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- 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!
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- 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/
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- REGISTER NOW! Wednesday, June 21, 2017, Noon – 1:30 – Florida Forever Advocacy: A Game Plan for 2018. Approved for 1.5 AICP CM credits for planners and 1.5 contact hours for Florida Environmental Health Professionals. 1000 Friends has applied for credits for Florida attorneys and Certified Floodplain Managers but cannot guarantee these credits will be approved.

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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.
Ryan Smart

- President of 1000 Friends of Florida
- Bob Graham Center 2017 Young Floridian Award
- Past staff coordinator of the Florida Conservation Coalition, which focuses on water policy, communications and advocacy
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
Session Overview

Lester Abberger
Board Member Emeritus & Past Chairman,
1000 Friends of Florida
Major Issues:
• Budget
• Economic Development/Tourism Funding
• Health Care
• Medical Marijuana
• Leadership Priorities
• Local Government Preemptions

Leadership Priorities

Local Government Preemptions
Legislation that Passed
- Relating to “Personal delivery devices”
  - Allows operation of autonomous or remote controlled delivery robots on public sidewalks
  - Robots may weigh up to 80 pounds and travel up to 10 miles an hour
  - Robots must yield to people walking and follow traffic laws applicable to pedestrians
- Relating to “Unmanned aircraft systems”
  - Preempts regulation of drones to the State (to the extent not already regulated by the Federal Government)
  - Prohibits operating a drone at a “"Critical infrastructure facility"
Coming soon to a Florida sidewalk near you?

San Francisco to Delivery Robots: Get Off the Damn Sidewalk

A city lawmaker has proposed legislation banning autonomous delivery-bots. But the battle over who gets to use the sidewalk may just be getting started.

Andrew Zaleski • May 19, 2017
Passed—SB 596 (Hutson)/HB 687 (La Rosa): Utilities

- Creates "Advanced Wireless Infrastructure Deployment Act”
- Defines “small wireless facilities” as wireless equipment which is no more than 28 cubic feet and which has antennas which are no more than 6 cubic feet
- Requires local governments to accept small wireless facilities on utility poles without charge
- Does allow a nominal permitting fee and charge up to $150 per year
- Does provide very limited exceptions for historic preservation, public safety and Americans with Disabilities Act compliance
Legislation championed by Senate President Negron to construct a reservoir south of Lake Okeechobee to help reduce discharges to coastal estuaries and send water south into Everglades National Park.

Changed dramatically through legislative process

Originally proposed to purchase 60,000 acres of land in the EAA for construction of a reservoir to hold 360,000 acre-feet of water. Permitted all costs associated with the reservoir, including operation and maintenance, to be funded out of the Florida Forever program. Authorized bonding of $1.2 billion from the Land Acquisition Trust Fund.
Passed - SB 10 (Bradey)/HB 761(Altman): Reservoir

Drastically amended by the Approps. Sub. on the Enviro. and Nat. Resources:
• Shifted state policy away from acquiring land for conservation and toward water supply development
• Stripped the remaining $3.3 billion in bonding authority for the Florida Forever program and gave it to a new program for water resource protection and development
• Mandated new annual allocations from the LATF:
  • $35 Million to restore the St. Johns River & Keystone Heights Lakes.
  • $2 Million to address water quality issues in the Florida Keys.
  • $20 Million to address water quality issues in the Indian River Lagoon and Caloosahatchee estuaries.

1000 Friends was first to come out in opposition to the amendment because of its devastating effects on Florida Forever and statewide land conservation
SB 10 was amended again in the Senate Appropriations Committee:

• Removes goal of acquiring 60,000 acres in EAA
• Utilizes existing state-owned lands, along with the possibility of adding additional lands in the future, to create a reservoir capable of holding a minimum of 240,000 acre-feet of water.
• Removes land conservation policy shift and stripping of Florida Forever bonding.
• Removes the ability for the state to use eminent domain.
• Allows U.S. Sugar to unilaterally terminate the existing contract to purchase their EAA land holdings if certain conditions are met.
Passed - SB 10 (Bradey)/HB 761(Altman): Reservoir

SB 10 passed the Senate on April 12th (36-3). It was taken up in the House on May 2nd, after the Senate approved a bill to create a referendum to expand property tax exemptions, a priority of Speaker Corcoran, and passed (99-19) despite never being considered in a House Committee.

The House amended the bill, reducing the bonding authorization to $800 million for the reservoir and allocating $64 million annually from Amendment 1. Removes operations and maintenance as a cost to be covered under the Florida Forever program.

Signed into law on May 9th by Governor Scott.
As signed into law, SB 10:

- Uses state-owned lands (A-2 and, possibly, A-1 parcels) for a reservoir capable of storing between 240,000 and 360,000 acre-feet of water south of Lake Okeechobee.
- Authorizes up to $800 million of Florida Forever bond proceeds for reservoir project.
- Increases minimum annual allocation from the Land Acquisition Trust Fund for Everglades restoration to $264 million.
- Allocates $31 million for the construction of the C-51 water supply project.
- Prohibits the state to use eminent domain to acquire EAA land.
- Allows U.S. Sugar to unilaterally terminate the existing contract to purchase their EAA land holdings if certain conditions are met.
- Provides state funding to local gov. and water suppliers for development of water storage facilities.
- Provides job training and employment assistance to communities south of Lake Okeechobee.
Passed - SB 90 (Brandes)/HB 1351 (Rodrigues): Renewable Energy Source Devices

Implements Amendment 4 from 2016:

• Exempts 80% of a renewable energy source device’s value from consideration when assessing tangible personal property and ad valorem taxes.

• Numerous provisions requiring disclosures to be included in agreements governing the sale or lease of distributed energy generation systems.

• Passed both chambers unanimously.
Originally prohibited the sale, trade or distribution of shark fins and tails.

Weakened considerably through legislative process.

As passed, codifies the existing prohibition on possessing separated shark fins or tails on Florida waters or bringing them to shore.

Increases penalties for violations.

Passed both chambers unanimously.
Requires the Polk Regional Water Cooperative, in coordination with local governments, to develop a comprehensive annual report, including estimated project costs and completion dates, for water resource projects identified for priority state funding within the Cooperative’s jurisdiction. The report will be submitted to the Governor, Senate, House, DEP and the appropriate Districts.

Requires the Cooperative to coordinate with the appropriate water management district to submit an annual status report on projects receiving priority state funding.

Passed both chambers unanimously.
Uses existing rules to determine when a pollution incident must be reported.

Requires notification to DEP within 24 hours of the discovery of the pollution release and requires DEP to share the pollution notification reports with the public within 24 hours of receipt. If someone fails to report a pollution release they would be subject to civil penalties as specified by existing statute.

Updates process for allocating state funds for rehabilitation of petroleum or dry cleaning contaminated sites.

Requires report on the potential of ethanol or biodiesel systems to damage underground petroleum systems.

Passed both chambers unanimously.
Legislation that Failed

Ryan Smart and Thomas Hawkins
1000 Friends of Florida
1000 Friends of Florida opposed

- Bill would require new “private property rights element” in local government comprehensive plans
- Policy would duplicate existing property rights protections such as Bert Harris Act and Fla. Stat. s. 163.3177(6)(a)2.i.
- Would have required local governments to elevate “economic development” and “private property rights” concerns above other policy considerations when issuing development orders.

Failed—SB 940 (Perry)/HB 1309 (Payne): Growth management
1000 Friends of Florida opposed

Thanks to 1000 Friends of Florida members and other engaged citizens, this bill and its House companion died in committee

Would have created a new cause of action allowing developers to sue citizens and organizations opposing comprehensive plan amendments and certain environmental permits

Could effectively end citizen engagement in growth management
1000 Friends of Florida supported

Would have closed a loophole allowing independent special districts (like Community Development Districts) to convert to municipalities without meeting otherwise applicable requirements of law (like minimum population thresholds)

Would have instead required minimum population for independent special districts to convert to municipalities

Loophole has been used one time, to create Westlake, Florida in Palm Beach County
Failed—SB 1770 (Lee)/HB 13 (Raburn): Community Redevelopment Agencies

- 1000 Friends of Florida opposed
- Designed to curtail Community Redevelopment Agencies
- Filed bill in House would have prevented CRAs from undertaking new projects and would eventually sunset all CRAs
- Went through many iterations throughout session
- Later versions would have allowed existing CRAs to continue but with limited range of allowed purposes
1000 Friends of Florida opposed

“Mother of all preemption bills”

Would have preempted to the state all regulation of businesses and professions

Would not have curtailed Community Planning Act

Still expected to have widespread impacts on local government regulation of:

- nuisances
- locally undesirable uses
Failed—SB 422 (Lee)/HB 719 (Roth): Municipal Conversion of Independent Special Districts

- 1000 Friends of Florida supported
- Would have closed a loophole allowing independent special districts (like Community Development Districts) to convert to municipalities without meeting otherwise applicable requirements of law (like minimum population thresholds)
- Would have instead required minimum population for independent special districts to convert to municipalities
- Loophole has been used one time, to create Westlake, Florida in Palm Beach County
1000 Friends of Florida supported
- Related to High-Speed Passenger Rail
- Would have established safety standards for high-speed rail
- Would have limited cost shifting from private rail owners and operators to local governments
1000 Friends of Florida supported improvements to intergovernmental coordination processes

Bills drafted in Senate and House

Ultimately language not filed as bills or amendments

Will continue to look for ways to improve cooperation between local governments in planning for development with demands on resources and infrastructure in multiple jurisdictions
Failed Conservation Legislation

• SB 162 (Rodriguez)/HB 93 (Richardson): Disposable Plastic Bags
  • Allows certain coastal communities to create temporary pilot programs regulating or banning disposable plastic bags
• SB 198 (Stewart)/HB 861 (Willhite): Environmental Regulation Commission
  • Requires Governor to fill vacancies on the ERC within 90 and requires a supermajority for certain rules.
• SB 442 (Young)/HB 451 (Miller): Ban Advanced Well Stimulation Treatments
  • Bans “advanced well stimulation” techniques, including “fracking,” in Florida.
• SB 1304 (Stewart)/HB 491 (Mercado): Florida Black Bears
  • Protections for black bear habitat.
• SB 1700 (Farmer): Water Management
  • Improves protections for springs.
• SB 1748 (Stewart)/HB 285 (Fine): Septic Systems
  • Requires disclosure of septic tank at time of home sale.
LATF is the money set aside by Amendment 1 in 2014.
Numerous bills failed which would have dedicated annual appropriations from the LATF to specific resources or regions:

- SB 234 (Bradley)/HB 847 (Payne)
  - $20-$45 million for St. Johns River & Key Stone Lakes
- SB 874 (Young)/HB 551 (Stone)
  - $20 million for IRL & Caloosahatchee septic tank remediation/stormwater improvements
- SB 1082 (Mayfield)/HB 1033 (Altman)
  - $30 million for Indian River Lagoon
- SB 1082 (Brandes)/HB 663 (Peters)
  - $100 million or 12.5% for water resource development projects
- SB 1590 (Latvala)/HB 1213 (Peters)
  - $50 million or 7.6% for projects to preserve and repair beaches
Legislation filed late in the 2017 session which proposed to refocus Florida Forever on three key land conservation programs: the ARC priority acquisition list (35%), Florida Communities Trust (25%) and the Rural and Family Lands Protection Program (40%).

Eliminated the use of Florida Forever funds for capital projects.

Prioritized Florida Forever funding after mandatory LATF obligations were met.

Some concern elimination of funding for water management district land conservation.

Percentage breakdown puts too much emphasis on Rural and Family Lands Program and too little emphasis on ARC priority acquisition programs.

• More than 2 million acres of ARC List compared to 300,000 or Rural and Family Lands
• ARC list includes fee-simple and less than fee properties
Failed — HB 7119 (Caldwell): Florida Forever Program

Amended on the House Floor to remove language prioritizing Florida Forever and add guaranteed annual LATF Appropriations (based on $200 million annually minus existing FF debt service):

• 2018-2021: $57 million
• 2021-2022: $78 million
• 2022-2023: $89 million
• 2023-2025: $110 million
• 2025-2026: $127 million
• 2026-2027: $147 million
• 2027-2028: $157 million
• 2028-2029: $179 million
• 2029-2036: $200 million

Proposed funding was significantly below what is needed to protect Florida’s environment and economy and what was intended by Florida voters in 2014.
Once again, the Legislature failed to restore significant funding for land conservation through the Florida Forever, Florida Communities Trust and Rural and Family Lands Protection Programs:

- $0 for Florida Forever
- $0 for Florida Communities Trust
- $10 million for Rural and Family Lands

This is significantly less than the paltry $60.2 million allocated last year for these programs.

1000 Friends advocates for a minimum of 25% of LATF funds, after debt service, to be dedicated for land acquisition through the Florida Forever and Florida Communities Trust programs. As well as, increased funding for land conservation through the Rural and Family Lands Protection Program.
Overall, 2017 was a very disappointing session for funding to protect and restore Florida’s environment.

Department of Environmental Protection budget cut by nearly 20% and overall environmental appropriations were reduced by nearly $400 million.

A few areas did well:

• $50 million for springs restoration and protection
• $50 million for beach restoration
• $250+ million Everglades Restoration
“The whole purpose of (Amendment 1) was to reverse the drastic cuts in the Florida Forever program” – Governor Bob Graham

But, Florida Forever and land conservation funding has not been restored.

“Every year that there is no funding for Florida Forever is a lost year for Floridians.” – 1000 Friends Chairmen Emeritus Nathaniel Reed

<table>
<thead>
<tr>
<th>Category</th>
<th>2015-2018</th>
<th>% of Total LATF</th>
</tr>
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<tbody>
<tr>
<td>Debt Service</td>
<td>537.1</td>
<td>22.60%</td>
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<td>Salaries/Existing Agency Ops.</td>
<td>578.1</td>
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<td>Everglades</td>
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<td>18.93%</td>
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<tr>
<td>Land Management</td>
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<td>Springs</td>
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<td>Regulatory</td>
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<td>Beach Management</td>
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<td>Rural and Family Lands</td>
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<td>Total</td>
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</table>
Conservation community unified behind a consensus proposal on Florida Forever funding.

1000 Friends Board and staff, along with our conservation allies, authored more than a dozen op-ed columns in Florida newspapers.

Email alerts by conservation groups generated thousands of calls and emails to Florida Legislature in support of Florida Forever.

Ranchers and conservation groups came together to advocate for land conservation funding.
Disappointing funding allocations, but..

Renewed focus on funding Florida Forever in Legislature:

- Rep. Matt Caldwell – HB 7119
- Sen. Linda Stewart – Amendment to SB 234
- “As the father of Florida Forever, as the person who passed that bill, I’m obviously disappointed to have a year when I’m Appropriations chairman and not be able to fund it... Next year, I’ll try to fix that.” Sen. Jack Latvala
- “(Senator Bradley’s) assurances that we’re going to work together means we’re going to work toward a much bigger and better and greater Florida Forever funding source.” Sen. Linda Stewart
- “I am a big believer in the (Florida Forever), and I think it should be funded every year.” Sen. Travis Hutson

Time for Legislature, citizens and conservation groups to unite behind Florida Forever funding
Florida Forever Advocacy:  
A Game Plan for 2018
The Florida Conservation Coalition, 1000 Friends of Florida, and other conservation groups have identified Florida Forever funding as a top priority.

Conservation groups are meeting across the state to develop a strategy for increasing Florida Forever funding in the 2018 session.

Please join 1000 Friends of Florida, and special guests from our conservation allies, for a special Florida Forever Advocacy Webinar on June 21st where we will discuss what you can do to make sure Florida Forever is funded in 2018.
What you can do now:

• Call you State Senator and State Representative in their district office and request a meeting to discuss Florida Forever funding.

• When you meet with your elected officials tell them:
  • How you feel about no funding for Florida Forever in 2017
  • Why land conservation is important to you
  • What lands in your area are in need of protection

• Ask if your Senator or Rep. will support dedicating a minimum of 25% of LATF for Florida Forever and Florida Communities Trust programs, and increased funding for the Rural and Family Lands Protection Program.

If you need help preparing for your meeting, call 1000 Friends:

850-222-6277
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- **REGISTER NOW!** Wednesday, June 21, 2017, Noon – 1:30 – Florida Forever Advocacy: A Game Plan for 2018. Approved for 1.5 AICP CM credits for planners and 1.5 contact hours for Florida Environmental Health Professionals. 1000 Friends has applied for credits for Florida attorneys and Certified Floodplain Managers but cannot guarantee these credits will be approved.

Visit [www.1000friendsofflorida.org/webinar/](http://www.1000friendsofflorida.org/webinar/) to find out more!
LATF lawsuit update

- Two sets of plaintiffs
  - Florida Wildlife Federation, St. Johns River Keeper, Sierra Club et al.
  - Florida Defenders of the Environment
- Cases were stayed during pendency of legislative session
- Next action is expected answer from legislature anticipated to be filed in June 2017
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