

CEQ Committee Legislative Priorities were addressed as follows by the 2008 Legislature:

Restore full allocation of funding for Florida's Water Protection and Sustainability Trust Fund The 2008 Legislature funded only \$2.5mm of the \$60mm earmarked by SB 444 for alternative water supplies. The Governor and Senate budgeted the full \$60mm. The House did not provide funding for alternative water supply development under the Water Protection and Sustainability Trust Fund, but instead set aside \$62mm for member projects. The House position eventually prevailed in conference committee. This was disappointing but somewhat understandable given that the budget shortfall left members running for re-election with very little to "take home" to their constituents. TMDL funding remained at \$18mm – the same as last year.

Oppose Goldstar Recognition Legislation This one was easy. The issue never came up.

Take action as required to prevent adverse consequences resulting from sunset review of DEP, WMDs, DCA, FWCC, and DOT pursuant to the provisions of the Florida Governmental Accountability Act of 2006. DEP and FWCC were reenacted as required by 2007 sunset legislation with no adverse consequences. WMDs were not reenacted because they opposed other provisions of the reenacting legislation, SB 1926. WMDs will have to wait until next year to be reenacted. As far as I can tell, DOT was not reenacted by the 2008 Legislature and will have to wait until next year also. DCA will not be up for sunset review until 2009.

Take action as required to prevent adverse consequences resulting from springshed protection legislation and related CDA and DEP documents Springshed protection was introduced as [Senate Bill 2394](#) by Senator Saunders. Less controversial legislation was sponsored by Senator Oelrich ([SB 2078](#)) and Representative Boyd ([HB 31](#)). All failed to pass.

Monitor Central Florida Coordination Area activities Legislation was considered which addressed that portion of CFCA within SWFWMD but failed to pass.

Monitor TMDL activities and keep CEQ members advised [House Bill 547](#) by Representative Kreegel clarifies that BMAPs may allow for point or nonpoint sources of pollution that achieve greater pollution reductions than required by an adopted TMDL to generate, register, and trade pollutant credits. HB 547 sets forth the statutory basis for acquiring credits and requires DEP to initiate rulemaking, by no later than September 1, 2008, required to implement water quality trading. Draft rules must be submitted to EPA for review when published. The bill allows DEP to authorize water quality trading within the Lower St. Johns River Basin, as a pilot project, prior to the adoption of rules.

Monitor the activities of the Florida Energy Commission and the Governor's Action Team on Energy and Climate Change [House Bill 7135](#) by Representative Mayfield directs DEP to develop and submit draft legislation which establishes a "cap and trade" program for Florida for ratification by the Legislature before it takes effect. Among the many other provisions, this landmark legislation requires public utilities to develop net metering programs and requires that meters will be made available to customers to measure both energy production and consumption. The power industry inserted language necessary to facilitate the establishment and use of transmission line corridors which ties in with Florida's renewed emphasis on nuclear power. There are also numerous economic and regulatory incentives for the development of alternative sources of energy. This bill is the first step along the very long road of adjusting toward a less oil dependent economy.

Other legislation closely followed on behalf of the CEQ Committee included the following:

[SB 542](#) Legislation by Senator Saunders reenacts the Florida Forever program through the year 2040. SB 542 also for the first time, provides funding for the Rural and Family Lands Protection Act which is administered by DACS and focuses on less than fee acquisition of agricultural lands. The Legislature also appropriated \$300 million in bonded revenue for the Florida Forever program in FY 2008-9. The only other significant environmental funding this year was \$50 million appropriated for the Everglades, down from \$200 million last year.

[SB 758](#) was extensively redrafted during the session (in part due to CEQ concerns expressed to Jim Stoutamire of DEP during our meeting of February 15, 2008 in Tallahassee) to create a new s.403.813(4) which provides exemptions from permitting for specified maintenance dredging activities of seaports and inland navigation districts. Section 403.813(4) also contains new language which clarifies that the state may not exact charges for material produced from maintenance dredging, and that flocculants may be used in the maintenance dredging process. SB 758 also makes several other clarifications related to maintenance dredging and authorizes inland navigation districts to aid and cooperate with non-member counties which contain any part of the intercoastal waterway, navigation districts, and seaports.

[SB 1294](#) This was one wild ride! SB 1294, DEP sunset legislation, as first passed the Senate was absolutely loaded with permit fee increases. SB 1294 passed the Senate, the House refused to concur and requested a conference committee, a conference committee consisting of most of the Senate and House was appointed, Representative Mayfield offered an amendment during conference which simply struck all of the bill and which did not pass, and Senator Carlton then offered an amendment completely redrafting the bill which passed and became the conference report. The conference report then passed the Senate 36-1 in the closing days of the Session and eventually passed the House 68-44. The conference report completely changed the content of the original SB 1294 to eliminate most of the fee increases sought by DEP, left in organizational changes requested by DEP, granted the ERC authority to employ independent counsel and technical consultants, and transferred the responsibility for Florida's Aquatic Weed Control program from DEP to the FWCC. SB 1294 as passed also amends Chapter 403 to redefine "regulated air pollutant" to mean "any pollutant regulated under the Federal Clean Air Act", authorizes DEP to adopt and enforce rules relating to water quality laboratories, and increases fees for ERP permits, informal wetland jurisdictional determinations, permitting of stationary installations, and mangrove alteration. The bill also establishes an operational license fee for drinking water facilities. There are other changes, the most important being those related to phosphate reclamation rules. This is a bill I will encourage all of you to read.

Other legislation of interest to CEQ members which passed includes:

[HB 527](#) Relating to Environmental Site Remediation

[SB 704](#) Relating to Open Government Act / Administrative Procedures

[HB 961](#) Relating to Cleanup of Sites Contaminated by Petroleum

[HB 1302](#) Relating to Wastewater Disposal/Ocean Outfalls

[SB 1318](#) Relating to Onsite Sewage and Disposal Systems

[HB 1427](#) Relating to Beach Management

[SB 1552](#) Relating to Everglades Restoration Bonds

[SB 1706](#) Relating to Developments of Regional Impact

[SB 2052](#) Relating to Water and Wastewater Utilities

[HB 7059](#) Relating to Protection of Wild and Aquatic Life

[HB 7091](#) Relating to Fish and Wildlife Conservation