Sierra Club Florida’s 2021 legislative priorities focused on clean energy, land conservation, smart growth, water quality and quantity, democracy, state interference in local decision-making, and the budget- and addressing the existential threat of climate change and its impacts while considering equity, inclusion, and justice to create a healthier, more equitable future for all. Read below to see what happened in 2021.

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<td>Clean Energy</td>
<td>Multiple pieces of anti-clean energy legislation passed this legislative session. One will prohibit mandatory beneficial electrification requirements, hamstrunging local governments’ ability to implement and achieve clean energy transition targets, such as the popular Ready for 100 commitments made by 11 cities in Florida. Another bill prohibits gas station bans, making the transition to electric vehicles more difficult. Yet another bill rebrands biogas as a “renewable energy” so that corporate utilities can build out natural gas infrastructure while making even more money from ratepayers through cost recovery. That “renewable natural gas bill” includes preempting industrial solar power plant siting that removes local control over placement of these potentially massive power plants. Fortunately, siting that has already been denied in the local process is exempt from these provisions going forward. What is important to note is that the loss of local control inherent in each of these bills is not being replaced by any state action to transition Florida to 100% renewable energy. Legislation seeking to ban the development of fossil fuels, promote electric vehicle use, and increasing low-income energy efficiency programs all failed to pass this year. While legislation that passed does not mention “Complete Streets”, it does make some good changes with respect to safety for those sharing the road with automobiles.</td>
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|                 | • Transition to 100% renewable energy statewide before 2050 with 100% renewable energy used for all state-funded operations by 2035  
• Update the Florida greenhouse gas (GHG) emissions baseline  
• Cut GHG emissions by 25% by 2035 and ensure equitable climate adaptation by:  
  o Reducing energy use by increasing funding to low-income residential energy efficiency programs  
  o Establishing a Florida just transition accountability program within and supported by a state agency made up of frontline-representative Florida residents and issue experts to study the state of the energy industry and recommend social and economic growth strategies for the state to thrive through industry’s transition from fossil to renewable fuels  
• Prevent the development of new fossil fuels in Florida, and ban all forms of well stimulation for fossil fuels (hydraulic fracking, acid fracturing, and matrix acidization)  
• Grow complete street development and electric mass transit, including within the Florida Transportation Plan  
• Promote use of electric vehicles by adopting battery-electric fleet goals and expanding charging infrastructure around the state  
• Promote and expand demand-side and supply-side efficiency and renewable energy storage |
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| Land Conservation | Legislators allocated $100 million from the land acquisition trust fund for acquiring “environmentally endangered, unique/irreplaceable lands statewide.” The Florida Wildlife Corridor Act was passed which includes aspirational language for the Corridor and charges DEP with encouraging State land buying/managing agencies to consider listing “opportunity areas” (green spaces that are not currently in conservation status and can serve to connect sections of the corridor) in their land buying plans. Priority in land acquisition shall now be given to lands that preserve, protect, or enhance wildlife habitats or corridors and linkages or agricultural or rural lands. An additional $300 million was allocated for land acquisition from the federal American Rescue Plan. However, this is a one-time only allocation. The *Rural and Family Lands Protection Program* was again on the short end of the stick receiving no funding from the legislature. Legislators repealed all of M-CORES, but retained some of its problematic aspects. While it eliminates the SW-Central corridor, it continues to call for an extension of the Florida Turnpike from Wildwood up to the northwest to a “logical terminus”, and it calls for making US 19 a limited access road going north from the Suncoast Parkway all the way to I-10. | • Preserve open spaces and wetlands, enhance regional wildlife corridors, and avoid fragmenting habitat  
• Increase funding to invest in permanent conservation easements through the *Rural and Family Lands Protection Program* to protect ranch/agricultural lands  
• Acquire through fee simple or less than fee mechanisms sufficient conservation land to ensure future generations' ability to rely on sustainable ecosystem services, outdoor recreation lands, and wildlife/landscape/ecotourism resources  
• Acquire 100,000 acres of land in the *Everglades Agricultural Area* (EAA) to assist in improving water quality and the restoration of the River of Grass  
• Repeal M-CORES |
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<td>Smart Growth</td>
<td>Legislators continued to erode what little was left of Florida's once vaunted growth management program. Legislation passed which inserts subsurface rights and mineral estates into the definition of “real property” which gives an oil or gas developer a legal wedge to force a locality or the Department of Environmental Protection (DEP) to refrain from actions that would “inordinately burden” the property by preventing fracking or other oil or gas exploration and production. Legislators also increased by 500% the acreage threshold that qualifies as a “small scale comprehensive plan amendment.” Amendments of 50 acres (or 100 acres in rural areas) would now qualify as “small scale.” This kind of amendment requires only a single hearing by the local governing board; no review by Department of Economic Opportunity (DEO) or any other agency is needed. Lastly, a comprehensive plan for a newly incorporated municipality that becomes effective after January 1, 2016, must incorporate all development orders existing before the plan's effective date, not impair the completion of development in accordance with existing development orders, and vest the density and intensity approved by the development orders existing before the plan's effective date without limitation or modification. Additionally, all local governments must include a private property rights element in their comprehensive plans by specified dates and provides a model statement of rights that local governments may adopt. If a local government drafts its own property rights element, it may not conflict with the language in the text of the bill. Rather than address the causes of climate change, the legislature established statewide resiliency programs that assess and address inland and coastal flooding and sea level rise. They created the “Resilient Florida Grant Program” which provides funding to local governments for the costs of resilience planning and projects to adapt critical assets. $500 million was allocated from the federal American Rescue Plan for this purpose. One estimated price tag is $30 billion, so we have a long way to go at taxpayer expense.</td>
<td>• Reinstitute state and regional oversight of growth management to promote smart growth and a prioritization of conserving natural lands • Repeal the statute awarding attorney fees and costs to the prevailing party in a consistency challenge of a development order • Identify and address the impacts of climate change and sea-level rise on natural resources and manmade infrastructure • Include the availability of water and the impact of development on water and wetlands in determining land use policies and deciding on the issuance of permits • Adopt measures to reduce light pollution and protect night skies • Promote walkable communities, infill, and redevelopment, and discourage automobile dependent design by encouraging transit-oriented development • Co-locate mass transit in existing transportation corridors • Repeal M-CORES</td>
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| Water Quality and Quantity | The legislature continues to countenance the unwise practice of injecting treated wastewater into aquifers for eventual potable use. There are millions of chemicals and we test for only about 300 of them. Our drinking water standards and testing/purification regime is effective for controlling microbial contamination, but is inadequate for dealing with contaminants of emerging concern (CECs) which may have long-term chronic or cumulative effects. CECs injected into a drinking water aquifer for a decade or more will be just about impossible to remove if significant public health threats are identified. The legislature allocated $50 million annually from the Land Acquisition Trust Fund to purchase pumps and pipes for aquifer storage and recovery (ASR) wells on the north side of Lake Okeechobee instead of acquiring floodplains for water storage, treatment, and conveyance south. Legislation passed that allows the Fish and Wildlife Commission (FWC) the ability to establish protection zones for springs. These can include speed limits or prevent anchoring, mooring, beaching, or grounding of vessels. This protection will help seagrasses to recover. The Central Florida Water Initiative (CWFI) rulemaking ratification bill rolls back the regional aspect of it and goes back to permitting individual by individual which undercuts the entire idea of the CFWI. The problem is that the whole region of central Florida doesn’t have enough water and any fix has to be regional. Stepping back is likely a recipe for failure. Legislation concerning the Preemption of Local Occupational Licensing raised flags regarding impacts on local urban turf regulations. After consulting with local government attorneys, we arrived at the conclusion that including "certification" in the definition of "licensing", which the bill preempted to the state, did not present a serious obstacle to local regulation of urban turf fertilizer because the certificate is given either by DEP for having taken the class, or The Division of Agriculture and Community Services (DACS) for getting limited certification for urban landscape commercial fertilizer application. Local urban turf regulations would not be compromised by the bill. | Protect/restore water quality and quantity by:  
- Stopping pollution at its source  
- Preserving and restoring wetlands  
- Regulating fertilizer, septic tanks, stormwater, and sewage systems  
- Banning the land application of all classes of biosolids  
- Setting clear mandatory standards for wastewater treatment system performance and upgrades, then funding and enforcing them  
- Developing a “water budget” based on available groundwater, monitoring use by permit holders, and limiting permits to withdrawals that will not harm natural systems  
- Establishing standards for reclaimed water used to augment surface or groundwater resources that eliminate public health threats from nutrients, pharmaceuticals, endocrine disruptors, and other contaminants of emerging concern  
- Imposing fees for large water consumers including agriculture, utilities, and water bottling companies  
- Redesigning the Everglades Agricultural Area (EAA) Storage Reservoir to provide for sufficient water treatment  
- Repealing M-CORES |
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| Democracy | By passing the “anti-protest” bill, the legislature seeks to clamp down on social-justice demonstrations, increase penalties for crimes committed during protests, and allows even peaceful protesters and uninvolved bystanders to be swept up and hauled in by police during protests where violence occurs. The law gives more authority for prosecutors to charge people with felonies during. It also makes it harder for local governments to reduce their law enforcement budgets by making such reduced budgets subject to amendment by the Governor and Cabinet on the appeal by the state attorney or a single dissenting member of the locality's governing board. There is no opportunity to appeal the action of the Governor and Cabinet. The “anti-voter” bill makes changes to Florida's vote-by-mail system, including restricting drop box use to a county’s early voting hours, making in-person monitoring of all drop box locations mandatory, and limiting the ability of volunteers to collect ballots from those with mobility challenges to deliver them to drop boxes or to voting locations. Voters also would be required to submit vote-by-mail requests every election cycle instead of every two cycles. The bill increases the size of the no solicitation zone from 100 to 150 feet and provides that nothing may be given to those in the zone, including water, food, or a chair except by election staff. The legislature's latest assault on citizen initiatives will hamstring efforts to gather the huge number of petitions without being able to raise serious money to pay people to collect them. No one will be able to contribute more than $3,000 until after all the petitions are signed. In a different category, was the “Right to Farm” bill which is clearly biased in favor of “farm operations” and against any party who may be injured by them and seeks justice through the courts. It is designed to gut the class action suit against Big Sugar for injury to western Palm Beach County residents caused by smoke and ash from the outdated practice of pre-harvest sugar field burning by changing the state laws on which that case will be decided. | Support pro-democracy reforms that break down barriers to participation, ensuring that each of us has an equal voice and vote. We will defend and advocate for:  
- A level procedural and legal playing field for citizens and communities in the courts and the Department of Administrative Hearings (DOAH)  
- Voting rights  
- Fair redistricting  
- Peaceful assembly  
- Freedom of speech  
- Citizen initiatives  
- Public participation in government decision-making |
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| State Interference in Local Decisions | No preemptions were repealed during the 2021 session and another one (on top of the aforementioned energy preemptions) was added to the books. Legislation passed which retrospectively invalidates any restriction of maritime commerce by a local ballot initiative or referendum by a port that has received or is eligible for state funding. The result is the overturning of the legitimate and decisive vote on 3 ballot initiatives by Key West's citizens to protect the environment on which the city's economy depends that limits the use of their port to ships that (1) have fewer than 1500 disembarkations, (2) have the best safety and environmental records, and (3) have no more than 1300-person capacity. While current preemptions remain on plastics, DEP is directed to update its 2010 report on single-use bags, auxiliary wrappings, etc. analyzing the need for new or different regulation of these recyclable materials. The 2009 legislation included a provision that would have sunset the preemption of plastic bags based on the legislature adopting the recommendations of the 2010 study (which the legislature never did). However, it is an opportunity to work toward eliminating unnecessary plastic waste. | Let local governments lead. Allow localities to supplement state law with stricter regulations as they see fit.  
- Remove the preemption on local regulation of plastic bags, wrappings, and auxiliary containers  
- Remove the preemption on local regulation of urban fertilizer sales  
- Remove the preemption on local regulation of herbicides and pesticides  
- Repeal the state statute that prevents a local governments' enforcement of tree ordinances if a certified arborist says a tree is a danger to persons or property. Alternatively, address the conflict of interest inherent in professional certification by making the false documentation of a tree as a “danger” a felony. |
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| Budget    | The legislature, again, failed to meet the requirements of the 2014 Water and Land Conservation constitutional amendment by only budgeting $100 million for land acquisition. While it allocated $300 million from the federal American Rescue Plan for conservation land acquisition, those funds do not release the legislature from its statutory obligations. The Land Acquisition Trust Fund continues to be raided to pay for things not authorized in the constitutional amendment. Some examples include:  
• $50 million for the ASR project for Lake Okeechobee  
• $100 million for beach re-nourishment  
• $34 million for agricultural nonpoint sources best management practices implementation  
• $65 million got Florida Forest Service salaries and benefits  
• $25 million for water science and laboratory service  
Funding for Springs Restoration experienced a temporary boost from $50 million to $75 million using the federal American Rescue Plan funds.  
The legislature allocated $100 million of the federal American Rescue Plan to address the Piney Point disaster. | Budget for essential long-term investments and eliminate infeasible state projects.  
• All funds remaining in the Land Acquisition Trust Fund (LATF) after debt service and statutorily required distribution must be allocated to conservation land acquisition pursuant to the purposes and requirements of the 2014 Water and Land Conservation constitutional amendment and in such a way as to eliminate the current inequitable distribution of LATF funds between North and South Florida  
• Invest in converting State vehicles to electric vehicles  
• Ensure adequate funding for enforcement activities protecting natural resources  
• Provide incentives for, and access to, financing infrastructure for public water supply and distribution, and wastewater collection and treatment  
• Support at-risk Floridians during the COVID-19 pandemic by increasing funding to community agencies that administer Low Income Home Energy Assistance Program (LIHEAP) funding and for utility bill payment relief  
• Repeal M-CORES |