

PALM BEACH COUNTY

2024 STATE LEGISLATIVE AGENDA

ENVIRONMENTAL AND NATURAL RESOURCES ISSUES

Board of County Commissioners

Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor
Maria G. Marino
Michael A. Barnett
Marci Woodward
Sara Baxter
Mack Bernard

Verdenia C. Baker,
County Administrator



Palm Beach County Board of County Commissioners



GREGG K. WEISS
MAYOR
DISTRICT 2
(561) 355-2202
GWEISS@pbcgov.org



MARIA SACHS
VICE MAYOR
DISTRICT 5
(561) 355-2205
MSACHS@pbcgov.org



MARIA G. MARINO
DISTRICT 1
(561) 355-2201
MMARINO@pbcgov.org



MICHAEL A. BARNETT
DISTRICT 3
(561) 355-2203
MBARNETT@pbcgov.org



MARCI WOODWARD
DISTRICT 4
(561) 355-2204
MWOODWARD@pbcgov.org



SARA BAXTER
DISTRICT 6
(561) 355-2206
SBAXTER@pbcgov.org



MACK BERNARD
DISTRICT 7
(561) 355-2207
MBERNARD@pbcgov.org

2024 STATE LEGISLATIVE ISSUES

LAKE OKEECHOBEE OPERATIONS	4
COMPREHENSIVE EVERGLADES RESTORATION PLAN PROJECTS IN PALM BEACH COUNTY	4
LAKE OKEECHOBEE WATERSHED RESTORATION	5
LOXAHATCHEE RIVER WATERSHED RESTORATION.....	6
LOXAHATCHEE RIVER PRESERVATION INITIATIVE: \$774,543.....	6
LAKE WORTH LAGOON INITIATIVE: \$906,000	7
BEACH AND INLET MANAGEMENT PROJECT APPROPRIATIONS	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
WATER QUALITY IMPROVEMENT PROGRAMS AND PROJECTS.....	10
SEPTIC TO SEWER CONVERSION.....	10
PROGRAMS AND PROJECTS TO SUPPORT CORAL REEF PROTECTION	10
PETROLEUM STORAGE TANK COMPLIANCE LOCAL PROGRAM FUNDING.....	11
MAINTAIN FUNDING FOR THE STATE PETROLEUM CLEANUP PROGRAM.....	11
STATEMENT OF AFFILIATION: SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT	11
MODIFICATION OF THE STATEWIDE RECYCLING GOAL.....	12
EXPANSION OF RECLAIMED WATER.....	12
ALTERNATIVE WATER SUPPLY, WATER RESOURCE DEVELOPMENT & INFRASTRUCTURE FUNDING....	12
UTILITY WORKER SAFETY AND EMERGENCY RESPONDER STATUS.....	13
DERELICT VESSEL / FLOATING STRUCTURE REMOVAL.....	13
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, reliable 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 advocated for an open, transparent and inclusive public process to re-evaluate Lake Okeechobee operations. The U.S. Army Corps of Engineers (USACE) provided more time and information during their development of an Environmental Impact Statement for the Lake Okeechobee System Operating Manual (LOSOM), which will replace the existing emergency schedule [Lake Okeechobee Regulation Schedule 2008 (LORS08)] that was required during the repairs of Herbert Hoover Dike (HHD).

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.

Palm Beach County has both short-term and long-term water supply concerns and concerns with the Lake Okeechobee Discharges to the Lake Worth Lagoon (LWL) Estuary. The following bullets summarize the current concerns.

- The long-term water supply concern is the USACE's lack of commitment to restore the Congressionally Authorized (savings clause) water supply that was available before the lowering of Lake Okeechobee Regulation Schedule for repair of the Herbert Hoover Dike.
- The short-term water supply concern is whether the unconstrained operational flexibility will diminish partially or completely the water supply improvement demonstrated in the modeling and evaluated by the Environmental Impact Statement. While the USACE added Zone D criteria for when release should be moderate to protect water supply, the criteria were added as guidance rather than requirements. The Zone D criteria continues to include text that allows undesirable releases to the Lake Worth Lagoon Estuary if Lake Recovery Operations are implemented.
- The concern for the LWL Estuary is that LOSOM allows release at a rate of up to 300 cfs to the LWL Estuary in Zone D while it prohibits releases to the Saint Lucie Estuary in Zone D. In Zone D, release to the LWL Estuary should only be made when the LWL Estuary is too saline and the water quality in Lake Okeechobee is acceptable.

Also of concern is that hesitance to discharge to the St. Lucie Estuary at all and to the Caloosahatchee Estuary at high rates, which will result in a longer duration of high lake stages (>16 feet NGVD) that, in turn, reduces the L-8 Canal drainage rate into the Lake [which Indian Trail Improvement District (ITID) and Cypress Grove Community Development District (CGCDD) rely on for drainage] and impacts the health of the Lake's littoral zone.

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, eight of the 68 CERP components authorized by Congress in 2000 were to be constructed within Palm Beach County. The following bullets briefly describe the substantive CERP projects that were required to provide the environmental restoration envisioned by the CERP while maintaining the drainage and water supply.

- Component K6 - L-8/Northern Palm Beach County Project (page A4-10) Uses Component GGG (48,000 acre-feet) with 50 mgd of ASR
- Component M6 - Site 1 Impoundment with Aquifer Storage and Recovery (page A4-13) 2,460 acre Six feet deep Reservoir with thirty 5 MGD ASR Wells.

- Component X6 - C-17 Back Pumping (page A4-22) 200 cfs pump station, 550 acre stormwater treatment area, and conveyance improvements to move water to capture, treat and convey water to CWPB GWP.
- Component Y6 - C-51 Back Pumping to West Palm Beach Water Catchment Area (page A4-23). 450 cfs pump station, 600-acre stormwater treatment area, and conveyance improvements to capture, treat and convey water to CWPB GWP.
- Component KK4 - Loxahatchee National Wildlife Refuge Internal Canal Structures (page A4-30). 1,500 cfs step down structure in the L-7 and L-40 borrow canals to Improve timing and location of water depths in the Refuge.
- Component LL6 - C-51 Regional Groundwater Aquifer Storage and Recovery (page A4-31). Thirty four (34) well clusters located along the West Palm Beach Canal (C-51 Canal), each being composed of two (2) surficial aquifer wells and one Upper Floridan aquifer ASR well
- Component VV6 - Palm Beach County Agricultural Reserve Reservoir (page A4-36) 1,660 acre reservoir with a maximum depth of 12 feet (19,920 acre-feet), 500 cfs pump station, thirty (30) five mgd ASR wells (150 mgd)
- Component GGG6 - C-51 and Southern L-8 Reservoir (page A4-47). 1200 acres of usable area with a 100-foot deep, 2-foot thick slurry wall for seepage around its perimeter. The reservoir will have a total storage depth of 40 feet with 10 feet being above ground (48,000 acre-feet).

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 promised protections have not been maintained and 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.

The lack of the regional storage capacity of 48,000 acre-feet that was to be provided by Component GGG6 is substantive, as this storage volume provides detention of water for later water supply use and provided needed drainage for the L-8 Basin. Both the slow implementation and reduction in ASR capacity is a concern. Specifically, the conclusions of 2015 CERP ASR Regional Study Final Report recommend reducing the ASR located around Lake Okeechobee from two hundred 5-mgd wells to eighty 5-MGD wells (60% reductions) without any plan for relocation or compensating reservoirs for the remaining one hundred and twenty 5-MGD.

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.

Palm Beach County appreciates and **SUPPORTS** the continued funding of the C-51 Reservoir to increase water storage and reduce damaging flows to the Lake Worth Lagoon estuary.

LAKE OKEECHOBEE WATERSHED RESTORATION

No estuary or community should have to endure the short-term toxic algae bloom conditions or long-term water quality degradation that has resulted due to the cumulative impacts of decades of excess stormwater flows with high nutrient content. Palm Beach County **SUPPORTS** making adjustments in the timing of releases to reduce the likelihood of Harmful Algal Blooms (HABs) as long as these adjustments do not increase the risk of failure of the Herbert Hoover Dike (HHD) or result in more water being released than what was modeled and evaluated in the National Environmental Policy Act (NEPA) process. When water levels are at or forecast to rise to an elevation that compromises the HHD the USACE should make near maximum releases to lower the Lake quickly and shorten the duration of time when the estuaries are subjected to freshwater flows. It should be remembered that the well intended goal of reducing the impact on salinities in the Saint Lucie and Caloosahatchee Estuaries by changing to much lower release rates in combination with a higher algae level in Lake Okeechobee resulted in the severe growth and accumulation of algae.

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.

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 (NWFLR) 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 (LRWRP) 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, the LRWRP does not include the 48,000 acre-feet of storage (Component GGG6) that was envisioned in CERP, approved by Congress in 2000. This storage component reduced 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 and NWFLR.

During the last three legislative sessions, Palm Beach County secured \$183 million in funding for the design and construction of Cell 12 and Cell 13 of Phase 2 of the project, which will provide 14,000 acre-feet reservoir storage capacity in a critical location. Palm Beach County continues to **SUPPORT** additional appropriations to improve the L-8 Basin, Loxahatchee River Watershed and Lake Worth Lagoon estuary.

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.

LOXAHATCHEE RIVER PRESERVATION INITIATIVE: \$774,543

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 2024 priority list of ranked projects as established by the steering committee of the LRPI.

2024 Loxahatchee River Preservation Initiative FUNDING REQUESTS					
No.	Project Name	Entity	Grant Funding Request of State	Local Match	Estimated Project Cost
1	Daniels Way Water Quality Improvements	Town of Jupiter	\$94,543	\$94,543	\$189,086
2	Eastern Flow Way of Kitching Creek	Martin County	\$ 500,000	\$ 500,000	\$1,000,000
3	Loxahatchee Slough Habitat Restoration Phase II	Palm Beach County	\$180,000	\$180,000	\$360,000
	TOTAL		\$774,543	\$774,543	\$1,549,086

LAKE WORTH LAGOON INITIATIVE: \$906,000

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 subject 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.

2024 Lake Worth Lagoon Initiative FUNDING REQUESTS					
No.	Project Name	Entity	Grant Funding Request of State	Local Match	Estimated Project Cost
1	Lake Worth Lagoon System Assessment	Palm Beach County	\$145,000	\$145,000	\$290,000
2	Marine Debris Removal	Palm Beach County	\$220,000	\$110,000	\$330,000
3	Seagrass Restoration Project Phase II	Palm Beach County	\$541,000	\$541,000	\$1,082,000
	TOTAL		\$906,000	\$796,000	\$1,702,000

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. Through this program, over \$25 million in State funds and \$69 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 2024 priority list of ranked projects as established by the steering committee of the Lake Worth Lagoon Initiative and to implement key components of the adopted Lake Worth Lagoon Management Plan.

BEACH AND INLET MANAGEMENT PROJECT APPROPRIATIONS

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 percent 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:

2024 Session Beach & Inlet Management FUNDING REQUESTS					
No.	Project Name	Description	Grant Funding Request	Local Match	Estimated Project Cost
1	Jupiter Inlet Management	Feasibility, Construction	\$736,859	\$736,860	\$1,473,719
2	Lake Worth Inlet Management	Monitoring	\$354,000	\$354,000	\$708,000
3	Mid-Town Beach Nourishment	Design	\$958,200	\$1,041,800	\$2,000,000
4	Phipps Ocean Park Beach Nourishment	Design	\$771,200	\$1,228,800	\$2,000,000
5	North Boca Raton Shore Protection Project	Design	\$89,950	\$89,950	\$295,000*
6	Central Boca Raton Shore Protection Project	Design	\$61,364	\$83,636	\$145,000
7	South Boca Raton Shore Protection Project	Monitoring	\$96,625	\$153,375	250,000
8	Boca Raton Inlet Management	Construction, Monitoring	\$77,700	\$77,700	\$155,400
	TOTAL		\$3,145,898	\$3,766,121	\$7,027,119*

*includes Federal funds

The USACE has abruptly implemented a new interpretation of policy guidelines for federally authorized shore protection projects that now requires non-federal sponsors to acquire perpetual construction easements (PCE’s) from 100% of the upland owners within a project footprint before construction can proceed. Property owners are reluctant to execute these easement agreements due to overly broad language, no assurance of project construction or maintenance and no termination clause in the event the federal authorization is revoked or lapses. The new interpretation of these policy guidelines effectively terminates federal participation in historically successful, Coastal Storm Risk Management (CSR) and future Flood Control and Coastal Emergency (FCCE) projects. Shore protection through beach nourishment is the most effective and economical strategy to protect coastal infrastructure and the tourism-based economy of the State from regularly occurring extreme weather events. Palm Beach County **SUPPORTS** statewide efforts to ensure future Federal shore protection projects are not stalled or jeopardized by USACE’s new and burdensome requirement for PCE’s.

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

Palm Beach County **SUPPORTS** the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission and SFWMD efforts to complete Phase II of the Project.

MOSQUITO BORNE DISEASE FUNDING

Malaria reappeared in Florida in 2023 after a 20-year absence, giving new urgency to the preventative efforts of mosquito control programs across the state. This reminds us that even during calm periods between our endemic outbreaks of diseases such as West Nile Virus (WNV) and St. Louis Encephalitis (SLE) that the task of protecting residents from mosquito borne disease never stops. Every incidence of imported disease is an opportunity for that disease to gain a foothold in Palm Beach County, and the Mosquito Control Division strives to prevent that from happening through aggressive case investigations and proactive control efforts. Moreover, while nuisance mosquito control efforts lack the direct intention to control mosquito borne disease, the result is to diminish the potential for local mosquitoes to host those diseases. Continuing to embrace new technologies and tools to carry out this important function for the residents of Palm Beach County is crucial to this task.

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 separate state funding in recent years has allowed mosquito control agencies to address short-term needs, a continued 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. FDACS in particular has been outstanding in their efforts to provide training opportunities for mosquito control staff in order to maintain required licensing.

Efforts to build FDACS and Institute of Food and Agricultural Sciences (IFAS) funded research capacity for operational mosquito control in the State have slowly made progress at the Florida Medical Entomology Laboratory (FMEL) in Vero Beach. Since the 2011 closure of the John Mulrennan Sr. Public Health Research and Education Center (PHEREC) in Panama City, the research capacity to investigate chemical and spray equipment innovations remains inadequate to the task of supporting Florida mosquito control programs.

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 environmentally sensitive and other conservation lands within their Natural Area and Park properties. Statewide, local governments manage about 10% of all government-owned lands. The management of these lands requires a significant, on-going financial commitment from local governments. This is especially true in South Florida where the subtropical climate allows exotic plant and animal species to thrive and necessitates continual treatment to maintain Natural Areas and Parks in their natural or restored condition.

Palm Beach County **SUPPORTS** legislation that would help local governments fund vital land management activities within their Natural Area and Park properties. Such legislation may include, but is not limited to, adding land management to the types of activities funded by the Florida Communities Trust (Chapter 380, F.S.).

Palm Beach County **SUPPORTS** appropriations from the Land Acquisition Trust Fund for environmental restoration and land acquisition projects that benefit both the environment and residents of Palm Beach County. Such projects include, but are not limited to, those that: 1) restore, preserve and protect the Everglades and other South Florida ecosystems (Section 373.470, F.S.); 2) restore, preserve and protect the Lake Okeechobee watershed (Section 373.4595, F.S.) , including the "downstream" Lake Worth Lagoon; 3) improve or protect water quality; 4) enhance flood protection; and/or 5) enhance water supplies.

Palm Beach County **SUPPORTS** inclusion of the Loxahatchee River Watershed Restoration Plan (part of the Comprehensive Everglades Restoration Plan, as amended) and Lake Worth Lagoon (a regionally significant estuary) in legislation establishing dedicated funding sources for the Land Acquisition Trust Fund. Applicable legislation may include, but is not limited to, Section 373.470, F. S. (Everglades Restoration); Section 373.4595, F.S. (Northern Everglades and

Estuaries Protection Program); and Subsections 373.4592(2)(j), F.S., and 373.4592(3), F.S. (Long-Term Plan).

Palm Beach County will **MONITOR** the State's efforts to purchase 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.

Palm Beach County **SUPPORTS** the full funding of the Florida Forever Plan positively impacting Florida's environmental sustainability and future generations of Floridians.

WATER QUALITY IMPROVEMENT PROGRAMS AND PROJECTS

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 nutrient inputs to impacted water bodies and priority projects. Methods for reducing 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 programs and projects to address nutrient pollution and harmful algal blooms, that impact the County's lakes, canals, and estuaries. Septic to sewer conversions, improving storm water management systems, and innovative technologies to mitigate or cleanup harmful algal blooms are examples of projects that can 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 and projects to further address water quality impacts.

SEPTIC TO SEWER CONVERSION

There are 51,320 septic residential properties in Palm Beach County, 29,959 of which are within the PBC Water Utility Department service area. Of those 29,959 properties, 12,906 are residential properties less than 1 acre. 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. This disease has since spread through all of Florida's coral reef and to reefs in the Caribbean. 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 along with coral bleaching events that have been occurring annually since 2011 are just a sample of the many threats to our fragile reef ecosystems that support Florida's fisheries and protect our coasts.

Palm Beach County **SUPPORTS** continued efforts and dedicated, recurring funding for the Florida Department of Environmental Protection to protect, restore, and recover Florida's Coral Reef.

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.

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.

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. The October 2018 regulation revisions provided timeframes for testing of equipment and recordkeeping. However, these requirements are not satisfied until the inspector arrives at the site, creating a situation where the facility is out of compliance.
- 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** sufficient funding of the Division of Waste Management Long Range Plan from the Inland Protection Trust Fund and other potential sources to continue local Petroleum Storage Tank Compliance Verification Programs. A funding level that adjusts for inflation and facilitates the return of 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.

STATEMENT OF AFFILIATION: SOUTHEAST FLORIDA REGIONAL 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.

As a member, Palm Beach County **SUPPORTS** the Southeast Florida Regional Climate Change Compact 2024 State Climate, Energy and Resilience Legislative Priorities and Principles unless issues specifically conflict with Palm Beach County’s position.

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 sunsetted legislation.

The FDEP’s 2022 Total Recycling Credits report shows the state’s recycling effort was calculated at 48% (despite the efforts of counties like Palm Beach County that was able to achieve a state-leading calculated effort of 80%). 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.

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

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. 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 2022, \$125 million from the Water Protection and Sustainability TF was provided for the Wastewater Grant Program.

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 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 all 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 / FLOATING STRUCTURE REMOVAL

Palm Beach **SUPPORTS** continued 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. Palm Beach County also **SUPPORTS** statutory language defining and regulating nuisance floating structures as those without a vessel registration number, rudder or steering device and no means of propulsion on its own that can become unmoored during storms causing damage to private property, waterfront businesses, navigational aids and bridge infrastructure.

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 **SUPPORTS** appropriations that provide for the funding of the FRDAP Large Project Development list, in addition to those on the Small Project Fund list.

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. Palm Beach County also **SUPPORTS** funding for water trailways within Central Palm Beach County.