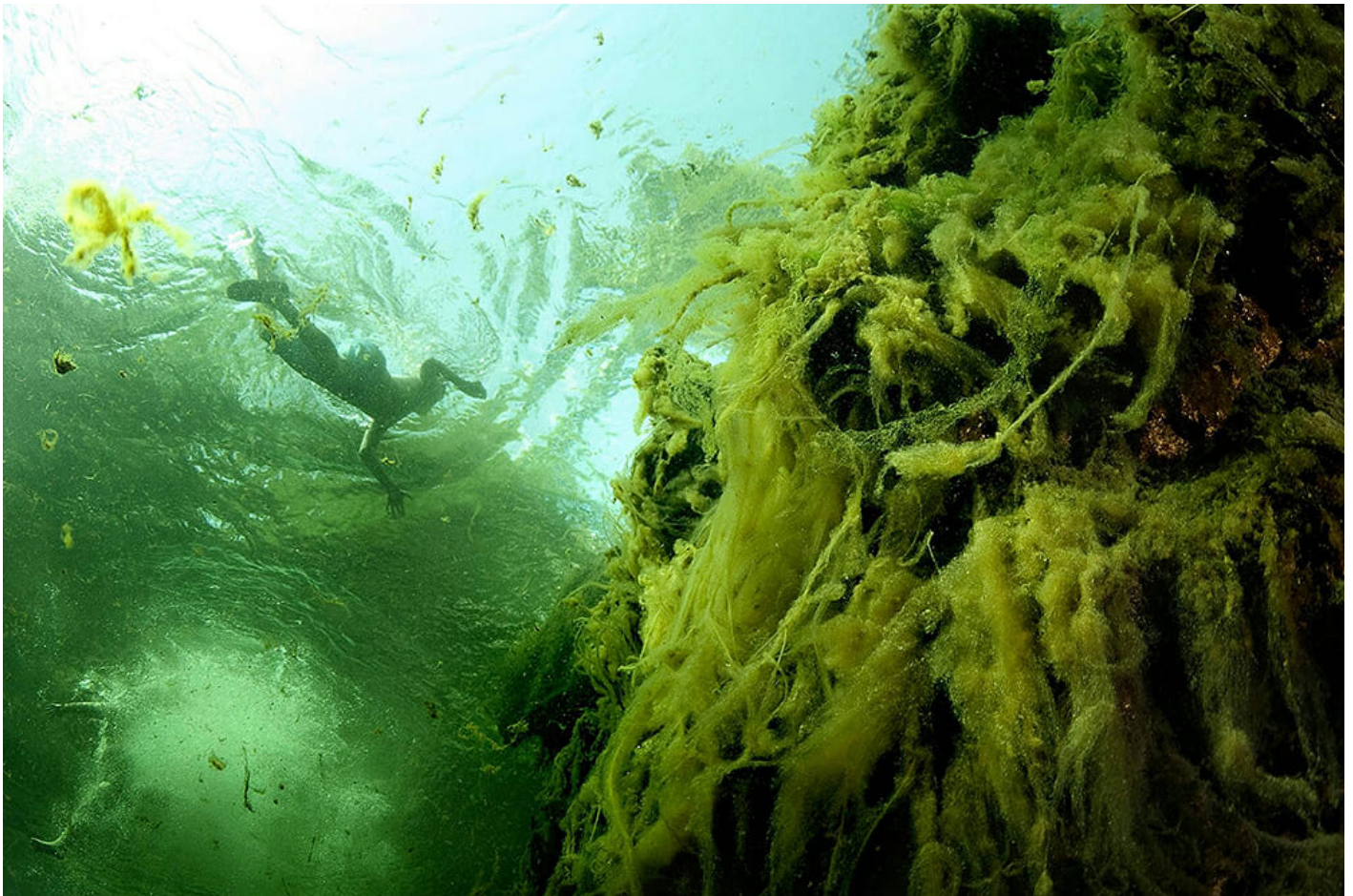


# Environmental Bills And Home Rule

December 29, 2017



Legislative bills in the works which deal with the environment are the topic of this article in the [Gainesville Sun](#). Mixed in with this controversial topic are bills further limiting home rule. There is much talk about spending millions to restore springs and rivers. Millions have been spent and we have had no restored spring nor river. Our leaders talk about it and spend our money, but are loath to take the measures needed to get the job done. Likely the reason is because that would step on Industry's toes.

The picture above, by Alan Youngblood shows Troy Springs, deathly sick because of too many nitrates and pollutants. The Suwannee River is one of the most polluted rivers in Florida, in large part due to agriculture and dairies.

Comments by OSFR historian Jim Tatum.

-A river is like a life: once taken, it cannot be brought back-

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## **Bills benefit conservation, pre-empt local tree ordinances**

By Jim Turner / The News Service of Florida

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Funding proposals could help address issues such as restoring natural springs and improving the St. Johns River.

TALLAHASSEE – When state lawmakers met during the 2017 legislative session, one of the biggest issues was a bill backed by Senate President Joe Negron to revamp how water flows in parts of South Florida.

Lawmakers aren't considering such a major piece of environmental legislation as they prepare for the 2018 session.

But they have started moving forward with several high-priced bills that would further divvy up money that voters approved in 2014 for water and land conservation. Those proposals, if approved, could help address issues such as restoring natural springs and improving the St. Johns River.

Lawmakers during the upcoming session also could become embroiled in other environment-related debates. For example, bills (SB 462 and HB 237) have been filed to try to prohibit the oil-drilling process known as fracking, although the outlook remains murky as in past sessions.

And a brawl is brewing over a proposal (SB 574 and HB 521) that would further limit local government authority to set rules, this time seeking to block municipal and county rules for tree planting and trimming.

Aliki Moncrief, of the Florida Conservation Voters, called local pre-emption measures involving environmental protection the “most dangerous.”

“Pre-emption of local government has been a running theme of the Legislature in recent years; this tree bill is just another example,” Moncrief said.

Lawmakers will start the 2018 legislative session on Jan. 9, after Negrón made the South Florida water bill a key issue of the 2017 session.

The bill allows the state to bond up to \$800 million for a reservoir south of Lake Okeechobee. The project seeks to help move water south and reduce polluted discharges from the lake into the St. Lucie and Caloosahatchee estuaries in Southeast and Southwest Florida.

Money for the project comes through a 2014 constitutional amendment, which voters approved to set aside a portion of “documentary stamp” real-estate taxes for land and water conservation.

State economists have estimated that the “doc stamp” taxes will generate \$862.2 million for the Land Acquisition Trust Fund next fiscal year.

In past years, lawmakers started to carve up the fund for targeted projects, while also using a portion of the money to cover state agency expenses said to be tied to conservation.

The use of the money for agency overhead spurred an ongoing lawsuit from backers of the 2014 constitutional amendment. Meanwhile, some influential legislators also have questioned such uses of the money.

Senate Appropriations Chairman Rob Bradley, R-Fleming Island, has repeatedly said the money should not go toward agency expenses.

“I think we don’t spend enough of the Land Acquisition Trust Fund dollars on land acquisition,” Bradley told reporters in November. “The voters sent a clear message in 2014 ... and we need to do better.”

As the 2018 session approaches, Bradley is backing measures that would lead to other targeted uses of the voter-approved money.

Bradley wants to spend \$100 million on the once-iconic Florida Forever program (SB 370), doubling a proposal by Gov. Rick Scott. The appropriations chairman also wants to increase annual funding (SB 204) for the state’s natural springs from \$50 million to \$75 million and set aside \$50 million a year for the restoration of the St. Johns River, its tributaries and the Keystone Heights lake region in North Florida.

Meanwhile, Sen. Debbie Mayfield, R-Rockledge, Rep. Gayle Harrell, R-Stuart, and Rep. Rene Plasencia, R-Orlando, are seeking another \$50 million from the fund (SB 786 and HB 339) to help restore the condition of the Indian River Lagoon. That would include providing matching money to local governments to help move away from septic tanks and hook up residents to central sewer systems.

Another measure (SB 174) calls for setting aside \$50 million annually for beach-nourishment and inlet-management projects,

but the future of the proposal is unknown because its Senate sponsor, Clearwater Republican Jack Latvala, has announced his resignation after an investigation into allegations of sexual harassment.

The proposals by Bradley and Latvala, have reached the Senate Appropriations Committee, while the Indian River Lagoon proposal has not appeared before committees.

Lawmakers in the past have earmarked parts of the voter-directed money so that at least \$200 million a year goes for Everglades projects, another \$64 million goes for the Negrón-backed reservoir in the Everglades Agricultural Area south of Lake Okeechobee and \$5 million goes to the St. Johns River Water Management District for projects dedicated to the restoration of Lake Apopka.

Julie Wraithmell, of Audubon Florida, said bracing the state for future storms, as well as covering damages from Hurricane Irma, most likely will be a dominant theme for the 2018 session, including environmentally.

“We need to look at how do we recover from the biggest storm season in recent memory and how do we make ourselves more resilient in the face of future storms as well,” Wraithmell said. “So, I think you’re going to see a lot of discussion around the Florida Forever program and some of the other environmental spending bills out there, about how can we use these to best protect Florida and our way of life. We saw remarkable amounts of flooding, particularly in Southwest Florida. We know that conservation lands both help us to hold water and they’re also the source of our water recharge.”

While environmental groups focus heavily each year on funding issues, they also are watching other potentially contentious issues for the 2018 session.

As an example, Sen. Greg Steube, R-Sarasota, is sponsoring the proposal that would limit the authority of local governments to make decisions about tree trimming and planting.

Steube has called requirements to trim trees and replant removed trees an infringement on property rights by local governments that go “way above and beyond what they should be doing.”

But the proposal has drawn opposition from environmental groups, along with the Florida Association of Counties and the Florida League of Cities, which say trees improve property values, reduce flood risk and provide a cooling effect.

“Whether and how communities regulate tree removal should be a local question. Some communities may choose not to regulate trees because they do not face development pressure or are sparsely developed,” 1000 Friends of Florida said in a release. “Other communities may choose to strictly regulate tree removal because they highly value their tree canopy and would risk losing it without rules to protect it.”