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PRESS RELEASE

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**Audubon Letter to House and Senate Leaders:  
*Don't Turn Environmental Regulations Over to the Lobbyists for Polluters***

**November 12, 2010, Tallahassee--** In a pointed letter directed to House Speaker Dean Cannon and Senate President Mike Haridopolos, Audubon of Florida Director Eric Draper has called for a common sense “time out” on the rush to override Governor Crist’s veto of HB 1565.

HB 1565 would require that any regulation –*even those most vital to protecting water and air quality and our health* –be ratified by the Legislature if it would have a \$1 million statewide economic impact over a 5-year period.

“This threshold for a Legislative ratification requirement is far too low in a state 600 miles long with 67 counties and 18 million people,” Draper said. “When you do the math, it means that a regulation requiring only \$2,985 in annual effort to implement or comply with in each county must be ratified by the Legislature. That means *every* meaningful rule will have to be ratified.”

Audubon believes that the real intent of HB 1565 is to give paid lobbyists for polluters, land developers, and similar interests the last say over Florida’s environmental regulations.

“The Legislature already has control over what rules get adopted through the Joint Administrative Procedures Committee,” Draper said. “This committee has a professional staff, and this staff and the Legislators on the committee already review every proposed rule. Agencies never adopt rules that the Committee objects to.” (For details on JAPC and how it controls the agency rule adoption process, go to: <http://www.japc.state.fl.us/publications/2009AnnualReport.pdf> )

In the past, specific legislation has required that certain rules be ratified by the Legislature. Examples include:

- *A rule relating to reservation of water adopted nearly a decade ago, which requires legislative ratification but still has not been adopted;*

- *A rule establishing uniform federal and state wetlands delineation standards which has never been ratified.*

“This wetlands rule is a clear example of how a Legislative ratification requirement would actually harm Florida’s economy *and* environment,” Draper said. “The reason people must still get two wetland surveys, one for state permits and one for federal permits, is because the Legislative ratification of the rule making these standards uniform was blocked by paid lobbyists. The real tragedy is that these lobbyists did not even really object to the wetland rule itself – they wanted to hold it hostage to force the Department of Environmental Protection to agree to other harmful rollbacks of pollution standards.”

Audubon believes that rather than a rush to judgment on a veto override, the rules issue should be the subject of careful deliberation. “Next year, in the 2011 Session, we will have a new Governor, new agency leadership, and a new opportunity to review, discuss, and legislate concerning this issue,” concludes Draper.