



Audubon | FLORIDA

Governor Ron DeSantis
The Florida Capitol
400 S. Monroe St., Plaza Level Tallahassee, FL 32399

May, 4, 2023

RE: Veto Request SB 540 - Local Government Comprehensive Plans

Dear Governor DeSantis,

On behalf of Audubon Florida and the undersigned Audubon chapters, we request that you veto SB 540. This bill would have a chilling effect on the ability of citizens to challenge poor city and county land-use decisions and fight sprawl in their own communities. Under this bill, citizens who undertake the daunting and expensive task of challenging local comprehensive plan amendments would be responsible for the attorney's fees of the local government and the developers they challenge if they are unsuccessful. The risk of an unsuccessful challenge will prove too great for most citizens and public-interest nonprofits, effectively eliminating this important avenue for taxpayers to seek remedy and accountability from their local governments.

We are grateful that the specific provision was removed in committee that would have undermined DEO's recent nullification of Miami-Dade County's decision to expand the Urban Development Boundary. However, if the county were to renew the proposal and approve it, the language remaining in SB 540 would foreclose the ability of citizens concerned about the Everglades to renew their legal challenge. **If signed, this bill will pose a continuing threat not just to Everglades restoration efforts, but smart growth efforts statewide to protect natural resources and Floridians' quality of life.**

Your administration has championed smart growth for the State of Florida, most recently through Executive Order 23-06, which acknowledges the importance of sustainable development for our economy and our natural resources. This bill would undermine these efforts by functionally eliminating enforceability of comprehensive plan terms, paving the way for unsustainable development.

Government transparency, accountability, and public involvement have long been civic values that our state holds dear. Citizen and public interest group challenges to comprehensive plan amendments are already uncommon due to the current existing complexity and expense. There is no problem with frivolous challenges that needs to be

remedied; in fact, the effect these changes will be to eliminate citizen challenges altogether.

On behalf of our 100,000+ person network, we urge you to safeguard citizens' rights to challenge poor local government planning decisions, to advance your smart growth agenda, and to protect historic state investments in Everglades restoration and environmental protection. Please veto SB 540.

Sincerely,



Julie Wraithmell
VP and Executive Director
Audubon Florida

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President/Director of Conservation
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