



The Limpkin Call

Oklawaha Valley Audubon Society Volume XVII No. 0 May - June 2001

Special Electronic Edition – 2001 Conservation News

Environmental Justice Emphasis Increased

Our traditional goals were expanded in 2001 by new efforts to positively influence environmental justice. An often-overlooked issue within the environmental community is Environmental Justice. The issue includes brownfields, economic involvement of minorities in the Comprehensive Everglades Restoration Plan and growth management just to name a few. Audubon has sought to lead by example as witnessed by its hiring of minority personnel in key positions as well as our diligent efforts in lobbying and supporting causes that create minority participation both economically and in decision making.

Although Audubon did not draft legislation on the issue of Environmental Justice this session, we gave substantial support to many Black and Latino members in support of their legislation. One of the highlights of the year was a successful and well-attended dinner put on by Audubon in support of the Black Caucus.

How To Contact The Legislature

For the text of the bills, information on individual legislators & committees go to

HTTP://www.leg.state.fl.us
or telephone: (850) 488-1234.

The toll free number for Bill Information only is
(800) 342-1827

All legislators addresses are:
(Legislators Name)

(House) or (Senate) Office Building,
The Capitol,
Tallahassee, Florida, 32399

How To Contact Audubon Lobby Team

Deveron Brown is at deveronbrown@earthlink.net
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Questions Regarding Specific Issues

Call Audubon's Conservation Hotline 1-800-753-5499

For more on Everglades spending subscribe to the Everglades Conservation Network electronic or postal newsletter, RESTORE - Contact Audubon at: 800-753-5499 or go to:

www.audubonofflorida.org/leadership/eadvocacy.htm

Florida 2001 Legislative Session Summary

Ref: Audubon Advocate 5/15/01 Issue No. 9

Audubon won many battles this year and we are in a position to see many more goals come to fruition next year. The Audubon goal of passing a new rural land protection program into law was achieved, and adverse changes to the state's growth management laws were avoided. At the same time, the Governor's growth management reforms did not materialize, environmental land buying programs were cut by \$75 million and the Rodman Dam still stands.

Rural and Family Lands Protection Act Passes

Audubon's proposed Rural and Family Lands Protection Act to purchase conservation easements on ranch and timber land was amended into SB 1922 and passed both the Senate and House. The act dedicates funds for public purchase of conservation easements from willing owners of rural lands. It provides incentives to landowners for maintaining wildlife and wetland benefits. It aids to limit high density development. It provides annual appropriations for private land conservation. Plus it establishes transferable development rights to create incentives for setting aside rural lands.

The act was necessary because Florida's ranch and timber lands are being converted to housing and row crops at an alarming rate. These lands are not only important for the cattle and products produced on them, they provide quality habitat for birds and wildlife and help preserve watersheds.

The Rural Stewardship Areas Program Passes

The program proposes five pilot projects where local governments would apply to the Department of Community Affairs to establish rural stewardship areas. The areas would be 50 to 250,000 acres in size. The basic idea is to allow a limited number "transferable rural land use credits" in rural stewardship areas. Receiving areas, where there would be little environmental impact from development, would be selected and designated. Developers of units in those receiving areas would have to purchase credits from "non-receiving areas." The result would be the removal of development credits from most of the lands within the stewardship areas. The owners of the land would benefit by selling off their credits, including the underlying development rights.

These rural stewardship areas and the required control of sprawl hold great promise to keep current rural areas from becoming sprawling messes like Brandon, Leesburg and areas along US 27. The plan fits population growth into carefully planned and more densely developed rural towns. The areas around the towns would be preserved as farm, pasture or timber lands. Funding for the Rural and Family Lands Protection Act will be a major effort in the 2002 Legislative Session. Spread the word to your legislators that Audubon will lead the effort to make sure it is funded next year.

Everglades Gets Only \$100 Million

Everglades restoration got \$75 million transferred from unspent balances of Preservation 2000 funds instead of the general revenue promised in HB 211

passed last year and signed with great fanfare by Governor Jeb Bush. Along with a \$25 million allocation of the South Florida share of Florida Forever land acquisition money, the Save Our Everglades Trust Fund has \$100 million, or roughly half what was projected for the spending plan. That means that to match federal funding another \$100 million will have to be derived from sources other than the state budget, at the Water Management District level. The future of Florida's financial commitment to Everglades restoration is now vague and sketchy

Aquifer Storage and Recovery Bill Sinks

Aquifer storage and recovery (ASR), a new technology upon which part of the water storage for the Everglades restoration plan is based, met ridicule and rejection in the eyes of the press and public as they learned of legislation to waive drinking water regulations and store untreated surface water in aquifers. When Legislators started hearing from constituents and offered amendments to limit the scope of the bills, the sponsors got nervous and held off on final passage.

Growth Management Revisions Defeated

Governor Jeb Bush announced his Growth Management program revision proposals at the beginning of the session. His proposals were forward looking and easily embraced by the environmental community. The key elements of the Governor's legislative proposals were an effort to tie approval of additional development density to the provision of adequate classroom space in schools, and authorization of some pilot projects to test implementation of a "full cost accounting" methodology to enable local governments to determine whether or not proposed development will pay for themselves. The Governor's proposals ended up in SB 310/380 and a variation on that theme was incorporated in HB 1617. None of these bills became law.

Ocklawaha Restoration Still Stalled Rodman Dam Still Stands

This year Ocklawaha restoration supporters thought there was a chance to secure funding to take down the Rodman Dam. The Governor proposed \$800,000 for nutrient studies and sediment removal. Audubon and Defenders of Florida didn't count on a remarkably well-organized local government and constituency along with effective new legislative leadership on behalf of the reservoir from Senate Majority Leader Jim King, Representative Joe Pickens and Senator Rod Smith.



A bill (HB 1085, SB 1246) to establish the North Florida Reserve and require management of the reservoir (thus blocking restoration) nearly passed before some creative deal-making linked the water quality study funding with a new bass tournament facility. In the end, no bill passed. Unfortunately, funding for water quality studies that some argue are necessary before removing the dam was tied to approval of King's bill. The stalemate will continue unless Audubon and other restoration proponents can find creative ways around the roadblocks.

Environmental Education Initiative

This year we proposed an innovative conservation education bill that would have changed the way not-for-profits assist the State in the delivery of conservation education. The plan would create a not-for-profit/state agency partnership to deliver quality conservation education. The bill included a financial component that granted not-for-profits a 25% match for funds expended to be paid by the respective agency. The proposal ran into severe opposition in the Senate. Key staffers were philosophically opposed to the bill. The silver lining is that next year we will have the knowledge to draft better legislation that will not only satisfy the Senate but also better serve Florida as well.

APA Bill; Anti-Citizen Standing

This session conservationists had the task of preventing adverse changes to the Administrative Procedures Act. The changes would have affected citizen standing, added attorney fee liability and reduced the ability of environmental groups to appeal water district decisions to the Governor and Cabinet. The changes were contained in SB 910, HB 1135, and SB 1560. None of these bills passed.

The defeated changes would have repealed the 30 year old "Environmental Protection Act" citizen standing provisions and potentially require challenging environmental groups or individuals to risk paying the developer's attorneys fees. Audubon limited the potential damage by obtaining amendments that made the changes unfavorable to the developers, lobbyists and legislators wanting the changes.

Save The Manatee Trust Fund

The Save the Manatee Trust Fund, was reauthorized. In a separate appropriation, the Legislature also increased funding for manatee speed zone enforcement by \$4 million dollars.

Internet Notice Study Funded

SB 1738 directs DEP & State Technology Office to establish a pilot project to test cost-effectiveness of publication of notices on Internet in lieu of publication in Florida Administrative Weekly and other publication of notices. This bill moves the state toward using the Internet as a way of giving public notice on rulemaking and development permit applications.

DEP Can Collect Fines Faster

HB 1635 Environmental Control passed allowing the Dept. of Environmental Protection to assess administrative fines against violators and to collect those fines without the necessity of court proceedings. This will simplify the assessment of penalties against violators and makes it more likely that DEP will actually collect the fine.

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