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DATE: JANUARY 22, 2024  
TO: COUNCIL MEMBERS  
FROM: STAFF  
SUBJECT: RESOLUTION 24-01 KRISTEN JACOBS CORAL REEF ECOSYSTEM CONSERVATION AREA / FLORIDA AQUATIC PRESERVE

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To continue ensuring a comprehensive range of environmental protections in the state, the Florida Department of Environmental Protection (DEP) is proposing House Bill 1557 (Representative Chaney / Senate Bill 1386 (Senator Calatayud). This legislation is proposed to advance protection of environmental resources by:

- Enhancing protections for Florida’s Coral Reef and Aquatic Preserves
- Improving the Treatment of Reclaimed Water
- Strengthening Florida’s Resilience Planning
- Investing in Innovative Technologies
- Expanding Wastewater Facility Plans
- Furthering the Onsite Septic Program Transfer

This legislation is under review by county staff from Miami-Dade, Broward, Palm Beach, and Monroe counties and stakeholders who comprise the Southeast Florida Regional Climate Change Staff Working Group to ensure consistency with local efforts.

Consistent with past actions of the South Florida Regional Planning Council Board in advocating for enhanced protections for Florida’s Coral Reef, and at the request of Councilmember Furr, Council Staff is pleased to offer Resolution 24-01 for consideration of the Board. Specifically, section 2 of SB 1386 (SEN. CALATAYUD) / HB 1557 (REP. CHANEY), as introduced, amends section 258.39, Florida Statutes, to create Subsection (33) and include the Kristin Jacobs Coral Reef Ecosystem Conservation Area, as designated by chapter 2021-107, on the list of Florida Aquatic Preserve areas thereby providing additional tools for the area’s restoration and protection.



## **RESOLUTION 24-01**

A RESOLUTION OF THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL REPRESENTING MONROE, MIAMI-DADE, AND BROWARD COUNTIES; EXPRESSING SUPPORT FOR SECTION 2 OF SB 1386 / HB 1557, AS INTRODUCED, WHICH ADDS THE KRISTIN JACOBS CORAL REEF ECOSYSTEM CONSERVATION AREA TO THE LIST OF FLORIDA AQUATIC PRESERVE AREAS; THANKING AND URGING THE LEGISLATURE AND GOVERNOR TO CONTINUE AND INCREASE THEIR GENEROUS SUPPORT FOR CORAL REEF RESTORATION AND MANAGEMENT; REQUESTING THAT THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION COLLABORATE TO DEVELOP AND IMPLEMENT A LONG-TERM CORAL REEF CONSERVATION STRATEGY; PROVIDING AN EFFECTIVE DATE.

SB 1386 / HB 1557 is important legislation that addresses many of the Council's priority issues of regional concern. Council Staff recommends revisiting the entirety of the legislation upon the completion of county staff's review and assessment.

Recommendation: Approve Resolution 24-01





# 2024 DEP AGENCY BILL

To continue ensuring a comprehensive range of environmental protections in the state, the Florida Department of Environmental Protection (DEP) is proposing House Bill 1557/Senate Bill 1386. This legislation advances the protection of our environmental resources by:

## **Enhancing Protections for Florida's Coral Reef and Aquatic Preserves.**

Establishes a new aquatic preserve over the Kristin Jacobs Coral Reef Ecosystem Conservation Area to enhance protections for the northern portion Florida's Coral Reef, including improving coordination of restoration projects and streamlining water quality monitoring efforts.

## **Improving the Treatment of Reclaimed Water.**

Ensures that reclaimed water is treated to meet Advanced Wastewater Treatment or a more stringent treatment standard, while still promoting its use to eliminate surface water discharges and meet water supply challenges.

## **Strengthening Florida's Resilience Planning.**

Clarifies elements eligible for the Resilient Florida Grant Program and defines the role of the Flood Hub and Chief Resilience Officer in developing the statewide dataset and assessment.

## **Investing in Innovative Technologies.**

Creates a program to expeditiously review new and innovative enhanced nutrient-reducing Onsite Sewage Treatment and Disposal Systems to reduce the nutrients entering Florida's waterways.

## **Expanding Wastewater Facility Plans.**

Supports the development of domestic wastewater treatment plans and Onsite Sewage Treatment and Disposal Systems remediation plans within Basin Management Action Plan areas or other restoration areas by requiring facilities to provide information to the local entities developing these plans.

## **Furthering the Onsite Septic Program Transfer.**

Ensures that DEP has the appropriate authority to transfer the septic program from Department of Health so DEP can enter into contracts and delegation agreements, allows DEP to integrate enforcement and statutory compliance requirements for the onsite program into its existing regulatory structure, and provides DEP rulemaking authority for implementation.





## RESOLUTION #24-01

**A RESOLUTION OF THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL REPRESENTING MONROE, MIAMI-DADE, AND BROWARD COUNTIES; EXPRESSING SUPPORT FOR SECTION 2 OF SB 1386 / HB 1557, AS INTRODUCED, WHICH ADDS THE KRISTIN JACOBS CORAL REEF ECOSYSTEM CONSERVATION AREA TO THE LIST OF FLORIDA AQUATIC PRESERVE AREAS; THANKING AND URGING THE LEGISLATURE AND GOVERNOR TO CONTINUE AND INCREASE THEIR GENEROUS SUPPORT FOR CORAL REEF RESTORATION AND MANAGEMENT; REQUESTING THAT THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION COLLABORATE TO DEVELOP AND IMPLEMENT A LONG-TERM CORAL REEF CONSERVATION STRATEGY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the South Florida and Treasure Coast Regional Planning Councils' (SFRPC / TCRPC) seven-county geographical area is comprised of Broward, Indian River, Martin, Miami-Dade, Monroe, Palm Beach, and St. Lucie counties and 122 municipalities, with more than 6.8 million residents, nearly one-third of the State's population, that generate more than one-third of the State's gross domestic product; and

**WHEREAS**, the South Florida and Treasure Coast Regional Planning Councils have worked jointly and with the Florida Department of Environmental Protection, the region's counties, higher education institutions, and coral reef stakeholders to further awareness and protection of Florida's Coral Reef since 2016; and

**WHEREAS**, the Southeast Florida Coral Reef Conservation Area which encompasses sovereign submerged lands and state waters offshore of Broward, Martin, Miami-Dade, and Palm Beach counties from the St. Lucie Inlet in the north to the northern boundary of Biscayne National Park in the south was established in 2018 pursuant to the multi-year, untiring efforts of State Representative Kristin Jacobs of Broward County and regional stakeholders; and

**WHEREAS**, in 2021 the Legislature and Governor honored the late Representative Kristin Jacobs (1959-2020) by commemorating her many contributions on behalf of the Coral Reef and environment by renaming this conservation area the "Kristin Jacobs Southeast Florida Coral Reef Conservation Area"; and

**WHEREAS**, in 1975 the Florida Legislature enacted the Aquatic Preserve Act to ensure “that state-owned submerged lands in areas which have exceptional biological, aesthetic, and scientific value ... be set aside forever as aquatic preserves or sanctuaries for the benefit of future generations.” History – s.1, ch. 75-172, Laws of Florida, and

**WHEREAS**, Section 2 of SB 1386 (SEN. CALATAYUD) / HB 1557 (REP. CHANEY), amends section 258.39, Florida Statutes, to create Subsection (33) and include the Kristin Jacobs Coral Reef Ecosystem Conservation Area, as designated by chapter 2021-107, on the list of Florida Aquatic Preserve areas.

**WHEREAS**, the SFRPC wholeheartedly supports and urges the inclusion of the Kristin Jacobs Coral Reef Ecosystem Conservation Area to the list of Florida Aquatic Preserve Areas to provide greater protection and enhanced management of the Kristin Jacobs Coral Reef Ecosystem Conservation Area, Florida’s Coral Reef, and state-owned submerged lands; and

**WHEREAS**, Florida's Coral Reef runs parallel to the coastline from Monroe County north to Martin County, and is a valuable national resource that protects our shores and beaches by reducing wave energy from storms and hurricanes, providing flood protection valued at over \$675 million per year and more than \$1 billion during extreme weather events; and

**WHEREAS**, Florida's Coral Reef ecosystem provides a vital marine habitat for more than 6,000 species, including species found nowhere else on earth; and

**WHEREAS**, this habitat is essential to the state's commercial fishing and tourism industries, supports more than 71,000 jobs within the region, and generates more than \$6 billion in positive economic impact annually; and

**WHEREAS**, protection of Florida's Coral Reef is essential for ensuring the continued protection of our shorelines, coastal food sources, cultural practices, biomedical opportunities, and coastal economies that are a direct result of our coral reefs; and

**WHEREAS**, it has been determined that coastal ocean waters are under great user pressure and suffer from water quality degradation that has compromised the resiliency of Florida’s Coral Reef and its habitat; and

**WHEREAS**, the global threat and impacts to coral reefs continue to grow which, coupled with local stressors, is evidenced by coral reefs declining at an alarming rate; and

**WHEREAS**, a coral disease outbreak of unknown origin originated offshore of Miami-Dade County in fall 2014 and has persisted and continued to spread and affect new reefs from the Marquesas west of Monroe County to the northernmost coral reefs in Martin County; and

**WHEREAS**, the coral disease epidemic is causing near total mortality of vulnerable species present on Florida's Coral Reef, including reef-building coral species and species listed under the Endangered Species Act, resulting in an increasing threat to fragile ecosystems that support Florida's fisheries and protect our coasts; and

**WHEREAS**, the coral disease has spread from Florida throughout the Caribbean, with the potential threat of introduction into the Pacific Ocean; and

**WHEREAS**, in 2023 the coral disease epidemic was compounded by record-hot ocean temperatures which triggered widespread coral bleaching and reef mortality; and

**WHEREAS**, in addition, the SFRPC supports and urges the Florida Department of Environmental Protection and Florida Fish and Wildlife Conservation Commission to work collaboratively to develop and implement as soon as possible a long-term coral reef conservation strategy for Florida's Coral Reef, including the Kristin Jacobs Coral Reef Ecosystem Conservation Area, before adverse impacts to the reef cannot be reversed; and

**WHEREAS**, the SFRPC thanks and urges the Legislature and Governor to continue and increase their generous support for coral reef restoration and management efforts.

**NOW, THEREFORE, BE IT RESOLVED BY THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL THAT:**

The SFRPC requests that the Florida's Governor and Legislature:

- 1) Designate the Kristin Jacobs Coral Reef Ecosystem Conservation Area, as designated by chapter 2021-107, Laws of Florida, a Florida Aquatic Preserve Area;
- 2) Establish a long-term, recurring revenue source to provide adequate and flexible funding to support:
  - dedicated staff resources for coral reef disease response and restoration efforts;
  - infrastructure and capacity needed to maintain reproductive coral populations across Florida's Coral Reef;
  - infrastructure and capacity needed for assisted reproduction and propagation of corals and coral reef-associated species for future ecosystem restoration efforts;
  - in-water and land-based priority research focused on pathogen identification and disease response strategies;
  - restoration of coastal water quality through urban wastewater infrastructure upgrades; accelerated coastal septic to sewer conversions focused on local governments with matching fund programs; improved stormwater treatment;

- expedited closure of ocean wastewater outfalls; and additional strategies to greatly reduce nutrient loading from all human sources and pathways; and

The SFRPC additionally urges:

- 3) The Florida Department of Environmental Protection and Florida Fish and Wildlife Conservation Commission to work collaboratively to develop and implement as soon as possible a long-term coral reef conservation strategy for the Southeast Florida Coral Reef Conservation Area before adverse impacts to the reef cannot be reversed.

The SFRPC directs Council Staff to distribute this Resolution to the Governor, the Florida Legislature, the Secretary of the Florida Department of Environmental Protection, the Treasure Coast Regional Planning Council, and regional coral reef stakeholders.

**UNANIMOUSLY ADOPTED** by the South Florida Regional Planning Councils this 22<sup>ND</sup> day of January 2024.

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Steve Geller, SFRPC Chair

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Date

A list of Councilmembers is attached.

**SOUTH FLORIDA REGIONAL PLANNING COUNCIL COUNCILMEMBERS, EX OFFICIOS**

**JANUARY 2024**

Senator Steve Geller, *(Chair), Commissioner, Broward County*

Samuel Kaufman, *(First Vice Chair), Vice Mayor, Key West*

Quentin “Beam” Furr, *(Second Vice Chair), Vice Mayor, Broward County*

Senator René García, *(Treasurer), Commissioner, Miami-Dade County*

Michelle Lincoln, *(Secretary), Commissioner, Monroe County*

Mario J. Bailey, *(Immediate Past Chair), Governor’s Appointee Miami-Dade County*

Frank H. Caplan, *Councilmember, Village of Key Biscayne*

Craig Cates, *Commissioner, Monroe County*

Joseph Corradino, *Mayor, Village of Pinecrest*

Oliver G. Gilbert, III, *Chair and Commissioner, Miami-Dade County*

Cary Goldberg, *Governor’s Appointee Broward County*

Denise Horland, *Councilmember, Plantation*

Kionne McGhee, *Commissioner, Miami-Dade County*

Greg Ross, *Mayor, Cooper City*

Michael Udine, *Commissioner, Broward County*

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Isabel Cosio Carballo, *Executive Director*

Sam Goren, *Legal Counsel*

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Ex Officio Members

Sirena Davila, *Florida Department of Environmental Protection*

Dat Huynh, *Florida Department of Transportation, District Six*

Armando L. Vilaboy, *South Florida Water Management District*