

MEMORANDUM

Agenda Item No. 11(A)(22)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: April 20, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the United States Congress to enact S. 66, H.R. 565, the South Florida Clean Coastal Waters Act of 2021, or similar legislation that would require a federal plan for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida

Resolution No. R-372-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.


Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM (Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: April 20 , 2021

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Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(22)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ 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)(22)
4-20-21

RESOLUTION NO. _____ R-372-21

RESOLUTION URGING THE UNITED STATES CONGRESS
TO ENACT S. 66, H.R. 565, THE SOUTH FLORIDA CLEAN
COASTAL WATERS ACT OF 2021, OR SIMILAR
LEGISLATION THAT WOULD REQUIRE A FEDERAL PLAN
FOR REDUCING, MITIGATING, AND CONTROLLING
HARMFUL ALGAL BLOOMS AND HYPOXIA IN SOUTH
FLORIDA

WHEREAS, in recent years, toxic algal blooms, including blue-green algae and red tide, have harmed coastal communities in Florida, including in South Florida; and

WHEREAS, the toxins that the algae produce have not only killed plant and animal life, but also caused respiratory illnesses in residents and visitors and driven tourists away from beaches and other marine destinations; and

WHEREAS, in addition to the toxins produced, an increase in growth of blue-green algae can cause hypoxia, which is a condition of waterways that have inadequate levels of oxygen in their waters; and

WHEREAS, the health risks posed by toxic algal blooms have disrupted both the ecologies and economies of Florida communities, and this threat is even more menacing now that Miami-Dade County and the State of Florida are trying to recover from the health and economic impacts of the COVID-19 pandemic; and

WHEREAS, on January 27, 2021, United States Senators Marco Rubio (R – Florida) and Rick Scott (R – Florida) introduced S. 66, a bill entitled the South Florida Clean Coastal Waters Act of 2021, for consideration during the 117th Congress; and

WHEREAS, on January 28, 2021, United States Congressmen Brian Mast (R – Florida), Darren Soto (D – Florida), and Bill Posey (R – Florida) introduced H.R. 565, the identical companion bill to S. 66; and

WHEREAS, the South Florida Clean Coastal Waters Act of 2021 would require the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia, which is a task force composed of representatives from various federal agencies, to develop a plan “for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida”; and

WHEREAS, the South Florida Clean Coastal Waters Act of 2021 would require the Task Force, in developing its plan, to, among other things:

- Consult with the State of Florida, affected local and tribal governments, and representatives from academic, agricultural, industry, and other stakeholder groups;
- Ensure the plan complements, rather than duplicates, work performed by other federal and state agencies, including the South Florida Ecosystem Restoration Task Force;
- “[I]dentify critical research for reducing, mitigating, and controlling harmful algal bloom events and their effects”;
- “[E]valuate cost-effective, incentive-based partnership approaches”;
- “[E]nsure that the plan is technically sound and cost-effective”; and
- “[A]fter submitting the completed plan to Congress, provide biennial progress reports on the activities toward achieving the objectives of the plan”; and

WHEREAS, this Board has previously taken action in response to the threats posed by toxic algal blooms, such as Resolution Nos. R-910-16, R-1096-18 and R-1043-18; and

WHEREAS, in addition, in Resolution No. R-683-19, this Board urged the United States Congress to enact S. 10, H.R. 335, the South Florida Clean Coastal Waters Act of 2019, which was substantially similar to the South Florida Clean Coastal Waters Act of 2021; and

WHEREAS, although the United States House of Representatives passed the South Florida Clean Coastal Waters Act of 2019, the United States Senate did not pass it before the 116th Congress concluded; and

WHEREAS, to protect the environment and economy of Miami-Dade County and the State of Florida, this Board wishes to support the South Florida Clean Coastal Waters Act of 2021,

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

Section 1. Urges the United States Congress to enact S. 66, H.R. 565, the South Florida Clean Coastal Waters Act of 2021, or similar legislation that would require a federal plan for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida.

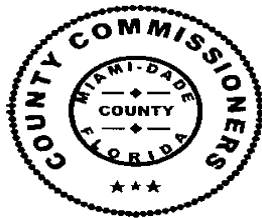
Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to Senator Marco Rubio, Senator Rick Scott, Representative Brian Mast, Representative Darren Soto, Representative Bill Posey, and the remaining Members of the Florida Congressional Delegation.

Section 3. Directs the County's federal lobbyists to advocate for the passage of the legislation set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2021 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins** and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 20th day of April, 2021. 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CJW

Christopher J. Wahl