

The Voice of Agriculture

ORANGE COUNTY FARM BUREAU

Post Office Box 1329 • Christmas, FL 32709 • Phone: (407) 637-7727 • E-mail: Kris.Stell@ffbic.com

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Dear Mayor Demings and Commissioners:

On behalf of Orange County Farm Bureau and approximately 5000 members, we ask that you reject *The Right to Clean Water* draft charter amendment. The proposed wording is fraught with vaguely worded phrases that are open to legal interpretation that will undoubtedly become a legal quagmire for Orange County.

The surface and ground waters located within Orange County are under the protection of the United States Clean Water Act (33 U.S.C. §1251 et seq.) passed in 1972. Under the federal directive, the Florida Department of Environmental Protection monitors surface and ground water quality, sets their restoration goals and oversees restoration activities. They accomplish this goal by identifying, verifying and prioritizing pollution problems and require stakeholders to develop strategies to address and resolve the problems; and implementing those strategies with local stakeholders. Adding another layer of legal framework at the local level will not delay the restoration of impaired water bodies but it will create a litigious environment where resources will be spent in court instead of towards furthering restoration priorities.

The wetlands within Orange County are under the protection of the United States Army Corps of Engineers, the Florida Department of Environmental Protection, two waters management districts, and the Orange County Environmental Protection Division. These agencies are charged with managing the natural resources under their purview. Adding this ambiguous language to the charter adds another layer of oversight to an already robust regulatory program within Orange County. The draft language is impossible to scientifically prove or disprove and it would make it impossible for anyone wanting to do any type of development within the County.

Using Florida's Agricultural Lands and Practices Act (§163 F.S.), amended in 2013 to prohibit local governments from adopting regulations and rules already regulated by any other government entity; if the Board of County Commissioners still wishes to approve the draft charter amendment, we request at a minimum, that bona fide agricultural practices be exempted by ordinance from the provisions of the amendment.

Sincerely,
Bobby R. Beagles, Exec. Dir.
Orange County Farm Bureau