

FLORIDA BEACON

From the President's Desk...
Amy Guilfoyle



Florida Association of Environmental Professionals
Summer 2016



As another legislative session comes to closure, the FAEP wanted to make you aware of the many environmental and water related bills introduced. Here is a brief summary of these bills. Bills that passed are effective as of July 1, 2016. Information provided by the Tallahassee FAEP Chapter.

Bills that Passed

SB 100- Pollution Discharge Removal & Prevention (Petroleum & Contaminated Sites)

<https://www.flsenate.gov/Session/Bill/2016/0100>

- Petroleum Restoration Program eligibility will be expanded (e.g. Abandoned Tank application process is open again, funding caps for certain programs are raised).
- DEP can use alternative cleanup options (long term natural attenuation is an option for remediation, site specific background concentrations are now considered).

SB 522- Environmental Resources (Water Bill)

<https://www.flsenate.gov/Session/Bill/2016/552>

- Updates and restructures the Northern Everglades and Estuaries Protection Program to focus on the usage of BMAPs and watershed restoration, with required deadlines and reporting.
- Creates the Florida Springs and Aquifer Protection Act, with deadlines for setting protection levels for Outstanding Florida Springs and addressing remediation plans.
- Provides mechanisms to meet long-term water supply needs, including emphasizing the Central Florida Water Initiative, regional water supply plan modifications, and increased coordination between environmental agencies.
- Modifies other regulatory, rulemaking, and reporting requirements relating to Consumptive Use Permits, alternative water supply projects, and consistency across agencies.
- Requires reports on Florida's water resources and lands.

Sincerely,
Amy L. Guilfoyle
FAEP President

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Check the last page of this newsletter to determine if you qualify for a discount on your membership!

Next FAEP Board Meeting!!
The next FAEP Board of Directors Meeting is July 22nd at 1:00 PM at Panera – 8600 Vineland Avenue, Orlando. To join the Board meeting via conference call dial: 605-475-4000 (code 607028#)

Find out more about FAEP Member's Benefits at our website:
WWW.FAEP-FL.ORG

FAEP 2016 Annual Conference

The Southwest Florida Chapter has been hard at work coordinating with FAEP to plan the 2016 FAEP Annual Conference and Training Symposium. This year's theme is 'Conference on the Coast' and will be held at the beautiful Coconut Point Hyatt Resort and Spa in Bonita Springs Florida. The Resort is located on 26 lush, tropical acres overlooking Estero Bay and the Gulf of Mexico. The Coconut Point Hyatt was also honored with Florida Green Lodging's Three Palm eco-friendly certification. The Resort has provided a group discount of \$149 per night for not only the nights of the event but also two nights before and after the conference for those who wish to extend their visit and take advantage of what Southwest Florida has to offer.



The Southwest Florida Chapter has also planned four excellent tracks for the event that are sure to offer something for everyone. These tracks include:

- Innovation, Advancement, and Research
- Assessment and Remediation
- Restoration and Conservation
- Agency Discussion Panel

HURRY!

The deadline for submitting abstracts is July 15th!!

Early Bird Registration Rates End July 31st!

Click [here](#) to go to the 2016 Conference webpage



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Florida 2016 Legislative Update (continued from page 1)

SB 922- Solid Waste Management

<https://www.flsenate.gov/Session/Bill/2016/0922>

- Restructures statutory distribution of funds to increase the amount going to small counties for solid waste management and to dedicate a small amount to waste tire abatement (which has not been funded in recent years).

HB 447- Local Government Environmental Financing (Florida Keys)

<https://www.flsenate.gov/Session/Bill/2016/0447>

- A wider variety of water resource protection projects in the Florida Keys will be eligible for bonding, if budgeted for by the Legislature and subsequently approved by the Governor.
- Dedicated funding through the Florida Forever formula for land acquisition in the Keys Area of Critical State Concern.
- For 2016, \$5 million was appropriated for water resource projects and potentially, land acquisition.

HB 561- Organizational Structure of the Department of Environmental Protection

<http://www.flsenate.gov/Session/Bill/2016/0561>

- Removes the statutory enactment of each office with the DEP.
- Established the Office of Secretary of the DEP and authorizes the secretary to establish offices within the divisions or within the Office of Secretary to promote the efficient and effective operation of the DEP.

HB 589- Environmental Control

<https://www.flsenate.gov/Session/Bill/2016/0589>

- Allows land set asides or land use modifications that reduce nutrient loads to impaired surface waters and are not otherwise required by law or permit, to be eligible for use in water quality credit trading.
- Certification by a registered professional engineer that stormwater management systems will meet all statutory requirements is required before construction begins.
- Modifies a variety of other environmental regulations, relating to water well contractor licensure, clay settling areas, and landfill closure financing.

HB 989- Implementation of Water & Land Conservation Constitutional Amendment (Legacy Florida)

<https://www.flsenate.gov/Session/Bill/2016/0989>

- Dedicated annual funding now exists for Everglades restoration, springs and Lake Apopka (Up to \$200M for Everglades; Up to \$50M for springs; \$5M for Lake Apopka).
- Allows for more projects to be completed with certainty in funding.

HB 1075- State Areas (Lands)

<https://www.flsenate.gov/Session/Bill/2016/1075/ByVersion>

- Acquisition, surplus & management processes are more streamlined.
- Process for private landowners to exchange portions of their land with contiguous state-owned land, resulting in a conservation easement over both parcels.
- Allows the water management districts to surplus small parcels more easily (<\$25,000 value).
- Requires DEP to include more information in its database on all lands in the state.

HB 7013- Fish and Wildlife Conservation Commission

<http://www.flsenate.gov/Session/Bill/2016/7013>

- Consolidates penalties for violations related to recreational hunting, freshwater fishing, and saltwater fishing.

Bills that Failed

HB 191/SB 318- Regulation of Oil & Gas Resources (Fracking) <https://www.flsenate.gov/Session/Bill/2016/0191>

<https://www.flsenate.gov/Session/Bill/2016/0318>

- Without this legislation, fracking is still legal with no regulations in place specific to this practice.

HB 658/SB 851- Onsite Sewage Treatment & Disposal Systems (Land Application of Septage)

<https://www.flsenate.gov/Session/Bill/2016/0658>

<https://www.flsenate.gov/Session/Bill/2016/0851>

- Without this legislation, after July 1, 2016, land application of septage will be prohibited.



In partnership with FAEP, KMP Travel is arranging a trip to Cuba for FAEP members and their families.

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At Least 33 US Cities Used Water Testing ‘Cheats’ Over Lead Concerns

At Least 33 cities across 17 US states have used water testing “cheats” that potentially conceal dangerous levels of lead, a Guardian investigation launched in the wake of the toxic water crisis in Flint, Michigan has found. Of these cities, 21 used the same water testing methods that prompted criminal charges against three government employees in Flint over their role in one of the worst public health disasters in US history. The crisis that gripped Flint is an extreme case where a cost-cutting decision to divert the city’s water supply to a polluted river was compounded by a poor testing regime and delays by environmental officials to respond to the health emergency.

The Guardian’s investigation demonstrates that similar testing regimes were in place in cities including Chicago, Boston, Philadelphia, Detroit and Milwaukee. On June 2, the Hagens Berman law firm filed a class action lawsuit against the city of Philadelphia, alleging that water department protocols “temporarily hide” lead contamination and that the city does not test enough high-risk homes.

The Guardian investigation concerned thousands of documents detailing water testing practices over the past decade. They reveal:

- Despite warnings of regulators and experts, water departments in at least 33 cities used testing methods over the past decade that could underestimate lead found in drinking water.
- Officials in two major cities – Philadelphia and Chicago – asked employees to test water safety in their own homes.
- Two states – Michigan and New Hampshire – advised water departments to give themselves extra time to complete tests so that if lead contamination exceeded federal limits, officials could re-sample and remove results with high lead levels.
- Some cities denied knowledge of the locations of lead pipes, failed to sample the required number of homes with lead plumbing or refused to release lead pipe maps, claiming it was a security risk.



The disaster in Flint, sparked when authorities failed to treat drinking water for lead, prompted criminal charges against three government employees: Mike Glasgow, Stephen Busch and Mike Prysby. Marc Edwards, the scientist who first uncovered the crisis in Flint, described water testing in some of America’s largest cities as an “outrage”. “They make lead in water low when collecting samples for EPA compliance, even as it poisons kids who drink the water,” Edwards, a Virginia Tech scientist, said. “Clearly, the cheating and lax enforcement are needlessly harming children all over the United States. If they cannot be trusted to protect little kids from lead in drinking water, what on Earth can they be trusted with? Who amongst us is safe?”

For 25 years, the EPA has required water utilities to test a small pool of households for lead contamination at least every three years. Typically, city water departments ask residents to collect these water samples. But the way residents are instructed to sample their water, as well as which households are chosen for testing, can profoundly impact how much lead is detected. Testing methods that can avoid detecting lead include asking testers to run faucets before the test period, known as “pre-flushing”; to remove faucet filters called “aerators”; and to slowly fill sample bottles. The EPA reiterated in February that these lead-reducing methods go against its guidelines, and the Flint charges show they may now be criminal acts.

The arrest warrant for Glasgow, Busch and Prysby states that the men “did improperly manipulate the collection of water samples by directing residents to ‘pre-flush’ their taps by running the water for five minutes the night before drawing a water sample and/or did fail to collect required sampled included in the tier 1 category of service lines.”

The tactic of pre-flushing, which helps clear lead from home plumbing prior to a test, is rampant across many large cities. In their most recent test cycles, Philadelphia; Milwaukee, Wisconsin; and Buffalo, New York, tested water for lead in this way.

The EPA has warned since 2008 that pre-flushing is problematic and goes against the “intent” of regulations designed to detect lead. Nevertheless, the federal agency failed to properly police state agencies who included the method in sample instructions for years, including at the Maine and Rhode Island departments of health.

Cont’d on next page



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At Least 33 US Cities Used Water Testing ‘Cheats’ Over Lead Concerns

Further distortion is achieved through the removal of “aerators” – the small metal filters at the tip of faucets. These filters can collect lead particles and add to lead detected in tests. The EPA has warned against this practice since 2006, when it became clear that a lead poisoning case in Durham, North Carolina, was missed by the water department at least partly because it routinely removed the filters. Philadelphia, a city accused of having the worst water testing in the US, asks testers to pre-flush their pipes, remove aerators and slowly pour water into a sample bottle. The EPA has warned against all these testing methods, which could “mask the added contribution of lead at the tap”.

Documents show some authorities have also removed high-risk homes from testing or sought to obscure their dangerous lead levels. In Michigan, a department of environmental quality (MDEQ) official told the director of a town water department in a Detroit suburb called Howell to “bump this one out”, referring to a sample with high lead levels, by taking additional samples.

“I would suggest at least five more samples,” Adam Rosenthal, an official at the MDEQ drinking water office wrote in an email in 2008. New Hampshire offered similar advice to water system officials in that state, advising water departments to test early so any high results could be re-tested. “If your water system samples early in their compliance period, then time remains for you to collect a second set of samples,” reads advice from New Hampshire’s department of environmental services to local water systems. “This may result in a 90th percentile below action levels.”

In the nine years since the EPA last updated lead regulations, a substantial body of peer-reviewed science has shown no level of lead is safe for humans. Tiny amounts are associated with impaired development and behavioral problems in children, and exposure is linked to a propensity to commit violent crimes. Also in that time, peer-reviewed studies by EPA scientists and academics showed how testing methods that flout guidelines miss lead contamination. Some of these studies even stemmed from previous lead contamination crises, such as in Washington DC in 2001. “What on earth can you do when the environmental policemen at EPA have condoned open cheating on the water lead rule for more than a decade now?” said Edwards, the author of several studies. In a statement, the EPA did not respond to the widespread testing distortions but said it is currently working on “long-term revisions” to its lead and copper rule, expected in 2017. “During our review, EPA has been evaluating critical issues related to increasing public health protections under the rule while maintaining an approach that can be feasibly implemented by the states and drinking water utilities,” the regulator said. “As we develop the proposed revisions to the rule, we are also focusing on enhanced oversight of the states, including implementation of the existing rule. In EPA’s recent letter to the states, we make clear that approaches are not to include aerator removal or allow pre-stagnation flushing prior to collection of samples by residents.”

The crisis in water testing could be even more widespread than evidence unearthed by the Guardian shows. Several large cities sell water to almost 400 adjacent cities and towns. Many of these locations also test their own water as part of EPA recommendations. As part of its investigation in the wake of the Flint disaster, the Guardian sought water testing documents from 81 of the largest cities in states east of the Mississippi River. Eastern states are considered to have a high risk of lead contamination due to their aging infrastructure. Forty-three cities provided information, and 33 of these used distortions in their water testing in the past decade. Several cities do correctly follow EPA guidelines on testing, according to documents provided to the Guardian, including: Cincinnati, Ohio; Jacksonville, Florida; Louisville, Kentucky; and Mobile, Alabama. Several said they intend to change protocols when they next test, including Mount Pleasant, South Carolina; Buffalo, New York; Worcester and Boston, Massachusetts; Lewiston, Maine; and the Rhode Island and Maine health departments. Chicago stopped aerator removal and pre-flushing by 2012.

In response to the Guardian’s investigation, many water departments said the EPA had not issued clear guidance on the issue in the past. Some said they had never received a previous EPA memo regarding testing protocols, or that the practices are not illegal.

From Theguardian.com

Conference on the Coast

CALL FOR PRESENTATION ABSTRACTS

SWFAEP is honored to host the 2016 Annual Conference and Training Symposium in **Bonita Springs, Sept. 22-23, 2016**. This year’s conference will focus on four tracks:

- Innovation, Advancement and Research;
 - Assessment and Remediation
 - Restoration and Conservation; and
 - Agency Updates and Discussion Panel
- Presentations related to any environmental topic within Florida are encouraged.

Go [here](#) for the abstract submittal form.



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FLORIDA REMEDICATION CONFERENCE

22nd Annual

The Soil and Groundwater Cleanup Conference of the Year

Oct. 6-7, 2016

Rosen Centre Hotel — Orlando

This fall, the Southeast's premier soil and groundwater cleanup conference returns to Orlando for its 22nd year. The Florida Remediation Conference offers two full days of top-shelf technical presentations, the region's largest annual trade show for remediation practitioners, excellent networking opportunities throughout, and continuing education credit for Florida professional engineers, geologists and others working in the Southeast U.S.

In addition to the conference and exhibits, we will again conduct our Annual Charity Golf Tournament the day before FRC, Wednesday, Oct. 5, 2016, minutes away at the Ritz-Carlton Golf Club, one of Orlando's finest courses. As always, all proceeds from our tournament will go to charity—this year, the children's programs at the Second Harvest Food Bank of Central Florida.

There are a number of ways to get involved...

- **Exhibit:** We still have a few booths available to display your product and service offerings
- **Attend the conference:** Stay current with the latest technologies while earning valuable continuing ed credit
- **Visit the exhibit hall:** Make contacts and familiarize yourself with the tools and experts for your next project
- **Play in our charity tournament:** Support a worthwhile cause on a magnificent golf course

Plan now to attend. For more information, contact Mike Eastman, publisher of the *Florida Specifier* and FRC conference manager, at (407) 671-7777 or mreast@enviro-net.com. Updated information about the FRC conference and charity golf tournament is available at www.enviro-net.com. We hope to see you at FRC this fall.

You're spending more on a cup of coffee than how much it takes to charge your iPhone every year

Two years ago, the Daily Dot explored how much it costs to charge an Apple iPhone 6 per year. Even with the larger iPhone 6 plus, that price was just 52 cents for 12 months of charging.

It's been revealed that even the most religious iPhone user is still paying less than a dollar to annually charge their phone. ZDNet published a piece on Saturday that delved into the cost for Adrian Kingsley-Hughes. The journalist is looking to cut down on his power bill in general, which the iPhone helps with through sheer design.

Kingsley-Hughes states he's on the high end of usage with his iPhone 6 plus. Despite that, he used just 19.2 Watt hour on average to charge his device overnight. So, what's he paying per year to keep his iPhone 6 going? **84 cents.**



There you have it, iPhone lovers. It's still pricier to grab a cup of a coffee in the morning than it is to make sure the smartphone holding your Starbucks rewards points continues to function. Even two years after our initial findings.

H/T ZDNet

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Tampa Bay Chapter Environmental Excellence Awards

The Tampa Bay Chapter presented its 2016 Environmental Excellence Awards to Tampa Electric Company and Mosaic. TECO's Newman Branch Habitat Restoration Project involved the successful approach of public and private partnerships for the restoration of more than 30 acres of estuarine marsh and 86 acres of enhancement of adjacent coastal habitat. The project included U.S. Fish and Wildlife Service (USFWS), Southwest Florida Water Management District, Gulf of Mexico Foundation, TECO, and Ecosphere Restoration Institute. Tom Ries of Ecosphere said that "a unique restoration method, hydroblasting, was used to removed spoil mounds and fill mosquito ditches to minimize collateral wetland impacts."

The Florida Scrub Jay Habitat Management and Translocation Project was a combined effort of USFWS, Archbold Biological Station, Mosaic Fertilizer, and Quest Ecology. Mosaic partnered with adjacent public landowners to accomplish regional, landscape-scale, scrub ecosystem management that increased the available nesting and foraging habitat for the Scrub Jay. According to Sandra Patrick of Mosaic, the project included "a large-scale translocation of 51 Florida Scrub Jays from fragmented habitats to the Mosaic Wellfield, a breeding, foraging, and dispersal site more central to the core population."

Additional service awards were presented to numerous individuals who have contributed to TBAEP's incredible success during the last few years.

- Erin Kane – President's Award for her service as Board Member, FAEP Representative, and President
- Teri Hasbrouck – President's Award for her service as Board Member, Secretary, and Treasurer
- Wendy Anastasiou – President's Award for her service as Board Member and President
- John Ferrill – President's Award for his service as Board Member, Treasurer, and Vice President
- Neil Beckingham – President's Award for his service as Board Member
- Kayla Ouellette – President's Award for her service as Board Member
- Chris Anastasiou – President's Award for his service as Board Member
- Natasha Dickrell – Service Award for her efforts on the Community Service Committee
- Tina Fritz – Service Award for her efforts on the Community Service Committee
- Brian Bendis – Service Award for his efforts on the monthly socials and Falliday
- Nicholas Fineo – Community Service Award for his dedication on Community Service Projects

Insect Populations In Sharp Decline

Every Spring since 1989, entomologists have set up tents in the meadows and woodlands of the Orbroicher Bruch nature reserve and 87 other areas in the western German state of North Rhine-Westphalia. The tents act as insect traps and enable the scientists to calculate how many bugs live in an area over a full summer period. Recently, researchers presented the results of their work to parliamentarians from the German Bundestag, and the findings were alarming: The average biomass of insects caught between May and October has steadily decreased from 1.6 kilograms (3.5 pounds) per trap in 1989 to just 300 grams (10.6 ounces) in 2014.

"The decline is dramatic and depressing and it affects all kinds of insects, including butterflies, wild bees, and hoverflies," says Martin Sorg, an entomologist from the Krefeld Entomological Association involved in running the monitoring project.

[Another recent study](#) has added to this concern. Scientists from the Technical University of Munich and the Senckenberg Natural History Museum in Frankfurt have determined that in a nature reserve near the Bavarian city of Regensburg, the number of recorded butterfly and Burnet moth species has declined from 117 in 1840 to 71 in 2013. "Our study reveals, through one detailed example, that even official protection status can't really prevent dramatic species loss," says Thomas Schmitt, director of the Senckenberg Entomological Institute.

Read more at [Yale Environment360](#)

From Environmental News Network

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Upcoming Conferences and Workshops

Event	Date	Place
Environmental Permitting Summer School	July 15 – 17, 2016	Orlando, FL
Florida Petroleum Marketers Association	July 29 – Aug. 1, 2016	Orlando, FL
AWRA Florida Annual Meeting	August 4 – 5, 2016	Key Largo, FL
Florida League of Cities	August 18 – 20, 2016	Hollywood, FL
Georgia Environmental Conference	August 24 – 26, 2016	Jekyll Island, GA
APA Annual Florida Conference	September 6 – 9, 2016	Tampa, FL
FAEP 2016 Conference & Training Symposium	September 22 – 23, 2016	Bonita Springs, FL
Metropolitan Environmental training Alliance - E2 Day	September 29, 2016	Orlando, FL
Indian River Lagoon Research Institute TechCon2016	September 30 – Oct. 1, 2016	Melbourne, FL
Florida Remediation Conference	October 6 -7, 2016	Orlando, FL
Florida Redevelopment Conference	October 12 – 14, 2016	Orlando, FL
Society for Mining, Metallurgy & Exploration	October 13 – 14, 2016	Lakeland, FL
AEHS – Soils, Sediments & Energy	October 17 – 20, 2016	Amherst, MA
Southeast Brownfields Conference	October 17 – 18, 2016	Jacksonville, FL
Society for Ecological Restoration, SE Chapter Symposium	October 18 – 21, 2016	Quincy, FL
Clean Gulf	November 1 – 3, 2016	Tampa, FL
Railroad Environmental Conference	November 1 – 2, 2016	Champaign, IL
SAME – Small Business Conference for Construction & Environmental	November 14 – 16, 2016	Atlanta, GA
FLERA Winter Symposium	December 3 – 4, 2016	St. Petersburg, FL
SAME – Industry Day	December 9, 2016	Jacksonville, FL
Battelle 9 th International Conference on Remediation of Contaminated Sediments	January 9 – 12, 2017	New Orleans, LA

FAEP shares information about conferences pertaining to the environmental professions. FAEP does not endorse any of the referenced conferences.

Vineyard Habitats Attract Butterflies

Washington wine grape vineyards experimenting with sustainable pest management systems are seeing an unexpected benefit: an increase in butterflies.

Over the years, loss of natural habitat has seen the decline in numbers of around 50 species of butterflies in eastern Washington. But in a Washington State University study published in the June 2015 issue of the Journal of Insect Conservation, researchers found that vineyards that create nearby natural habitats have three times the number of butterfly species and four times more butterflies than conventional vineyards.

WSU researchers recorded 29 separate species in “habitat-enhanced” vineyards. In terms of raw numbers, they counted on average 20 butterflies in habitat-enhanced vineyards compared to five in conventional areas.

A fluttery side effect

David James, an associate professor in WSU’s Dept. of Entomology, wrote the paper with colleagues. He said butterfly increase was not the goal of the return of natural habitats. Instead, growers want to reduce pesticide usage.

To help control pests, they plant native sage-steppe shrubbery in and around their vineyards. But as a side benefit, these vineyards are seeing the return of other inhabitants that had declined when natural habitat was removed.

Click [here](#) to read more.

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Did you know that FAEP provides a discount on our membership to employers who have 5 or more members? If your company or organization qualifies for the Group Membership you save \$5 on each FAEP new member or renewing member, lowering the FAEP membership fee from \$40 to \$35 for everyone from your company or organization. If your company or organization is on this list, you are eligible to join or renew at the discounted Group rate. The FAEP Board would like to extend a thank you to the following employers for supporting their employee's professional development and the FAEP mission:

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¼ Page	\$100	\$375
½ Page	\$175	\$650
1 Page	\$250	\$900

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