

PALM BEACH COUNTY

**2022 STATE
LEGISLATIVE AGENDA**

**ENVIRONMENTAL AND
NATURAL RESOURCES ISSUES**

Board of County Commissioners

Dave Kerner, Mayor
Robert S. Weinroth, Vice Mayor
Maria G. Marino
Gregg K. Weiss
Maria Sachs
Melissa McKinlay
Mack Bernard

Verdenia C. Baker,
County Administrator



Palm Beach County Board of County Commissioners



DAVE KERNER
MAYOR
DISTRICT 3
561/355-2203

DKERNER@pbcgov.org



ROBERT WEINROTH
VICE MAYOR
DISTRICT 4
561/355-2204

RWEINROTH@pbcgov.org



MARIA G. MARINO
DISTRICT 1
561/355-2201

MMARINO@pbcgov.org



GREGG K. WEISS
DISTRICT 2
561/355-2202

GWEISS@pbcgov.org



MARIA SACHS
DISTRICT 5
561/355-2205

MSACHS@pbcgov.org



MELISSA MCKINLAY
DISTRICT 6
561/355-2206

MMCKINLAY@pbcgov.org



MACK BERNARD
DISTRICT 7
561/355-2207

MBERNARD@pbcgov.org

2022 STATE LEGISLATIVE ISSUES

LAKE OKEECHOBEE OPERATIONS.....	4
COMPREHENSIVE EVERGLADES RESTORATION PLAN PROJECTS IN PALM BEACH COUNTY	4
LAKE OKEECHOBEE WATERSHED RESTORATION	4
LOXAHATCHEE RIVER WATERSHED RESTORATION.....	4
GLADES REGION INFRASTRUCTURE IMPROVEMENT PROGRAM: \$3 MILLION.....	5
BEACH AND INLET MANAGEMENT PROJECT APPROPRIATIONS: \$6.8 million	6
LOXAHATCHEE RIVER PRESERVATION INITIATIVE.....	6
LAKE WORTH LAGOON INITIATIVE.....	7
LAKE OKEECHOBEE RESTORATION: \$1.6 MILLION.....	8
PHASE II OF THE J.W. CORBETT LEVEE SYSTEM IMPROVEMENT PROJECT	8
MOSQUITO BORNE DISEASE FUNDING.....	9
DEPARTMENT OF ENVIRONMENTAL PROTECTION - LAND MANAGEMENT.....	9
PROGRAMS AND PROJECTS TO IMPROVE WATER QUALITY.....	10
SEPTIC TO SEWER CONVERSION	10
PROGRAMS AND PROJECTS TO SUPPORT CORAL REEF PROTECTION.....	10
PETROLEUM STORAGE TANK COMPLIANCE LOCAL PROGRAM FUNDING	10
MAINTAIN FUNDING FOR THE STATE PETROLEUM CLEANUP PROGRAM	11
RESILIENCE/SOUTH FLORIDA CLIMATE CHANGE COMPACT.....	11
MODIFICATION OF THE STATEWIDE RECYCLING GOAL	12
EXPANSION OF RECLAIMED WATER	12
ALTERNATIVE WATER SUPPLY, WATER RESOURCE DEVELOPMENT AND INFRASTRUCTURE FUNDING.....	13
UTILITY WORKER SAFETY AND EMERGENCY RESPONDER STATUS.....	13
DERELICT VESSEL REMOVAL.....	14
FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM	14
CENTRAL COUNTY INFRASTRUCTURE FUNDING.....	14

LAKE OKEECHOBEE OPERATIONS

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

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

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

COMPREHENSIVE EVERGLADES RESTORATION PLAN PROJECTS IN PALM BEACH COUNTY

Palm Beach County has supported and continues to support state and federal efforts to implement the Comprehensive Everglades Restoration Plan (CERP). In fact, seven of the 68 CERP components authorized by Congress in 2000 were to be constructed within Palm Beach County. Like much of CERP, components or projects planned within the County were intended to achieve multiple objectives, including maintaining flood protection, enhancing water supply, improving water quality, and restoring ecosystems. Unfortunately, more than 20 years after Congressional authorization of CERP, no CERP projects have been completed within Palm Beach County. Not surprisingly, many local stakeholders are frustrated with the pace of CERP project implementation within the County, as the anticipated benefits have not been realized and the project timelines remain unclear. In addition, the 2020 Working Draft Integrated Delivery Schedule (IDS), the roadmap for CERP and the South Florida Ecosystem Restoration Program through Fiscal Year 2032, only includes one of the seven CERP components, which is the Loxahatchee River Watershed Restoration Project. The implementation timeline for the remaining six components are not included on the IDS.

Palm Beach County **SUPPORTS** efforts by the State of Florida, SFWMD, USACE, and FDEP to advance both interim and long-term projects within Palm Beach County that provide benefits to the Lake Worth Lagoon estuary, reduce potential flood damages, and increase the availability of water supplies, similar to the benefits that were originally envisioned to be accomplished by the CERP projects planned for Palm Beach County that were approved by Congress in 2000.

LAKE OKEECHOBEE WATERSHED RESTORATION

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

Palm Beach County **SUPPORTS** a renewed focus on the implementation of regional-scale and local-scale water storage and water quality treatment projects in Lake Okeechobee tributary basins north of Lake Okeechobee consistent with and/or compatible with CERP prior to Congressional authorization and appropriation of the Lake Okeechobee Watershed Restoration Project.

LOXAHATCHEE RIVER WATERSHED RESTORATION

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

Joint state and federal planning efforts related to the Loxahatchee River Watershed Restoration Project began in 2003 (then referred to as North Palm Beach County - Part 1), were put on hold in 2011 and re-started in 2015, with a much reduced project scope. County staff have been engaged in every iteration of Loxahatchee River Watershed Restoration project including when it was identified as the North Palm Beach County Project. Palm Beach County has acquired and restored almost 28,000 acres of natural areas and wetlands within the Loxahatchee River watershed for the benefit of the ecosystem.

Unfortunately, there are many project elements and benefits that were envisioned in CERP, approved by Congress in 2000, that are not included in the Loxahatchee River Watershed Restoration Project, most notably storage features to reduce damaging discharges of excess freshwater to the Lake Worth Lagoon estuary and provide a source of freshwater to enable beneficial dry season deliveries to improve salinity conditions in the Lake Worth Lagoon estuary.

During the 2021 Legislative session, Palm Beach County was successful in securing \$48 million to assist in the construction of Phase 2 of the C-51 project and should seek additional appropriations to continue those efforts to benefit the Loxahatchee River Watershed.

Palm Beach County **SUPPORTS** efforts by the Florida Department of Environmental Protection and the South Florida Water Management District to collaborate with the U.S. Army Corps of Engineers, the County and other key local stakeholders to implement elements of the Loxahatchee River Watershed Restoration Project in advance of Congressional appropriations that are supported by County and local stakeholders in an effort to achieve early restoration benefits and to reduce additional ecological impacts to the Loxahatchee River Watershed.

GLADES REGION INFRASTRUCTURE IMPROVEMENT PROGRAM: \$3 MILLION

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

2022 Glades Region Infrastructure Improvement Program FUNDING REQUEST		
Project Name	Estimated Project Cost	Requested State Allocation
Glades Region Infrastructure Improvement Program	\$30,000,000	\$3,000,000

BEACH AND INLET MANAGEMENT PROJECT APPROPRIATIONS: \$6,868,680

Florida’s beaches are the focus of our tourism industry and are critical in maintaining Florida’s tourism brand. Their role in providing upland property protection against storm damage makes them key components of our economy. The benefits to property values, tourism, and jobs by maintaining healthy beaches far outweigh the investment needed to combat coastal erosion. 70% of beaches in Palm Beach County are designated as critically eroded by the Florida Department of Environmental Protection. State matching grants are a vital component of the funding required to maintain this essential infrastructure. The County is requesting inclusion of the following Palm Beach County shore protection projects in the State’s Beach Management Funding Assistance Program:

2022 Session Beach & Inlet Management FUNDING REQUESTS					
No.	Project Name	Description	Grant Funding Request	Local Match	Estimated Project Cost
1	Coral Cove Dune Restoration	Design, Construction, Monitoring	\$655,000	\$655,000	\$1,310,000
2	Jupiter Inlet Management	Design, Construction, Monitoring	\$476,468	\$476,468	\$952,936
3	North County Comprehensive Shore Protection Project – Segment 2	Construction	\$837,643	\$837,643	\$2,058,000*
4	Lake Worth Inlet Management	Monitoring	\$342,000	\$324,000	\$684,000
5	Mid-Town Beach Nourishment	Design	\$148,444	\$214,056	\$362,500
6	Phipps Ocean Park Beach Nourishment	Design	\$141,375	\$221,125	\$362,500
7	South Lake Worth Inlet Management	Design, Construction, Monitoring	\$3,463,750	\$1,201,250	\$4,665,000
8	Delray Beach Nourishment	Monitoring	\$94,500	\$94,500	\$189,000
9	North Boca Raton Shore Protection Project	Monitoring	\$45,950	\$45,950	\$91,900
10	Boca Raton Inlet Management	Design, Construction, Monitoring	\$663,550	\$663,550	\$1,327,100
	TOTAL		\$6,868,680	\$4,733,542	\$12,002,936*

*includes Federal funds

LOXAHATCHEE RIVER PRESERVATION INITIATIVE

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

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

Palm Beach County **SUPPORTS** legislative funding for the 2022 priority list of ranked projects as established by the steering committee of the LRPI.

2022 Loxahatchee River Preservation Initiative FUNDING REQUESTS					
No.	Project Name	Entity	Grant Funding Request	Local Match	Estimated Project Cost
1	Cypress Creek Floodplain Restoration Project	Martin County	\$ 750,000	\$ 750,000	\$ 1.5 million
2	Pennock Point Industrial Park Stormwater Improvements	Town of Jupiter	\$ 150,000	\$ 514,473	\$ 664,473
3	Loxahatchee River Mile 6 Gap Closure and Oxbow Maintenance	Jupiter Inlet District	\$ 377,500	\$ 377,500	\$ 755,000
4a	Environmental Education Facilities at the JILONA	Loxahatchee River Environmental Control District	\$ 320,000	\$ 350,000	\$ 670,000
4b	Sims Creek Preserve Hydrologic and Environmental Restoration	Town of Jupiter	\$ 100,000	\$ 296,558	\$ 396,558
6	Bush Road Stormwater Improvements	Town of Jupiter	\$ 94,500	\$ 109,500	\$ 204,000
7a	Loxahatchee River Battlefield Park Culvert Replacement	Palm Beach County Parks	\$125,000	\$ 125,000	\$ 250,000
7b	Canal C Storage Project	SIRWCD	\$ 312,500	\$ 312,500	\$ 625,000
9	Unit 3 Water Control Structure	Hobe – St. Lucie Conservancy Water Control District	\$ 40,000	\$ 40,000	\$ 80,000
TOTAL			\$ 2,269,500	\$ 2,875,531	\$ 5,145,031

LAKE WORTH LAGOON INITIATIVE

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

2022 Lake Worth Lagoon Initiative FUNDING REQUESTS					
No.	Project Name	Entity	Grant Funding Request	Local Match	Estimated Project Cost
1	18 th Avenue North & Wellesley Drive Lagoon Enhancement	City of Lake Worth Beach	\$ 250,000	\$ 250,000	\$ 500,000
2	Bonefish Cove Environmental Enhancement	Palm Beach County	\$ 500,000	\$ 500,000	\$ 1,000,000
3	Hypoluxo Septic to Sewer Conversion	Town of Hypoluxo	\$ 359,375	\$ 1,078,125	\$ 1,437,500

4a	Lake Clarke Shores West Water Quality Improvement Project	Town of Lake Clarke Shores	\$ 1,700,000	\$ 1,700,000	\$ 3,400,000
4b	Providencia Cay Habitat Restoration Project	Palm Beach County	\$ 500,000	\$ 500,000	\$ 1,000,000
6	Singer Island Submerged Land Acquisition	Palm Beach County	\$ 250,000	\$ 250,000	\$ 500,000
TOTAL			\$ 3,559,375	\$ 4,278,125	\$ 7,837,500

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

Palm Beach County **SUPPORTS** legislative funding for the 2022 priority list of ranked projects as established by the steering committee of the Lake Worth Lagoon Initiative.

LAKE OKEECHOBEE RESTORATION: \$1.6 MILLION

Lake Okeechobee’s sloping shoreline and wetland habitat were forever altered with the construction of the Herbert Hoover Dike and subsequent lake level fluctuations. These system alterations have resulted in habitat losses, water quality degradation, increased turbidity and sedimentation. These changes have impacted the lake’s environmental resources and the economies of the adjacent communities. The U.S. Army Corps of Engineers (USACE) has approved an Integrated Feasibility Report & Environmental Assessment for Pahokee Restoration through the USACE’s Continuing Authorities Program, Section 1135. The report recommends a large-scale project to restore nearshore habitat within the lake by creating islands and wetland habitat. Palm Beach County is the Local Sponsor and requires a local match of 25% or \$3.2 million to match the upcoming 75% federal appropriation of <\$10 million.

2022 Session Lake Okeechobee FUNDING REQUEST			
Project Name	Grant Funding Request	Local Match	Estimated Project Cost
Lake Okeechobee Pahokee Restoration/Habitat Construction, USACE Continuing Authority Program, Section 1135	\$1,600,000	\$1,600,000	\$3,200,000

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

In August 2012, Tropical Storm Isaac brought nearly 15 inches of rain over a 72-hour period in areas of central Palm Beach County, including communities served by the Indian Trail Improvement District (ITID). The South Florida Water Management District (SFWMD) took immediate action to respond to flooding in support of local relief efforts, including taking around-the-clock measures to strengthen the ITID berm that borders the Florida Fish and Wildlife Conservation Commission’s 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 ITID from waters impounded within the J.W. Corbett Wildlife Management Area, which includes adding a levee north of the existing berm. During the 2013 legislative session, \$4 million was appropriated to improve the J.W. Corbett Levee System and help improve water drainage and flow in the region. Approximately \$9.3 million in additional funding is required to complete the second phase of levee construction and provision of flood protection for the surrounding residents and commercial businesses. Palm Beach County was able to secure \$500,000 towards the second phase of the Project during the 2016 Legislative Session. In September 2020, ITID applied to the Florida Department of Economic Opportunity’s Rebuild Florida Mitigation General Infrastructure Program for

approximately \$6.8 million in funding.

Palm Beach County **SUPPORTS** the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission and SFWMD in securing the remaining funding of \$9.3 million to complete Phase II of the Project.

MOSQUITO BORNE DISEASE FUNDING

Heightened concerns regarding emerging tropical mosquito-borne diseases such as Dengue, Malaria and Zika Virus continue to be especially challenging for local government mosquito control programs. While these diseases are routinely introduced from other parts of the world, our locally endemic mosquito borne diseases remain an ever-present threat, which we were reminded of over the past year with the culmination of a 3-year long spike in West Nile Virus (WNV) that brought the County its first human cases in nearly 10 years. Last year's WNV activity included human cases in the eastern regions of Palm Beach County, which indicated an unusual vector species that previously was not considered a significant threat due to its low and seasonal population levels. Across the state evidence is mounting that this vector will continue to escalate in priority, and as a result Palm Beach County will require a comparable escalation in its focus toward habitats it frequents. One result already implemented is an expansion of the Mosquito Control Division's aerial treatment area eastward, bringing the total aerial service area to a half-million acres.

Current staffing levels and the need for additional equipment and chemicals limits the ability of local governments to operate an integrated program as required under Chapter 388, F.S. in protecting the public's health. Although additional state funding in recent years has allowed mosquito control agencies to address short-term needs, an expanded dedicated funding commitment from the state would allow for long-term program planning and ensure the availability of well-trained staff. Additionally, the Florida Department of Agriculture and Consumer Service (FDACS), along with the Florida Department of Health (FDOH), provides invaluable support and coordination between the many mosquito control programs in the State. While COVID-19 was fortunately not a mosquito borne disease, FDACS responded to the lack of training opportunities due to COVID-19 by providing virtual training for Florida mosquito control staff to satisfy licensing requirements.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION - LAND MANAGEMENT

Palm Beach County and its municipalities manage approximately 49,215 acres of conservation and preservation lands within its Natural Areas and Park properties. Statewide, local governments manage about 10% of the government owned lands. Funding management activities on these lands is an on-going financial commitment, particularly in South Florida where the subtropical climate allows exotic plant and animal species to thrive and necessitate continual treatment to maintain natural areas in their natural condition.

Palm Beach County **SUPPORTS** appropriations from the Land Acquisition Trust Fund for projects that benefit both the environment and residents of Palm Beach County. Such projects includes Everglades Restoration, efforts to benefit Lake Okeechobee, Lake Worth Lagoon, the Loxahatchee River, alternative water supply, and other regional multi-faceted projects.

Palm Beach County **SUPPORTS** inclusion of the Loxahatchee River and Lake Worth Lagoon in legislation establishing dedicated funding for Everglades Restoration within the Land Acquisition Trust Fund, including those local projects under consideration and development as locally preferred projects.

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

Palm Beach County will **MONITOR** status of the purchase of Pal-Mar lands under the Florida Forever program, and will seek opportunities to move the project higher on the program's Partnerships & Regional Incentives priority list.

PROGRAMS AND PROJECTS TO IMPROVE WATER QUALITY

Water quality is vital to the ecological and economic health of Palm Beach County. The Florida Department of Environmental Protection is charged with identifying water quality problems and developing and implementing strategies to address those problems. Cyanobacteria, or “blue green algae,” on Lake Okeechobee and connected waterways has recently emerged as a significant issue, resulting in serious impacts to water quality, public health, and economic viability of local businesses. As a result, there is a renewed focus by the State of Florida on reducing excess nutrient inputs to impacted water bodies and priority projects to reduce nutrients are expected to be identified and funded in partnership with local, state, and federal entities.

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

SEPTIC TO SEWER CONVERSION

Palm Beach County **SUPPORTS** state funding assistance and grants to local governments, wastewater utilities and property owners to assist in implementing and expediting septic to sewer conversion projects to mitigate the impacts of excess nutrients on water bodies.

PROGRAMS AND PROJECTS TO SUPPORT CORAL REEF PROTECTION

In 2014, a coral disease outbreak of unknown origin was found offshore of Miami-Dade County and has continued to spread through the entire Florida Reef Tract. With high rates of disease transmission and rapid mortality impacts, the disease has affected nearly 50 percent of Florida’s reef-building coral species including five listed under the Endangered Species Act. This disease is an increasing threat to fragile ecosystems that support Florida’s fisheries and protect our coasts.

Palm Beach County **OPPOSES** any changes of the statewide turbidity criterion that could compromise critical shore protection efforts along the coastline without a comprehensive scientific understanding of the biological tolerances for coral species of concern.

Palm Beach County **SUPPORTS** funding for scientific studies to determine the biological tolerances of coral species to turbidity as part of an effort to refine the Water Quality Standards to protect sensitive corals and hardbottom communities.

PETROLEUM STORAGE TANK COMPLIANCE LOCAL PROGRAM FUNDING

Since 1988, Palm Beach County has contracted with the Florida Department of Environmental Protection (FDEP) to administer the Petroleum Storage Tank Compliance Verification Program for Palm Beach, Martin, and St. Lucie Counties. During 2012, FDEP reduced the program budget by approximately 35%, which resulted in the facility inspection frequency being reduced to once every 24-30 months instead of 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:

- Many of these double-walled petroleum storage tanks systems have exceeded their warranty life, which makes them more susceptible to failures.
- Historical inspection records show that as tank systems age, equipment failures and maintenance issues occur more frequently. These issues are only discovered by regular site inspections and more comprehensively addressed due to the revised regulations of October, 2018. These revised regulations provided timeframes for testing of equipment and recordkeeping.

- Reduced inspection frequencies greatly increases the chances for petroleum discharges as equipment failures and maintenance issues to persist for longer periods before being discovered by inspectors, as there are facilities that wait until the inspector arrives before conducting maintenance or testing.

Palm Beach County **SUPPORTS** funding for the Division of Waste Management Long Range Plan from the Inland Protection Trust Fund and other potential sources to maintain the current \$6,490,000 budget level to continue local Petroleum Storage Tank Compliance Verification Programs. A funding level that supports annual facility inspections is necessary. 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 cleanup efforts by the property owner.

MAINTAIN FUNDING FOR THE STATE PETROLEUM CLEANUP PROGRAM

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

Palm Beach County **SUPPORTS** funding for the Division of Waste Management Long Range Program Plan from the Inland Protection Trust Fund and other potential sources to maintain the current budget level to continue the restoration of contaminated sites by local Petroleum Restoration Programs (PRP). The Palm Beach County Local Cleanup Program is committed to assisting the PRP strategic direction to continue to assess all remaining discharges.

RESILIENCE/SOUTH FLORIDA CLIMATE CHANGE COMPACT

Southeast Florida is one of the most vulnerable areas in the country to climate change and sea level rise. Recognizing their shared challenges, Palm Beach, Broward, Miami-Dade and Monroe Counties (Compact Counties) adopted the Southeast Florida Regional Climate Change Compact (Compact) in 2010. The Compact includes a commitment to develop and advocate for joint state and federal legislative policies. Accordingly, the Compact Counties have adopted a State Legislative Program each year since 2011. The Compact Counties and other organizations adopting this document recognize that the local impacts of global climate change are among the greatest challenges facing southeast Florida in the present and future. Consequently, adapting to climate impacts, mitigating additional damage by reducing greenhouse gas emissions, and building community and economic resilience are among the highest priorities for action at all levels of government.

Palm Beach County is committed to supporting the Compact’s 2022 State Legislative Priorities and 2022 State Climate, Energy, and Resilience Legislative Principles in their entirety. Current Priorities from the Compact Program are:

SUPPORT refinements to Section 380.093, Florida Statutes (Statewide Flooding and Sea Level Rise Resilience Plan) and related laws to clarify provisions, make provisions more flexible, and improve implementation.

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

SUPPORT legislation to allow regional resilience entities like the Compact to conduct public meetings and workshops by means of communications media technology.

SUPPORT legislation requiring utilities to provide whole-building consumption and billing data to building owners.

SUPPORT policies expanding renewable energy and energy conservation opportunities in Florida, and **OPPOSE** any changes that would eliminate or weaken existing policies.

SUPPORT higher energy, water, and resilience standards for new and existing buildings (including but not limited to energy conservation, renewable energy, drainage, flood elevation, wetproofing, and seawall requirements) to prepare for and lessen the impacts of future climate conditions through legislation, Florida Building Code amendments, and enhanced powers for local governments to enact local building code amendments.

SUPPORT repeal of Section 215.179, Florida Statutes, to restore local governments' ability to benefit financially from the federal Section 179D tax deduction for installation of certain energy efficiency features in government-owned buildings.

MODIFICATION OF THE STATEWIDE RECYCLING GOAL

The Florida Legislature, through the Energy, Climate Change and Economic Security Act of 2008, established a statewide weight-based recycling goal of 75% by 2020. Although the legislation does not directly address a recycling goal beyond 2020, the Florida Department of Environmental Protection (FDEP) has communicated its expectation that counties continue to work toward a 75% recycling goal within the same parameters established in the legislation.

The FDEP's 2020 recycling report shows the state's recycling effort was calculated at 50% (despite the efforts of counties like Palm Beach County that was able to achieve a state-calculated effort of 74%). Changes to collection methods, shifts in recycling markets including regulatory changes in international demand markets, and the use of lighter weight packaging have significantly impaired the ability of counties to meet the statutory weight-based goal.

Prior to the FDEP's direction beyond 2020, the counties worked together for consensus on a proposed 5-part recommendation. This recommendation includes diversion, county and business recycling, and benchmark measurements against their own efforts.

Palm Beach County **SUPPORTS** the development of a new recycling goal that incorporates this input from the counties, as it is the counties that have a statutory obligation to implement and finance such a goal.

Palm Beach County further **SUPPORTS** that the FDEP develop rules and propose legislation that combines both public and private interests and focuses on landfill diversion goals instead of a traditional weight-based or Sustainable Materials Management (SMM) goal or a combination thereof, and includes local grants and incentives to encourage the development of recycling infrastructure, local markets and resident education.

EXPANSION OF RECLAIMED WATER

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

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

ALTERNATIVE WATER SUPPLY, WATER RESOURCE DEVELOPMENT AND INFRASTRUCTURE FUNDING

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

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

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

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

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

UTILITY WORKER SAFETY AND EMERGENCY RESPONDER STATUS

Currently, Florida Statutes provide for the reclassification of the misdemeanor or felony degree of specified assault and battery offenses when those offenses are knowingly committed against law enforcement officers, firefighters, and other specified persons and emergency responders engaged in the lawful performance of their duties. The effect of this reclassification is that the maximum penalty increases. Proposed legislation, as originally filed in previous sessions, would add utility workers (a term defined in the bill) to the list of specified persons and recognize them as first responders in emergency scenarios. Therefore, the felony or misdemeanor degree of certain assault and battery offenses would be reclassified if committed against a utility worker engaged in the lawful performance of his or her duties in the same manner as if those offenses were committed against a law enforcement officer or firefighter engaged in the lawful performance of his or her duties.

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

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

DERELICT VESSEL REMOVAL

County staff has experienced numerous instances of at risk and derelict vessels being abandoned or neglected in areas that restrict navigation, impede public access, and degrade the marine environment in and around recreation areas. While local law enforcement and the Florida Fish and Wildlife Conservation Commission assist in processing these vessels for removal, available state funding to assist with the removal costs has annually been inconsistent.

Palm Beach **SUPPORTS** recurring appropriations to assist local governments in removing derelict vessels that degrade the marine environment and block the use of public shorelines, berthing facilities, docks, ramps and staging areas.

FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM

The Florida Department of Environmental Protection administers the Florida Recreation Development Assistance Program (FRDAP). This program is a competitive grant program that provides financial assistance through grants to local governments for the acquisition and development of land for public outdoor recreation purposes. This grant program has two funding thresholds, the Large Project Fund provides grants of up to \$200,000, and the Small Project Fund provides grants of up to \$50,000. In recent legislative sessions, appropriations have been focused on the Small Project Fund, as well as special projects targeted at access for disabled persons and other specialized issues, with few projects off the Large Project List being funded. Palm Beach County Parks and Recreation submitted one FRDAP application last year for a large development project.

Palm Beach County **SUPPORTS** appropriations that provide for the funding of the FRDAP Large Project Development list, including one County project that has been submitted:

- **Bert Winters Park** – An FY2022 application was submitted requesting \$200,000 for the redevelopment of Bert Winters Park. Proposed amenities include a new playground, picnic facilities, group shelter, waterfront promenade with overlook, parking, landscaping and lighting. The existing picnic facilities, restroom and lighting will also be renovated as part of this project.

CENTRAL COUNTY INFRASTRUCTURE FUNDING

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

Generally, these areas developed without planned drainage systems and were affected by surrounding infrastructure projects such as the Florida Turnpike, the Beeline Highway and the commercial and business interests of U.S. Highway One to the east and Military Trail to the west, which mark the traditional boundary of this area. As they continue to redevelop and create new economic development opportunities, the need to enhance their infrastructure has become a top priority.

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