

RESOLUTION NO. 2016-062

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AFFIRMING THE TOWN'S OPPOSITION TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION'S WEAKENING OF RESTRICTIONS THAT WOULD ALLOW AN INCREASE IN THE RELEASE OF TOXIC CHEMICALS INTO FLORIDA'S WATERS; EXPRESSING SUPPORT FOR PLACING NEW LIMITATIONS ON UNREGULATED TOXIC CHEMICALS, BUT OPPOSING ANY MEASURE THAT WOULD RELAX, IN ANY WAY, A RESTRICTION THAT PREVENTS A CURRENTLY REGULATED TOXIC CHEMICAL FROM BEING RELEASED INTO FLORIDA'S WATERWAYS; URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY NOT TO APPROVE THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S RELAXED RESTRICTIONS; DIRECTING THE APPROPRIATE TOWN OFFICIALS TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, AND THE BROWARD LEAGUE OF CITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Environmental Protection is Florida's lead agency for environmental management and has obligations that include protecting Florida's air, water, and land pursuant to Chapter 403, Florida Statutes; and

WHEREAS, on July 25, 2016, the Environmental Regulation Commission voted to approve a proposal from the Florida Department of Environmental Protection that would weaken the restrictions on the allowable levels of more than two dozen toxic

chemicals that may be released in Florida's lakes, streams, and coastal waters through revisions to Chapters 62-302 and 62-303 of the Florida Administrative Code; and

WHEREAS, the approval of these restrictions would enable oil and gas drilling companies (including fracking operations), dry cleaning companies, pulp and paper producers, nuclear plants, wastewater treatment plants and other waste producers, to increase the amounts of cancer-causing toxins that they release in Florida's waterways; and

WHEREAS, the new restrictions include increasing the allowable levels of Benzene in Florida's drinking water, which is a cancer-causing petroleum byproduct used in hydraulic fracking and that has been known to cause leukemia, and increasing the allowable levels of Dioxin, in Florida's water supply that has been linked to cancer, damage to the skin and liver, as well as nervous, immune and reproductive system damage; and

WHEREAS, according to the Naples Daily News, Dr. Ron Staff, a Tallahassee allergist and immunologist, voiced his opposition to the new standards stating that "the Department of Environmental Protection should be pushing for even more stringent criteria than what we have now rather than trying to weaken them. Your job is to protect Floridians, not to poison us;" and

WHEREAS, according to the Miami Herald, environmentalists argue that the Florida Department of Environmental Protection's cancer risk measurement would allow for toxin levels that would increase the number of cancer victims to 1 in 100,000 people

or in cases of people who eat fish daily, 1 in 10,000, whereas United States Environmental Protection Agency standards allow for toxin levels that could cause cancer in 1 in a million people; and

WHEREAS, the standards approved by the Environmental Regulation Commission on July 25, 2016, will now go to the United States Environmental Protection Agency for final review and approval; and

WHEREAS, the Town Council finds that opposing the Florida Department of Environmental Protection's weakening of restrictions that would allow an increase in the release of toxic chemicals into Florida waters is in the best interest of the health, safety and welfare of the citizens and residents of the Town.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The Town Council of the Town of Southwest Ranches, hereby opposes the Department of Environmental Protection Agency's weakening of restrictions that would allow an increase in the release of toxic chemicals into Florida's waters. The Town Council supports the placement of additional limitations on toxic chemicals, but opposes any measure that would relax, in any way, a restriction that prevents a currently regulated toxic chemical from being released into Florida's waterways.

Section 3. The Town Council of the Town of Southwest Ranches, hereby urges the United States Environmental Protection Agency not to approve the Florida Department of Environmental Protection's new restrictions.

Section 4. The appropriate Town officials are hereby authorized and directed to take any and all action necessary to effectuate the intent of this resolution.

Section 5. The Town Clerk is hereby directed to transmit a copy of this resolution to the United States Environmental Protection Agency, the Florida Department of Environmental Protection, the Broward County Commissioners, and the Broward League of Cities.

Section 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

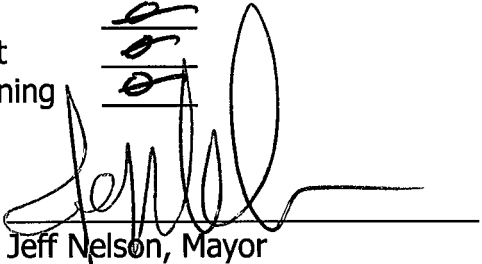
Section 8. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest

Ranches, Florida, this 14th day of September, 2016 on a motion by C/M Breitkreuz
and seconded by C/M McKay.

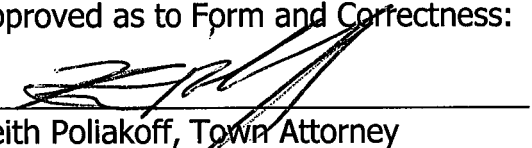
Nelson	<u>Ayes</u>
McKay	<u>Ayes</u>
Breitkreuz	<u>Ayes</u>
Fisikelli	<u>Ayes</u>
Jablonski	<u>Ayes</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>


Jeff Nelson, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney