

By the Committee on Natural Resources and Senators Laurent and Dyer

312-2125-98

1 A bill to be entitled
2 An act relating to water resources; creating s.
3 373.45923, F.S.; providing legislative findings
4 and intent; authorizing the South Florida Water
5 Management District to participate as local
6 sponsor for the Restudy of the Central and
7 Southern Florida Project; providing duties of
8 the Joint Legislative Committee on Everglades
9 Oversight; providing reporting requirements;
10 providing for legislative authorization of
11 project cooperation agreements; providing an
12 effective date.

14 Be It Enacted by the Legislature of the State of Florida:

16 Section 1. Section 373.45923, Florida Statutes, is
17 created to read:

18 373.45923 Comprehensive Review Study of the Central
19 and Southern Florida Project.--

20 (1) The Legislature finds that the Comprehensive
21 Review Study, or Restudy, for the Central and Southern Florida
22 Project, for which federal participation was authorized and
23 directed by the Federal Water Resources Development Acts of
24 1992 and 1996 together with related Congressional resolutions,
25 is of critical importance for sustaining the ecology, economy,
26 and social well-being of South Florida. The South Florida
27 Water Management District's participation as local sponsor for
28 the restudy is therefore authorized. It is the intent of this
29 Legislature to facilitate and support the South Florida Water
30 Management District in its role as local sponsor for the
31 restudy and to thereby ensure that all projects or operational

1 changes resulting from the restudy are implemented in a manner
2 consistent with this chapter, the Everglades Program
3 undertaken pursuant to s. 373.4592, and the policy provided by
4 s. 373.016, including the promotion of the availability of
5 sufficient water for all existing and future
6 reasonable-beneficial uses and natural systems.

7 (2) To accomplish the legislative intent of subsection
8 (1), the Joint Legislative Committee on Everglades Oversight
9 created pursuant to s. 11.80 is responsible for monitoring all
10 funding and expenditures for projects or operational changes
11 resulting from the restudy. The South Florida Water Management
12 District shall assist the joint committee by providing any
13 comprehensive plan, preliminary financing plan, feasibility
14 plan, project cooperation agreement, or any proposed plan of
15 action resulting from the restudy, or any other information
16 determined by the joint committee to be necessary for
17 accomplishing the purposes of this section.

18 (a) South Florida Water Management District;
19 duties.--Immediately following the 1998 Legislative Session,
20 the South Florida Water Management District shall provide to
21 the joint committee all alternatives evaluated by the restudy
22 to that date, which shall be reviewed by the joint committee
23 as an interim project. The joint committee shall review the
24 comprehensive plan draft during the 45-day public comment
25 period and shall provide to the U.S. Army Corps of Engineers
26 and the South Florida Water Management District written
27 comments as it deems appropriate, which shall include, but not
28 be limited to, the extent to which the proposed comprehensive
29 plan is consistent with the goals and objectives of this
30 chapter and considers all competing policy needs within s.
31 373.016, as well as all competing water uses. The joint

1 committee shall conduct at least two public hearings before
2 finalizing written comments prepared pursuant to this
3 paragraph. Upon completion of the comprehensive plan for the
4 restudy, such plan shall be submitted to the Governor, the
5 President of the Senate, the Speaker of the House of
6 Representatives, and the joint committee.

7 (b) Project Cooperation Agreements.--Unless the
8 project modification is specifically authorized by the
9 Legislature, which authorization may be by a general
10 appropriation, during the next Regular Session following
11 submission of information on project scope, schedules, and
12 costs, the South Florida Water Management District may not
13 execute a project cooperation agreement for any proposed
14 project or operational change resulting from the restudy,
15 including any action seeking further Congressional
16 authorizations or approvals to modify project works or
17 operations or to acquire land. If the Legislature does not
18 approve, modify, or reject project modifications as described
19 herein, the South Florida Water Management District may
20 proceed with execution of the project cooperation agreement,
21 provided that the district's financial responsibility under
22 the project cooperation agreement can be met without the need
23 for any future appropriations by the Legislature.

24 Section 2. This act shall take effect upon becoming a
25 law.

1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 SB 2356

4 The committee substitute rewrites the bill to create s.
5 373.45923, F.S., relating to the Comprehensive Review Study of
6 the Central and Southern Florida Project. Provides legislative
7 intent regarding the Comprehensive Review Study, or Restudy,
8 for the Central and Southern Florida Project. Authorizes the
9 South Florida Water Management District's participation as
10 local sponsor for the Restudy.

11 Provides that the Joint Legislative Committee on Everglades
12 Oversight is responsible for monitoring all funding and
13 expenditures for projects or operational changes resulting
14 from the Restudy. The South Florida Water Management District
15 shall assist the joint committee by providing any
16 comprehensive plan, preliminary financing plan, feasibility
17 plan, project cooperation agreement, or any proposed plan of
18 action resulting from the Restudy, or any other information
19 determined by the joint committee to be necessary for
20 accomplishing the purposes of this section.

21 Provides that immediately following the 1998 legislative
22 session, the joint committee shall review the comprehensive
23 plan draft during the 45-day public comment period and shall
24 provide the U.S. Army Corps of Engineers and the South Florida
25 Water Management written comments as it deems appropriate. The
26 joint committee shall conduct at least two public hearings
27 before finalizing written comments. Upon completion of the
28 comprehensive plan for the Restudy, the plan shall be
29 submitted to the Governor, the President of the Senate, the
30 Speaker of the House of Representatives, and the joint
31 committee.

Provides that the South Florida Water Management District may
not execute a project cooperation agreement for any proposed
project or operational change resulting from the Restudy
unless specifically authorized by the Legislature. If the
Legislature does not approve, modify, or reject project
modifications, the South Florida Water Management District may
proceed with the execution of the project cooperation
agreement, provided that the district's financial
responsibility under the project cooperation agreement can be
met without the need for any future appropriations by the
Legislature.