Audio Options

TO USE YOUR COMPUTER'S AUDIO:
When the Webinar begins, you will be connected to audio using your computer's microphone and speakers (VOIP).

TO USE YOUR TELEPHONE:
If you prefer to use your phone, select "Use Telephone" after joining the Webinar.
About 1000 Friends of Florida:

- Founded in 1986, 1000 Friends of Florida is a 501(c)(3) nonprofit membership organization.
- We work to save special places and build better communities.
- We educate, advocate and negotiate to protect Florida’s high quality of life.
- Our bipartisan board of directors includes advocates and experts from across the state.
- Visit [www.1000friendsofflorida.org/alerts/](http://www.1000friendsofflorida.org/alerts/) to sign up for email alerts!
- Please join us at [www.1000friendsofflorida.org/donate-now/](http://www.1000friendsofflorida.org/donate-now/)
- Follow 1000 Friends on [Facebook](http://www.facebook.com) and [Twitter](http://twitter.com)!
Dr. John M. DeGrove Webinar Series

- May 4, 1924 – April 13, 2012
- Icon of comprehensive planning both in Florida and across the nation
- One of the founders of 1000 Friends of Florida
- First Secretary of the Florida Department of Community Affairs
- His accomplishments recognized with the John M. DeGrove Eminent Scholar Chair in Growth Management and Development at Florida Atlantic University

To find out more, please visit: www.1000friendsofflorida.org/dr-degrove/
Thank you to the Dr. John M. DeGrove Webinar Sponsors:

**FLORIDA STEWARD**
Archibald Foundation

**FRIEND**
Mr. Ronald Book, PA
Codina Management, LLC
Ms. Kimberly A. DeGrove and Dr. William Partin
William Howard Flowers, Jr. Foundation, Inc.
The Perkins Charitable Foundation
Mr. Robert M. Rhodes
Thank you to the Dr. John M. DeGrove Webinar Sponsors:

**SPONSOR**
Thomas J. Baird
Mr. William M. DeGrove
Ms. Susan Trevarthen

**SUPPORTER**
American Planning Association, Florida Chapter
Doug Crowley Insurance Services
Mr. Russell DeGrove
David M. Orshefsky
Ms. Nancy Ellen Stroud
Synovus -- Tallahassee State Bank
Thomson Brock Luger & Company
Seeking additional sponsors to offer future webinars for free!

To underwrite costs associated with Go-to-Webinar, professional certification credits (AICP AND CLE), staff time, etc.

Please consider joining with donation levels starting at $35 and up.

Or, consider becoming a program sponsor:

• Florida Guardian -- $5,000
• President’s Club -- $2,500
• Friend -- $1,000
• Sponsor -- $500
• Supporter -- $250
• Other amounts gratefully appreciated!

You may donate on-line at www.1000friendsofflorida.org/donate-now/
(Designate it for DeGrove Education Fund)

OR

Email vyoung@1000fof.org for more information
This webinar has been approved for:

- 1.5 AICP CM  LEGAL Credits for planners (#9138853)
- 1 CEC for Certified Floodplain Managers
- 2 CLE for Florida attorneys (1708849N – Intermediate)
- .150 CEUs for Florida Environmental Health Professionals

There is a link to a BRIEF SURVEY in the follow-up email you will receive. Please take a few minutes to give us feedback!
Implementing Complete Streets in Florida

- TUESDAY, April 24, 2018 from Noon to 1:30 p.m.
- Approved for 1.5 AICP CM Credits for Planners
- Professional certification credits sought for Florida attorneys, certified floodplain managers and environmental health professionals but cannot be guaranteed

Register now at:

www.1000friendsofflorida.org/webinar/
The PowerPoint is available at www.1000friendsofflorida.org
If you have sound issues:

1. Adjust the volume on your computer

2. Adjust the audio on Go-to-Webinar
If you have questions:

- Your webinar control panel includes a “Questions” box
- Please click on “+” sign and type any questions in this box
- Please refer to the slide number and/or speaker when you post your question
- Please keep your questions succinct!
- Staff will ask the presenters questions, as time permits
Check out our Legislative Webpage!

Available at: www.1000friendsofflorida.org/2018-florida-legislative-session-custom/

This site is:

- Includes what passed and failed
- Includes Growth Management, Transportation and Conservation Legislation
- Includes links to the bills
Presenters
Lester Abberger

- Board Member Emeritus and past Chairman of 1000 Friends of Florida.
- Chairman of The Trust for Public Land (TPL) Florida Advisory Council, and serves on the TPL National Leadership Council.
- Chairs the Florida Conservation Campaign, and is a director and chair of the Finance Committee.
- Past Chair of Leadership Florida, The Seaside Institute, and the City of Tallahassee Urban Design Commission.
- A graduate of Davidson College, where he serves on the Board of Visitors.
- A Knight Fellow at the University of Miami School of Architecture.
Thomas Hawkins

• Policy and Planning Director for 1000 Friends of Florida
• Teaches courses in land use law at University of Florida Levin College of Law and College of Design, Construction and Planning
• Holds Juris Doctor from Emory University School of Law and Master of Science in Real Estate from University of Florida Hough Graduate School of Business
Janet Bowman

▪ Senior Policy Advisor for the Florida Chapter of the Nature Conservancy where she focuses on state governmental affairs, Climate Policy and Gulf of Mexico Restoration.

▪ Prior to that position, served as Legal Director of 1000 Friends of Florida, attorney for the Senate Community Affairs Committee and the Legislative Committee on Intergovernmental Relations, and Senior Attorney for the Department of Environmental Protection.

▪ Chair of the Environmental and Land Use Law Section of the Florida Bar and a frequent speaker on conservation policy topics.

▪ Received her J.D. from the Florida State University College of Law, and her B.A. from New College of Florida.
Legislative Update

- 3250 bills
- 186 bills passed; fewest in 21 years
- 2721 amendments
- 527 committee meetings
Pervasive Factors

▪ Hurricane Irma
▪ Sexual Harassment/Misconduct
▪ Parkland Tragedy
▪ 2018 Politics
Only bill the Legislature is constitutionally required to pass

$88.7 billion
- $1.4 billion more than Senate
- $1.5 billion more than House
- $3.8 billion or 3.4% over FY 17-18 Budget

Breakdown
- Health and Human Services -- $37 billion (+8.7%)
- Education -- $26 billion (+4.2%)
- Criminal Justice -- $4.7 billion
- Transportation/Natural Resources -- $14.8 billion
- General Government -- $6.2 billion
Preemptions

- Attacks on local government ‘home rule’
- This session:
  - Tree trimming
  - Public parks
  - Puppy mills
  - Municipal parking garages
  - Fertilizers
  - Sanctuary cities
  - Plastic bags
  - Vacation rentals
  - Red light cameras
  - Community Redevelopment Agencies
  - Local elections
Other Major Issues

▪ Higher Education
▪ Texting While Driving
▪ Proposed Constitutional Amendment
Constitutional Revision Commission

- Meeting frequently to meet May 1 deadline for final submission of ballot proposals
- 36 remaining proposals
Growth Management

Thomas Hawkins, JD, AICP
Policy & Planning Director
1000 Friends of Florida
Passed -- Growth Management
HB 1151 -- Developments of Regional Impact

- Deletes much of the still existing rule related to Developments of Regional Impact

- Makes changes to the approval process for changes to an approved DRI development order and require that local governments abandon DRI development orders under certain circumstances.
HB 405 -- Linear Facilities

- Grants the Public Service Commission, and not local governments, sole authority over siting electric transmission lines

- Preempts local government authority over electric transmission line siting and undergrounding
Did Not Pass -- Growth Management
SB 84 would have closed a loophole in state law that allows some Independent Special Districts to convert to municipalities without complying with typical requirements for municipal incorporation. This policy had a brief revival through a Senate amendment to SB 1241, the Senate companion to HB 1151. However, that amendment was not in the adopted version of 1151.

SB 324/HB 697 would have set a uniform time for local governments to levy impact fees at no sooner than issuance of a certificate of occupancy.

SB 362/HB 207 would have require local governments to adopt a private property rights element into their comprehensive plan.
SB 432/HB 17 would have made changes to Community Redevelopment Agencies (CRAs). HB 17 would have terminated all existing CRAs and would have required a special act of the Florida Legislature to create a new CRA. SB 432 was less draconian. That bill proposed reasonable improvements to CRA ethics and procurement standards.

SB 1328/HB 987 would have prohibited local governments from charging developers of affordable housing the cost to the local government for providing infrastructure to serve that new development including the cost of roads, schools, parks, water, and sewer service. That prohibition would have undermined local government use of impact fees to fund such improvements statewide. Both the Senate and House amended these bills to remove provisions that threatened impact fee programs. However, neither bill passed.
HB 883 -- “Omnibus” growth management bill

- Citizen calls made a big difference!

- **HB 883/SB 1348** would have made it easier for developers to add land to Community Development Districts (CDDs).

- Late in the session, the House substituted an omnibus growth management bill for 883. That amended version of 883 would have made changes to Community Redevelopment Agencies and to Developments of Regional Impact (DRIs) as well as to CDDs.

- In addition, the modified 883 would have created loopholes for developers seeking to develop land designated rural in counties with urban growth boundaries.

- None of changes became law. However, the proposed changes to DRIs in the amended 883 were substantially the same as the changes in law effected by 1151 which passed.
In their originally filed form, SB 1244/HB 1151 would have preempted all local government regulation to tree trimming and removal.

1000 Friends members aggressively opposed these bills which would have devastating effects on the tree canopy of communities throughout Florida.

Through amendments, both bills became more tailored preemptions designed to ensure canals and drainage areas were free of vegetative obstructions.

Neither bill passed.
Did Not Pass -- Transportation
Funding Vetoed: Suncoast Parkway study

- $1,500,000 expenditure from Florida Department of Transportation Trust Fund

- “Develop a proposal to extend the Suncoast Parkway north to the Georgia state line”

- Would have included map with recommended alignment

- Would have required all phases to be included in five-year work program
- **SB 116/HB 117** would have improved safety for bicycle operators.

- **SB 176/SB 548/HB 6001** would have prohibited local governments from using “red-light cameras” to enforce their traffic laws.

- **SB 384/HB 981** would have mandated a study on transportation funding in response to declining fuel tax revenues due to electric vehicles.

- **SB 572/HB 525** would have made high speed rail operators response for operational and safety expenses that local governments now bear.
- **SB 688/HB 243** would have limited the use of proceeds from the Charter County and Regional Transportation System Surtax, an optional sales surtax that some Florida counties may adopt by referendum, to transit.

- **SB 712/HB 353** would have allowed autonomous vehicles.

- **SB 852/HB 633** would have created a grant program within the Department of Transportation to implement innovative transportation projects including autonomous vehicles.

- **SB 984/HB 807** would change the membership standards for metropolitan planning organization boards.
Florida Forever Funding

- $77,000,000—Environmentally Endangered, Unique
- $10,000,000—Florida Communities Trust
- $5,807,500—Rural and Family Lands Program (conservation easements)
- $2,000,000—Working Waterfronts Program
- $6,000,000—Florida Recreation Development Assistance Grants (FRDAP)
Everglades Funding

- CERP--$111,072,295
- Northern Everglades--$31,000,000
- Restoration Strategies--$32,000,000
- EAA Reservoir--$64,000,000
- Dispersed Water Storage--$5,000,000
- Herbert Hoover Dike--$50,000,000

- TOTAL: $293,072,295
Other Environmental Appropriations

- Springs Protection—$50,000,000
- St. Johns River Protection--$20,000,000
- Beach Renourishment--$50,000,000
- Hurricane Beach Recovery--$11,198,282
- Florida Resilient Coastline Program--$3,600,000
  (contains $1 million for coral reef disease research & monitoring)
Land Management Funding

- Water Management Districts--$10,000,000
- Division of Forestry--$6,886,703
- DEP/State Lands--$3,634,992
- DEP/State Parks--$1,825,876
- DEP/Greenways & Trails--$2,2076,436
- FWC/Invasive Plant Management--$31,823,647
Environmental Legislation That Passed
HB 53—Coral Reefs

- Creates the Southeast Florida Coral Reef Ecosystem Conservation Area.
- Area defines a conservation “box” to include sovereign submerged lands and state waters offshore from the St. Lucie Inlet in Martin County to the northern boundary of Biscayne National Park in Miami-Dade County.
- Governor Scott has signed the bill -- it takes effect July 1, 2018
SB 168—Nonnative Animals

- Directs Fish & Wildlife Conservation Commission (FWC) to establish a pilot program to address priority invasive species.
- Species targeted for program include: Tegu lizards (Tupinambis); Red Lionfish (Pterois); Common Lionfish (Pterois Miles) and certain conditional or prohibited reptiles.
- FWC required to submit a report to Governor & Legislature by 1/1/21.
- Effective date of July 1, 2018 if approved by Governor. (Deadline of 3/31/18 to sign)
Resolution to Congress expressing Florida legislative support for an indefinite extension of the Gulf of Mexico Security Act restriction on oil and gas leasing: 1) in areas east of the Military Mission Line established at 86’41’ west longitude; and 2) an indefinite extension of the GOMESA Ban on oil and gas leasing within 125 miles of the Florida coastline in the Eastern Planning Area and a portion of the Central Planning Area.
• Requires wmd’s to provide public notice of intention to sell surplus lands on its website in addition to newspaper notice.

• Allows wmd to offer surplus lands valued at $25,000 or less to adjacent property owners defined as owners whose property abuts the parcel. If the parcel is offered but not sold to adjacent property owners, the district may sell the parcel to the general public for “the highest price obtainable.”
Exempts from the Chapter 119, the Public Records Act, documents related to the valuation of surplus lands.

The exemption expires 2 weeks before a contract for the purchase, exchange or disposal of the surplus lands is first considered.

The public records exemption automatically expires October 2, 2023.

If approved by the Governor, takes effect July 1, 2018.
• Defines use of reclaimed water to create an impact offset in consumptive water use permitting.

• Reclaimed water use that may create an offset include: preventing of saltwater intrusion; raising aquifer levels; improving water quality of an aquifer; or augmenting quality of surface water available for water supply.

• Water resource implementation rule must include criteria by which an impact offset may be applied to the issuance, renewal, or extension of the utility’s consumptive use permit.
• DEP and the WMDs must develop and enter a memorandum of agreement providing for coordinated review of reclaimed water projects.

• The coordinated review process is performed only if applicant requests and should address use of a proposed impact offset.

• DEP and the WMDs must execute a memorandum of agreement by 12/1/18.
• Requires local governments to address the contamination of recyclable material in residential recycling contracts.

• Residential recycling collectors or recovered processing facilities may not be required to collect contaminated material except pursuant to a contract that defines “contaminated recyclable material” and which requires acceptance/processing of the material.

• Provision applies to contracts executed after 7/1/18.
• An environmental resource permit is not required for the replacement or repair of existing docks that are located within 5 feet of and no larger than the original dock or pier and will have no additional impact on aquatic resources.

• Provides an exception to the limitations against a local government creating wetlands mitigation for a project other than its own to allow use of mitigation areas created by a local government under a permit issued prior to 12/31/11.
• Provides that the operation of Phase I of the C-51 reservoir project must follow any operation and maintenance agreement adopted by the district.

• Water received into the reservoir from Lake Okeechobee may be available to support consumptive use permits if allowed by SFWMD rules.

• SFWMD may enter into a capacity allocation agreement with a water supply entity for a pro rata share of unreserved capacity in the reservoir and may request DEP to waive repayment of loans.
• Creates a “Blue Star collection system assessment and maintenance program” to encourage voluntary adoption of best practices in operation of wastewater systems to effective limit sewer overflows.
• Requires DEP to adopt program certification rules.
• Identifies certification standards to include periodic condition assessments, documentation of reinvestment in maintenance and repair of systems, enactment of local codes requiring private pump stations to meet standards and a power outage contingency plan.
• Program certifications expire in 5 years.
Requires DEP to allow public and private, nonprofit utilities to participate in the Clean Water State Resolving Fund Program.

Allows DEP to reduce penalties for sanitary sewer overflow based on utility’s status as a certified Blue Star utility or based on the utility’s investment in assessment and maintenance activities to prevent overflows.

DEP must provide a wastewater utility with a presumption of compliance with state water quality standards for pathogens when utility has history of compliance with disinfection requirements.
• Blue Star utilities shall be issued a 10-year permit by DEP under same conditions as a 5-year permit.

• DEP may reduce the amount of a penalty based on the utility’s investment in the maintenance, rehabilitation or expansion of the facility.

• Allows DEP to award Small Community Sewer Construction Assistance Program grants to private, nonprofit utilities (in addition to public utilities) providing wastewater to financially disadvantaged small communities. DEP may waive population requirement for independent special districts that serve less than 10,000 people in rural areas of opportunity.

• Bill effective upon becoming law.
• Authorizes DEP to seek a delegation of section 404 of the Clean Water Act to regulate the discharge of dredge or fill material into navigable waters.

• Creates a definition of “state assumed waters” to mean waters of the United States that the state assumes permitting authority over. The Army Corps of Engineers retains jurisdiction over tidal waters and their adjacent wetlands and waters historically or presently used for interstate or foreign commerce.
Exempts DEP from meeting the permit processing deadlines that are applicable to state Environmental Resource Permits. (“ERPs”)

Limits time period of state administered 404 permits to no more than 5 years. If a timely application for reissuance is filed, the existing 404 permit does not expire until DEP takes final action on the application or until last day for seeking judicial review of the agency order.
• Authorizes applicants for a state administered section 404 to petition the circuit court to require DEP to make a decision if a decision is not made within time required by federal law, or memorandum of agreement.

• Qualifies that provisions of state law which conflict with federal requirements do not apply to state administered state 404 permits; however, the application of state law to further regulate in state assumed waters is not prohibited if it does not conflict with federal requirements.
• Requires DEP to adopt by rule an expedited permit review process that is consistent with federal law for reissuance of permits where there has been no material change to scope of project.

• Allows DEP to delegate administration of the state administered section 404 permitting program (e.g. to wmds) if allowed by federal law.

• Bill takes effect upon becoming a law. (Deadline 3/29/18 to sign)
• Following the acquisition of military base buffer lands, the Board of Trustees of the Internal Improvement Trust Fund is authorized to convey or lease the land to the military installation at less than appraised value.

• Military base buffer lands can also be leased by the BOT at rates determined by competitive bid to private entities to conduct agriculture or silviculture.

• Conveyances to the military at less than appraised value must revert to the BOT if land not used for intended purposes.

• Requires DEP to request by October 1st annually that military installations to provide a list of base buffering encroachment lands for potential acquisition.
• Allows the BOT to direct DEP, Division of State Lands, to purchase lands on an immediate basis that will satisfy private property rights claims resulting from limitations imposed by an Area of Critical State Concern.

• Allows the BOT to waive or modify land acquisition procedures for these lands and to use comparable sales analysis rather than appraisals if parcel worth less than $500,000.
Adds to the list of Florida Forever performance goals, the mitigation of the effects of natural disasters and floods in developed areas, based on factors including: the number of acres acquired within a 100-year floodplain or coastal high hazard area; the number of acres acquired to serve dual functions—flow ways and greenways for public recreation; and the percentage of land that creates additional open space and buffer areas while precluding rebuilding in areas that repeatedly flood.

Florida Communities Trust program criteria are amended to allow dual function projects that reduce flood risk.
• Adds the provision of affordable housing and the protection and improvement of water quality of the Apalachicola Bay Area to list of goals for Apalachicola Bay Area of Critical State Concern.

• Allows a land authority created within an area of critical state concern to use tourist impact taxes to pay costs related to acquiring property for and constructing affordable housing.

• Bill takes effect upon becoming a law.
• The bill recreates the Land Acquisition Trust Fund within the Department of State that would have otherwise terminated July 1, 2019.

• If approved by the Governor, the bill takes effect July, 1, 2018
The bill ratifies Florida Administrative Code Rule 40C-2.101, F.A.C., promulgated by the St. Johns River Water Management District, which includes regulatory measures that are a component of the Silver Springs recovery and prevention strategy to ensure that the recently adopted minimum flows and levels are not exceeded in the future.

Governor Scott has signed the bill -- it is effective upon becoming law.
Bills that Failed
SB 370—Florida Forever

• Would have allocated $100 million/year of Land Acquisition Trust Fund money to the Florida Forever Trust Fund.

• Prohibited LATF funds from being used for certain administrative and information technology expenses at DACS, DEP and FWC.

• Bill passed the Senate and died in messages.
• Included Florida Forever provisions that would have realigned funding categories so that 1/3 of yearly Florida Forever funding would be allocated for critical lands acquisition, 1/3 for the Rural and Family Lands Program and 1/3 for Florida Communities Trust.

• Contained a Florida Forever funding allocation that started at $57 million in FY 2019-2020 and increasing to $200 million by FY 2029-2039 in relation to decreasing amount of debt service on Florida Forever bonds.

• Bill died on the House Calendar.
Bill sought to ban advanced well stimulation treatments, “fracking,” in Florida.

Bill died in Senate Appropriations and companion bill never heard in the House.
Questions and Answers
If you have questions:

- Your webinar control panel includes a “Questions” box
- Please click on “+” sign and type any questions in this box
- Please refer to the slide number and/or speaker when you post your question
- Please keep your questions succinct!
- Staff will ask the presenters questions, as time permits
The PowerPoint is available at www.1000friendsofflorida.org
This webinar has been approved for:

- 1.5 AICP CM  LEGAL Credits for planners (#9138853)
- 1 CEC for Certified Floodplain Managers
- 2 CLE for Florida attorneys (1708849N – Intermediate)
- .150 CEUs for Florida Environmental Health Professionals

There is a link to a BRIEF SURVEY in the follow-up email you will receive. Please take a few minutes to give us feedback!
Check out our Legislative Webpage!

Available at:
www.1000friendsofflorida.org/2018-florida-legislative-session-custom/

This site is:
- Includes what passed and failed
- Includes Growth Management, Transportation and Conservation Legislation
- Includes links to the bills
Seeking additional sponsors to offer future webinars for free!

To underwrite costs associated with Go-to-Webinar, professional certification credits (AICP AND CLE), staff time, etc.

Please consider joining with donation levels starting at $35 and up.

Or, consider becoming a program sponsor:

- Florida Guardian -- $5,000
- President’s Club -- $2,500
- Friend -- $1,000
- Sponsor -- $500
- Supporter -- $250
- Other amounts gratefully appreciated!

You may donate on-line at www.1000friendsofflorida.org/donate-now/ (Designate it for DeGrove Education Fund)

OR

Email vyoung@1000fof.org for more information
Join us for upcoming webinars:

Implementing Complete Streets in Florida

- TUESDAY, April 24, 2018 from Noon to 1:30 p.m.
- Approved for 1.5 AICP CM Credits for Planners
- Professional certification credits sought for Florida attorneys, certified floodplain managers and environmental health professionals but cannot be guaranteed

Register now at:
www.1000friendsofflorida.org/webinar/
Please support 1000 Friends of Florida:

[Website link]

If you would like your donation to support 1000 Friends’ webinars, please allocate your donation to the DeGrove Education Fund

AMAZON SMILE

[Amazon Smile link]