

RESOLUTION NO. 17-___

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AFFIRMING THE TOWN'S OPPOSITION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENVIRONMENTAL REGULATION COMMISSION'S WEAKENING OF HUMAN HEALTH PROTECTIONS THROUGH NEW HUMAN HEALTH-BASED WATER QUALITY CRITERIA FOR OUR WATERS; URGING THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO NOT APPROVE FLORIDA'S PROPOSED HUMAN HEALTH-BASED WATER QUALITY CRITERIA; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Cutler Bay strives to provide its residents and visitors with clean water for all uses and activities as clean water is vital to the health of Florida's environment, citizens, and economy; and

WHEREAS, the Florida Department of Environmental Protection (DEP) 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 26, 2016, the Florida Environmental Regulation Commission (ERC), voted to approve a proposal from DEP for Human Health-Based Water Quality Criteria (HHWQC) 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 approved criteria allow an increase of toxic and/or carcinogenic chemicals to be discharged into Florida waters that are used for sources of drinking water, shellfish harvesting, fishing and swimming which will increase Floridians' risk of cancer; and

WHEREAS, the weakening of Florida's water quality criteria will encourage more industrial discharge including new highly polluting industrial activities such as oil and gas drilling, to locate in Florida hindering the safety of our State waters and the public; and

WHEREAS, higher levels of toxic chemicals, such as Benzene, in Florida's waters will likely result in more pain and suffering as well as higher health care costs from diseases such as cancer, leukemia, nervous and immune system disorders, birth defects and other serious diseases; and

WHEREAS, the standards approved by the ERC will now go to the United States Environmental Protection Agency for final review and approval; and

WHEREAS, the Town Council deems it to be in the best interest and welfare of the residents of the Town to oppose DEP's weakening of restrictions that would allow an increase in the release of toxic chemicals into Florida's waters.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Expression of Opposition. The Town Council hereby opposes the Florida Department of Environmental Protection's weakening of restrictions that would allow an increase in the release of toxic chemicals into Florida's waters and urges the United States Environmental Protection Agency to reject Florida's new restrictions on Human Health-Based Water Quality Criteria.

Section 3. Transmittal. 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 Miami-Dade County Board of County Commissioners, and the Florida League of Cities.

Section 4. Effective Date. This Resolution shall become effective upon adoption.

PASSED and ADOPTED this _____ day of February, 2017

PEGGY R. BELL
Mayor

Attest:

DEBRA E. EASTMAN, MMC
Interim Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L
Town Attorney

Moved By: _____

Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Mary Ann Mixon _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____