An act relating to implementation of the water and  
3           land conservation constitutional amendment; amending  
4           s. 375.041, F.S.; requiring a minimum specified  
5           percentage of funds within the Land Acquisition Trust  
6           Fund to be appropriated for Everglades restoration  
7           projects; providing a preference in the use of funds  
8           to certain projects that reduce discharges to the St.  
9           Lucie and Caloosahatchee estuaries; providing an  
10          effective date.

11  
12   Be It Enacted by the Legislature of the State of Florida:

13  
14           Section 1. Subsection (3) of section 375.041, Florida  
15   Statutes, is amended to read:

16           375.041 Land Acquisition Trust Fund.—

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

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

25           (b) Of the funds remaining after the payments required  
26   under paragraph (a) but before funds may be appropriated or

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HB 989

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2016

27 dedicated for other uses, a minimum of the lesser of 25 percent  
 28 or \$200 million shall be appropriated annually for Everglades  
 29 projects that implement the Comprehensive Everglades Restoration  
 30 Plan as set forth in s. 373.470, including the Central  
 31 Everglades Planning Project subject to congressional  
 32 authorization; the Long-Term Plan as defined in s. 373.4592(2);  
 33 and the Northern Everglades and Estuaries Protection Program as  
 34 set forth in s. 373.4595. From these funds, \$32 million shall be  
 35 distributed each fiscal year through the 2023-2024 fiscal year  
 36 to the South Florida Water Management District for the Long-Term  
 37 Plan as defined in s. 373.4592(2). After deducting the \$32  
 38 million distributed under this paragraph, from the funds  
 39 remaining, a minimum of the lesser of 76.5 percent or \$100  
 40 million shall be appropriated each fiscal year through the 2025-  
 41 2026 fiscal year for the planning, design, engineering, and  
 42 construction of the Comprehensive Everglades Restoration Plan as  
 43 set forth in s. 373.470, including the Central Everglades  
 44 Planning Project subject to congressional authorization. The  
 45 Department of Environmental Protection and the South Florida  
 46 Water Management District shall give preference to those  
 47 Everglades restoration projects that reduce harmful discharges  
 48 of water from Lake Okeechobee to the St. Lucie or Caloosahatchee  
 49 estuaries in a timely manner ~~Then, to pay the debt service on~~  
 50 ~~bonds issued before February 1, 2009, by the South Florida Water~~  
 51 ~~Management District and the St. Johns River Water Management~~  
 52 ~~District, which are secured by revenues provided pursuant to~~

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HB 989

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2016

53 ~~former s. 373.59, Florida Statutes 2014, or which are necessary~~  
54 ~~to fund debt service reserve funds, rebate obligations, or other~~  
55 ~~amounts payable with respect to such bonds. This paragraph~~  
56 ~~expires July 1, 2016; and~~

57 ~~(e) Then, to distribute \$32 million each fiscal year to~~  
58 ~~the South Florida Water Management District for the Long-Term~~  
59 ~~Plan as defined in s. 373.4592(2). This paragraph expires July~~  
60 ~~1, 2024.~~

61 Section 2. This act shall take effect July 1, 2016.

By Senators Negron and Benacquisto

32-01093B-16

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2           An act relating to implementation of the water and  
3           land conservation constitutional amendment; amending  
4           s. 375.041, F.S.; requiring a minimum specified  
5           percentage of funds within the Land Acquisition Trust  
6           Fund to be appropriated for Everglades restoration  
7           projects; providing a preference in the use of funds  
8           to certain projects that reduce harmful discharges to  
9           the St. Lucie Estuary and the Caloosahatchee Estuary;  
10          providing an effective date.

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14           Section 1. Subsection (3) of section 375.041, Florida  
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23   and other amounts due with respect to Everglades restoration  
24   bonds issued under s. 215.619; and

25           (b) Of the funds remaining after the payments required  
26   under paragraph (a) but before funds may be appropriated or  
27   dedicated for other uses, a minimum of the lesser of 25 percent  
28   or \$200 million shall be appropriated annually for Everglades  
29   projects that implement the Comprehensive Everglades Restoration  
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31   Everglades Planning Project subject to congressional  
32   authorization; the Long-Term Plan as defined in s. 373.4592(2);

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20161168

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43 set forth in s. 373.470, including the Central Everglades  
44 Planning Project subject to congressional authorization. The  
45 Department of Environmental Protection and the South Florida  
46 Water Management District shall give preference to those  
47 Everglades restoration projects that reduce harmful discharges  
48 of water from Lake Okeechobee to the St. Lucie or Caloosahatchee  
49 estuaries in a timely manner ~~Then, to pay the debt service on~~  
50 ~~bonds issued before February 1, 2009, by the South Florida Water~~  
51 ~~Management District and the St. Johns River Water Management~~  
52 ~~District, which are secured by revenues provided pursuant to~~  
53 ~~former s. 373.59, Florida Statutes 2014, or which are necessary~~  
54 ~~to fund debt service reserve funds, rebate obligations, or other~~  
55 ~~amounts payable with respect to such bonds. This paragraph~~  
56 ~~expires July 1, 2016, and~~

57 ~~(e) Then, to distribute \$32 million each fiscal year to the~~  
58 ~~South Florida Water Management District for the Long-Term Plan~~  
59 ~~as defined in s. 373.4592(2). This paragraph expires July 1,~~  
60 ~~2024.~~

61 Section 2. This act shall take effect July 1, 2016.

# 2016 Legislative Priorities

## Restore the Everglades and Eliminate Harmful Freshwater Discharges into the St. Lucie River Estuary and Indian River and Lake Worth Lagoons



### Legislative Initiatives in Support of these Priorities Include:

- significantly increasing the long-term use of Land Acquisition Trust Fund (Amendment 1) monies for Everglades restoration, including bonding these monies;
- restoring historic flows south to Everglades National Park;
- creating significant additional storage in the Caloosahatchee and St. Lucie River/Indian River Lagoon Estuary basins;
- establishing water management system interconnections between the St. Johns River Water Management District and South Florida Water Management District beneficial to Everglades and regional estuary restoration, and protection of the Region's drinking water supply;
- creating significant additional storage in the Northern and Southern Everglades;
- adequately funding local government efforts to comply with Total Maximum Daily Load regulations and targets contained in the Florida Department of Environmental Protection Basin Management Action Plans;
- supporting local and regional efforts to increase water storage, aquifer recharge and the health and longevity of the Region's ground and surface fresh water supply;
- better managing Lake Okeechobee and improving the Herbert Hoover Dike;
- increasing freshwater flows to the Northwest Fork of the Loxahatchee River; and
- increase funding for and reduce the cost of converting coastal septic systems to central sewer systems and provide incentives for property owners and local governments to encourage conversions.

#### FOR ADDITIONAL INFORMATION:

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**ATTACHMENT 3**

**RESOLUTION #16-01**

**A RESOLUTION OF THE TREASURE COAST REGIONAL PLANNING COUNCIL REPRESENTING THE 54 LOCAL GOVERNMENTS OF INDIAN RIVER, MARTIN, PALM BEACH, AND ST. LUCIE COUNTIES, FLORIDA SUPPORTING HOUSE BILL 989 AND SENATE BILL 1168 FOR EVERGLADES RESTORATION AND REDUCING HARMFUL FRESHWATER DISCHARGES TO THE ST. LUCIE AND CALOOSAHATCHEE RIVER ESTUARIES AND THE INDIAN RIVER AND LAKE WORTH LAGOONS**

**WHEREAS**, the Everglades, Lake Okeechobee, St. Lucie and Caloosahatchee River estuaries, and Indian River and Lake Worth lagoons are imperiled ecosystems and waters of the state; and

**WHEREAS**, the health of these ecosystems are critical to the economy and quality of life of the Treasure Coast Region and all of southern Florida; and

**WHEREAS**, House Bill 989 and Senate Bill 1168 should result in actions to restore the long-term health and ecological and economic productivity of these ecosystems of statewide and national importance; and

**WHEREAS**, House Bill 989 and Senate Bill 1168 are in support of and consistent with the Treasure Coast Regional Planning Council's 2016 legislative priorities.

**NOW, THEREFORE, BE IT RESOLVED THAT TREASURE COAST REGIONAL PLANNING COUNCIL FULLY SUPPORTS HOUSE BILL 989 AND SENATE BILL 1168 TO RESTORE THE EVERGLADES ECOSYSTEM AND ELIMINATE HARMFUL FRESHWATER DISCHARGES TO THE ST. LUCIE AND CALOOSAHATCHEE RIVER ESTUARIES AND THE INDIAN RIVER AND LAKE WORTH LAGOONS.**

**DULY ADOPTED** by the Treasure Coast Regional Planning Council this 19th day of February 2016.

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Michael Davis  
Chairman

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Michael J. Busha  
Executive Director