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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(17)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: December 15, 2015

FROM: Abigail Price-Williams County Attorney

SUBJECT: Resolution supporting the Florida House of Representatives' "Legacy Florida" proposal to fund Everglades restoration, or similar legislation that would establish a dedicated funding source to restore the Florida Everglades; urging the Florida Legislature to devote additional funds to Everglades restoration, particularly for the purpose of storing and treating water from Lake Okeechobee and sending it south to the greater Everglades ecosystem

Resolution No. R-1173-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.

Abigail Price-Williams
County Attorney

APW/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: December 15, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(17)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(17)
12-15-15

RESOLUTION NO. R-1173-15

RESOLUTION SUPPORTING THE FLORIDA HOUSE OF REPRESENTATIVES' "LEGACY FLORIDA" PROPOSAL TO FUND EVERGLADES RESTORATION, OR SIMILAR LEGISLATION THAT WOULD ESTABLISH A DEDICATED FUNDING SOURCE TO RESTORE THE FLORIDA EVERGLADES; URGING THE FLORIDA LEGISLATURE TO DEVOTE ADDITIONAL FUNDS TO EVERGLADES RESTORATION, PARTICULARLY FOR THE PURPOSE OF STORING AND TREATING WATER FROM LAKE OKEECHOBEE AND SENDING IT SOUTH TO THE GREATER EVERGLADES ECOSYSTEM

WHEREAS, the Florida Everglades is the largest and most important freshwater, subtropical peat wetland in North America; and

WHEREAS, in 2014, Florida voters overwhelmingly approved Amendment 1, which dedicates a portion of state real estate documentary stamp taxes for the acquisition, restoration, improvement, and management of conservation lands and the water quality of rivers, lakes, and streams throughout Florida; and

WHEREAS, the Everglades is the primary source of drinking water for more than 7 million Americans – more than a third of Florida's population – and a cornerstone of the regional economy, supporting the state's estimated $67 billion tourism industry, $13 billion outdoor recreation economy, and $100 billion agriculture sector; and

WHEREAS, over the past 100 years, population growth, development, excessive drainage of wetlands, and resulting changes in water flow and water quality have caused great stress to the Everglades' ecosystem; and

WHEREAS, an average of 1.7 billion gallons of water per day are diverted from the Everglades and discharged to the ocean through canals; and

WHEREAS, preserving and restoring the greater Everglades ecosystem is crucial to restoring hydrology and surface water levels in South Florida, which can help reduce the threat of salt water intrusion; and

WHEREAS, Everglades restoration is a critical tool to protect South Florida from sea level rise; and

WHEREAS, on November 23, 2015, Governor Scott released his proposed budget for fiscal year 2016 and requested that the Legislature allocate $188 million for Everglades and Lake Okeechobee restoration and $63 million for land acquisition purposes; and

WHEREAS, on December 1, 2015, the Florida House of Representatives announced the creation of the "Legacy Florida" bill, which will be sponsored by Rep. Gayle Harrell (R – Stuart), to establish a dedicated funding source to restore the Everglades; and

WHEREAS, the "Legacy Florida" bill proposes that either 25 percent or $200 million a year, whichever is lower, of Amendment 1 (Land Acquisition Trust Fund) dollars will be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan, the Long-Term Plan, the final Lake Okeechobee Basin Management Action Plan adopted by the Department of Environmental Protection in December 2014, and the Northern Everglades and Estuaries Protection Program; and

WHEREAS, in addition, the bill would require that $32 million from these dedicated Everglades funds be distributed each fiscal year through the 2023-24 fiscal year to the South Florida Water Management District for the Long-Term Plan; and

WHEREAS, from the dedicated Everglades funds remaining after deducting that $32 million, the bill would require a minimum of the lesser of 76.5 percent or $100 million be appropriated for 10 years, through fiscal year 2025-26, for the planning, design, engineering and construction of the Comprehensive Everglades Restoration Plan; and

WHEREAS, the bill would also require the Florida Department of Environmental Protection and the South Florida Water Management District to give preference to those Everglades restoration projects that reduce discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner; and

WHEREAS, in its 2016 Legislative Program, the Florida Association of Counties has expressed its support for state funding for the construction of additional water storage and water quality treatment facilities within the Lake Okeechobee, Caloosahatchee, St. Lucie, Indian River Lagoon and Everglades watersheds; and

WHEREAS, for the reasons noted above, Everglades restoration is of critical importance to the State of Florida and to Miami-Dade County and its residents; and

WHEREAS, in recognition of this fact, this Board has in recent years repeatedly called on the United States Congress and the Florida Legislature to provide funding for Everglades restoration and protection; and

WHEREAS, for example, earlier in 2015 this Board adopted Resolution No. R-63-15 urging the United States Congress and the Florida Legislature to prioritize the funding for restoration of the Everglades, and Resolution No. R-173-15 urging the Legislature to allocate Amendment 1 funds to Miami-Dade County's Environmentally Endangered Lands Program, which has been instrumental in assembling land needed for several Everglades projects intended to fight saltwater intrusion; and

WHEREAS, in June 2015, this Board adopted Resolution No. R-520-15 urging the Legislature to set aside $500 million in Amendment 1 funds to acquire land south of Lake Okeechobee for the purpose of storing and treating water from the Lake and sending it south to the greater Everglades ecosystem, and urging the Legislature to allocate 25.7 percent of Amendment 1 funds for Everglades Restoration, as had been proposed by Governor Scott; and

WHEREAS, in October 2015, this Board adopted Resolution No. R-949-15 urging the Legislature to allocate funding for the County's Environmentally Endangered Lands Program for conservation land acquisition and management pursuant to Amendment 1, and urging the Florida Association of Counties to include securing funding for county environmentally endangered lands programs for conservation land acquisition and management pursuant to Amendment 1, as one of its critical priorities for the 2016 legislative session; and

WHEREAS, consistent with its commitment to ensuring the protection and preservation of the Everglades for posterity, this Board now wishes to support the proposed "Florida Legacy" legislation announced by the Florida House of Representatives; and

WHEREAS, while the "Florida Legacy" proposal is a good first step, this Board wishes to also urge the Legislature to go further in allocating funding for Everglades restoration and protection,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Supports the Florida House of Representatives' "Legacy Florida" proposal to fund Everglades restoration, or similar legislation that would establish a dedicated funding source to restore the Florida Everglades.

Section 2. Urges the Florida Legislature to devote additional funds to Everglades restoration, particularly for the purpose of storing and treating water from Lake Okeechobee and sending it south to the greater Everglades ecosystem, as previously urged.

Section 3. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the Senate President, the House Speaker, Rep. Gayle Harrell, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 4. Directs the County's state lobbyists to advocate for the legislation and appropriation described in Sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. It was offered by Commissioner **Esteban L. Bovo, Jr.**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **aye**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**absent**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Dennis C. Moss	**absent**	Rebeca Sosa	**absent**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

James Eddie Kirtley