

The Biscayne Bay Watershed Management Advisory Board recommends that the Board of County Commissioners the Office of the Miami-Dade County Mayor and county staff should develop the following proposed amendments to Chapter 24 of the County Code to create and implement the “Joan Browder Wetland Protection Plan”:

Whereas, the Miami-Dade County Biscayne Bay Watershed Management Advisory Board may make recommendations to the Board of County Commissioner pursuant to [Section 2-2444](#) of the code of Miami Dade County; and

Whereas, healthy wetlands provide unique habitat essential to a broad range of native species essential to South Florida’s natural environment and the aesthetic enjoyment of the community; and

Whereas, natural wetlands supply free ecosystem services that enhance community welfare and safety including flood attenuation, filtration of pollutants harmful to Biscayne Bay, and drinking water aquifer recharge; and

Whereas, decades of Florida and Miami-Dade County policy have established Everglades and Biscayne Bay preservation and restoration as a paramount priority beneficial to the public interest; and

Whereas, preserving, restoring, and expanding Miami-Dade County’s natural wetlands ecosystems is cost-effective policy that supports Everglades and Biscayne Bay restoration; and

Whereas, In May 2023 the [Supreme Court ruling in Sackett v EPA](#) curtailed the scope of federal wetlands protections regulated under the Clean Water Act, to make only waters with a "continuous surface connection" eligible to receive federal protections; and

Whereas, Miami-Dade County has thousands of wetland acres that are not connected to the surface waters of the United States yet perform important ecosystem services to our watershed and our community. Our wetlands are all connected and part of the greater everglades and important for our future resiliency; and

Whereas, this change could threaten many of the wetlands in Miami-Dade County that have seasonal or sub-surface connections to protected waters, if the state of Florida makes any changes to its policies in the future, as was proposed in Manatee County; and

Whereas, Joan Browder was a staunch, longstanding advocate for Bay health and wellbeing over the course of her 45 year career as a NOAA fisheries scientist working in the Greater Everglades watershed with a special focus in Biscayne Bay; and

Therefore be it resolved that the Miami Dade County Board of County Commissioners, Office of the Mayor, and Miami Dade County staff should:

1. Add language to the Conservation Element of the Comprehensive Development Master Plan (CDMP) and Chapter 24 of the County Code, to ensure that all wetlands in Miami-Dade County remain subject to environmental protection notwithstanding the recent Supreme Court decision in Sackett and to bolster existing protections. We suggest the language below or similar language that supports the goals and investments identified in the Bay Watershed Plan, wetlands study, and other relevant policies; and

“All wetlands in Miami-Dade and the greater Everglades must be protected from destruction and require careful consideration and permitting for any type of impact. Florida’s porous geology makes our watershed unique because of its hydrologic transmissivity and direct connection to groundwater. The land surface is connected hydrologically to the aquifer below and we live, work and play directly above our water supply. Wetlands are critical to Miami-Dade and the greater Everglades for water supply, water quality, sustainability, restoration activities, flood and storm protection as we are ground zero for the impacts of climate change and sea-level rise”; and

2. Adopt a 75 foot minimum wetland buffer zone comprised of native vegetation for all wetlands connected to natural creeks, rivers, water bodies connected to surface waters of the state, and surface waters of the state; *and*
3. Remove all Comprehensive Everglades Restoration Plan wetlands, including those currently in a Tentatively Selected Plan (TSP), from Urban Expansion Areas. This resolves the contradictory goals identified in the Urban Expansion Area Task Force Report of 2018 seeking to both (1) preserve Wetlands of Regional Significance from development, and (2) direct growth to Urban Expansion Areas. *See the Recommendations from UEA Task Force Report, particularly recommendation 3. (Application 5, from last EAR cycle, 2017); and*
4. Ensure that comprehensive wetland review is included in the Biscayne Bay Watershed Plan; *and*
5. Conduct a study, similar to the Agricultural Lands Study, to delineate the acreage needed, composition, and location of wetlands in Miami-Dade County, enumerating the value of ecosystem services provided by these wetlands, and documenting wetlands lost to date by development in MDC.

