

2020 Governor's Report Card



Sierra Club Florida's 2020 Legislative Priorities Are Listed Below. Check out the Governor's actions on these important issues.

- Energy
- Water Quality / Quantity
- Planning for Growth
- State Interference in Local Decision-Making
- Other Issues



ISSUE	WHAT HAPPENED		WHAT FLORIDA NEEDS
	GOOD	BAD	
CLIMATE CHANGE GRADE: D		The Governor acknowledged the need to adapt to climate change but not to mitigate or address. He failed to appoint a new Chief Resilience Officer (whose focus is preparing for the impacts of sea level rise but not addressing the causes of climate change) instead shifting responsibilities to the DEP Secretary.	A comprehensive plan to address the root causes of climate change. No more permits or approval of fossil fuel power plants or pipelines.
RENEWABLE ENERGY GRADE: F		The Governor continues to be silent and has provided no leadership on converting Florida to 100% renewable energy.	State commitment for 100% renewable energy before or by 2050.
OIL AND GAS GRADE: D	The Governor voiced his support for a ban on offshore drilling in federal waters off the Florida coasts.	While the Governor said he is against "fracking" he still has not defined it to include matrix acidizing, the most likely type of well stimulation to be used in Florida. Supporting a ban on "fracking" without inclusion of matrix acidizing would result in no real protections for our land and water. There was no indication that the Governor opposes new LNG terminals and natural gas pipelines.	A ban on all forms of well stimulation including fracturing methods and matrix acidizing. A halt on issuing permits or approving projects involving fossil fuels.
CLEAN TRANSPORTATION GRADE: C	DOT has engaged in a legislatively mandated planning process for electric vehicle charging stations for state highway system. Funding has been released from the VW settlement funds for zero emission school buses only. The Governor allocated approx. \$9 million of VW settlement funds to support electric vehicle charging infrastructure, expanding the state's charging stations by 50% along the most traveled corridors.		Widely accessible electric vehicle charging stations. Conversion to zero-emission buses. A commitment to mass transit. Increased funding for complete streets.

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EVERGLADES RESTORATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">GRADE: F</div>		The Governor supports a 23-foot deep storage reservoir in the EAA which will not perform water treatment functions, is not cost-effective, cannot send clean water south, is not safe, and does not ensure a significant reduction in discharges.	Restore the River of Grass, to the greatest extent possible both functionally and spatially, by providing a shallow reservoir, restored wetlands, and conveyance of water south through tens of thousands of acres of land acquired and managed with Land Acquisition Trust Funds.
EVERGLADES RESTORATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">GRADE: F</div>		The Governor continues to support, as evidenced by his proposed budget, the construction of a new toll road through the Western Everglades (M-CORES Central-Southwest Connector Corridor) which will imperil the entirety of the Western Everglades watershed and the continued existence of the Florida Panther.	M-CORES must be repealed.
EVERGLADES RESTORATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">GRADE: A</div>	The elevation of Tamiami Trail continues to move forward with design work completed and the construction contract awarded.		
EVERGLADES RESTORATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">GRADE: A</div>	DEP announced the acquisition of 20,000 acres of critical Everglades wetlands in Broward County (the Kanter property, the largest wetland acquisition in a decade) to permanently eliminate the threat of oil drilling. The Kanter property is in the heart of the Everglades in WCA 3 and part of the Everglades Protection Area (one of the most important wetland systems in the Everglades).		

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WATER QUALITY GRADE: D		Governor signed SB 712 and DEP championed the misnamed "Clean Waterways Act." It (1) fails to fix the broken BMAP program, (2) doesn't require agriculture to meet water quality laws, (3) does nothing to protect our springs from water withdrawals (4) fatally weakens rules regarding application of biosolids, (5) makes reclaimed sewage water a source for public water systems without adequate safeguards, and (6) bans local Rights of Nature laws.	Increase funding for springs protection. Adopt springs restoration plans that achieve water quality goals. Strategically implement, monitor, and fund BMAPs to achieve restoration targets, protect downstream waters and account for future growth. Institute fee on water withdrawals to help fund water restoration projects.
WATER QUALITY GRADE: D	DEP's proposed revised rules on Biosolids are a slight improvement over previous rule.	DEP's proposed revised rules on Biosolids (1) deny North FL the protection that has been provided to South FL for over a decade; and (2) do not include unregulated Class AA biosolids and other protections, and therefore do not adequately safeguard Florida's waters.	Equal protection for North and South FL. Bans within appropriate distance from water bodies/aquifer recharge areas. Local regulation to meet unique aspects of watersheds.
WATER QUALITY GRADE: D	The Governor signed legislation that significantly increases the fines for water quality violations in a number of Chapters of law.	Increases in fines for water quality violations (1) were directed at local governments whose hands are tied from protecting water resources by state preemption and (2) left corporate polluters off the hook.	Improve water quality by stopping at the source the fertilizer, sewage, and manure pollution that increases the frequency, intensity, and duration of red tide and blue-green algae blooms. Eliminate state preemption of water quality protection regulation.
WATER QUALITY GRADE: F		The Governor continues to support the construction of 330 miles of new toll roads (M-CORES) that would increase pollution loads and destroy wetlands in a state that is already in a severe water quality crisis.	M-CORES must be repealed.
WATER QUALITY GRADE: F		The Governor supported the transfer authority over section 404 of the Clean Water Act from the U.S. Army Corps of Engineers over to the State of Florida. This part of the law requires permits for any discharge of dredge and fill materials into "Waters of the United States."	The Army Corps retains jurisdiction over Florida's waters and the protections of National Environmental Policy Act and the Endangered Species Act.

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GROWTH MANAGEMENT GRADE: F		The Governor continues to support the construction of 330 miles of new toll roads (M-CORES) that would cut through and destroy existing and prospective conservation land and agricultural lands.	M-CORES must be repealed.
GROWTH MANAGEMENT GRADE: F		The Governor signed SB 410 which continues the assault on growth management by requiring that each local comprehensive plan include a new private property rights element which adds no additional property rights protection for individuals and could cost as much as \$100,000 depending on the size of the community. It subjects more municipalities to development orders superseding comprehensive plans and further limits the authority of county governments to manage growth within their borders and could clear the way for high-density development in designated rural areas. This has had a chilling effect on citizen challenges, the only enforcement mechanism left to ensure that proposed developments are consistent with local comprehensive plans, the blueprints for growth in our communities in Florida.	Reverse these provisions from law and strengthen enforcement of local comprehensive plans through reinstating State and regional oversight.
GROWTH MANAGEMENT GRADE: F		The Governor signed SB 7018 which makes it easier for utilities to use conservation easements on agricultural property for linear facilities, including oil and gas pipelines.	Reverse these provisions from law and strengthen enforcement of local comprehensive plans through reinstating State and regional oversight.

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CONSERVATION LAND FUNDING <div style="border: 1px solid #8ebf8e; padding: 2px; display: inline-block;">GRADE: F</div>		<p>The Governor's proposed budget continued the raid on LATF funds, devoting dollars to salaries and benefits (\$176,081,431), risk management (\$2,209,842), expenses (\$17,615,552), and motor vehicles (\$1,111,721).</p> <p>His budget called for \$100 million for Florida Forever, \$84 million for the acquisition of ARC projects, \$100 million for Florida Communities Trust, and \$6 million for Florida Recreation Development Assistance Program. But this amount has to be measured against the \$785.5 million of Amendment 1 money that was available after debt service was paid.</p> <p>The \$300 million of LATF funds spent on Everglades dwarfs what the rest of the state gets.</p>	<p>Land Acquisition Trust Fund dollars should be used, per the Florida Constitution, to purchase conservation lands.</p> <p>In 2020, after debt service, \$785.5 million was available for land acquisition and management; all of it should be spent on the acquisition, improvement, restoration, and management of conservation and recreation lands.</p> <p>In addition to the restoration of the Everglades, the needs of all of Florida's natural resources -- our springs, rivers, and lakes, our wetlands, prairies, forests, and our shrinking wildlife habitat -- must be addressed.</p>
CONSERVATION LAND FUNDING <div style="border: 1px solid #8ebf8e; padding: 2px; display: inline-block;">GRADE: A</div>	<p>The Cabinet has approved the purchase of valuable conservation lands with the funding allocated by the legislature.</p>		<p>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.</p>
PLASTICS WASTE <div style="border: 1px solid #e69d00; padding: 2px; display: inline-block;">GRADE: F</div>		<p>The Governor has been silent on the need to overturn existing preemptions on other single-use plastics and deal with our growing issue of plastic waste.</p>	<p>End preemption of local ordinances on single-use plastics or enact a statewide ban on all single-use plastics.</p>
STATE INTERFERENCE IN LOCAL DECISION MAKING <div style="border: 1px solid #e69d00; padding: 2px; display: inline-block;">GRADE: F</div>		<p>The Governor signed SB 172 preempting regulation of over-the-counter drugs and cosmetics to the state; specifically aimed at ending Key West's ban on the sale of sunscreens containing octinoxate or oxybenzone as they are harmful to coral reefs.</p>	<p>Reverse this provision from law.</p>

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<p>DEMOCRACY</p> <p>GRADE: F</p>		<p>The Governor signed SB 1794 which makes it harder for citizens to put initiatives to amend the State Constitution on the ballot. Includes (1) increasing the required number of signatures before the Supreme Court looks at the language of the petition, (2) requiring that signatures would have to come from 1/2, instead of 1/4, of the state's congressional districts, (3) invalidating an elector's signature if a petition gatherer's paperwork is not in order, (4) reducing the "shelf life" of signed petitions to a single year, (5) charging the petition sponsor for all printing and signature verifying costs, and (6) allowing any citizen to challenge a petition gatherer's credentials.</p>	<p>Retain an avenue for the public to amend the constitution, as it appears that it is one of the only opportunities for passing good policy.</p>
<p>DEMOCRACY</p> <p>GRADE: F</p>		<p>DEP fast-tracked 404 permitting authority public hearings and comment periods during the pandemic when there was no legitimate reason for the rush.</p>	<p>Virtual-only meetings provide no accountability; no ability for the public to know if each member of the decision-making body is actually listening. Virtual-only meetings do not provide equitable or meaningful opportunity to all persons regardless of technical, physical, or verbal ability. Virtual participation is an adjunct to a public hearing, but it is not equivalent.</p>
<p>FREE SPEECH</p> <p>GRADE: F</p>		<p>The Governor has drafted "anti-mob" legislation targeting people accused of illegal acts during riots and looting. Florida's self-defense law would be updated to include looting, criminal mischief and arson "that results in the interruption or impairment of a business operation" as justifications for using physical force, including lethal options, against a person. The proposal would also increase criminal penalties for people involved in "disorderly assemblies," make it a third-degree felony to block traffic during protests and provide immunity to drivers who "unintentionally" hit protesters blocking traffic.</p>	<p>The right to protest and express dissent is one of America's foundational principles. You cannot stand for freedom or liberty if you oppose free speech. The Constitution firmly protects protests – especially when – they challenge government policy and express dissatisfaction with the status quo. It's what makes us a democratic nation and not an authoritarian regime.</p> <p>Florida's state laws already prohibit the destruction of property and any form of violence. There is no legitimate problem this legislation aims to address.</p>

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<p>COVID RESPONSE</p> <p>GRADE: F</p>		<p>The Governor failed to provide any leadership on: (1) The need to provide rental and utility relief (2) Addressing the problems with the state unemployment system (3) Establishing a pandemic response that reflects CDC guidelines and (4) an effective and comprehensive vaccine roll out.</p>	<p>An effective and transparent response to the pandemic that provides the resources necessary to minimize the impact on the most vulnerable Floridians and prioritizes frontline workers and those most at risk.</p>
<p>COVID RESPONSE</p> <p>GRADE: F</p>		<p>The Governor ended the ability of local governments to hold meetings virtually effective December 1, 2020 putting the public at risk.</p>	<p>Federal, state, and local government agenda items subject to public comment must be attended to in such a way as to provide for participation that is safe and accessible.</p> <p>Until it is safe for in-person meetings to resume, virtual participation can provide a means of attendance for those who have the capability and access to use the technology. While virtual-only participation is less than ideal, it should be available for all while the risk of Covid-19 remains high.</p>

Governor's Overall Grade* **D-**

* M-CORES grade is only counted once in calculation of the overall grade despite in impacting multiple areas of concern. The overall grade is the average of all individual scores based on a point system (A=4, B=3, C=2, D=1, F=0).
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A chapter of the national Sierra Club, Sierra Club Florida is made up of volunteer leaders and civic activists representing over 32,000 members from all over the state. Our mission is to enjoy, explore and protect the natural places in Florida, to teach others to understand and respect the fragile environment in which we live, and to practice and promote the responsible use of Florida's ecosystems and resources. The strength of the Chapter comes from the efforts of local, grass-roots volunteers in the 16 Sierra Club Groups across the state.

