

By Representative Saunders

1 A bill to be entitled
 2 An act relating to water resources; amending s.
 3 373.026, F.S., relating to general powers and
 4 duties of the Department of Environmental
 5 Protection; requiring prior legislative
 6 approval for implementation of any project
 7 contained in the Central and Southern Florida
 8 Flood Control Project Restudy, and for
 9 participation by the South Florida Water
 10 Management District as local sponsor; providing
 11 for recommendations to the Legislature by the
 12 department and the Governor; providing an
 13 effective date.

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

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 17 Section 1. Subsection (8) of section 373.026, Florida
 18 Statutes, is amended to read:

19 373.026 General powers and duties of the
 20 department.--The department, or its successor agency, shall be
 21 responsible for the administration of this chapter at the
 22 state level. However, it is the policy of the state that, to
 23 the greatest extent possible, the department may enter into
 24 interagency or interlocal agreements with any other state
 25 agency, any water management district, or any local government
 26 conducting programs related to or materially affecting the
 27 water resources of the state. All such agreements shall be
 28 subject to the provisions of s. 373.046. In addition to its
 29 other powers and duties, the department shall, to the greatest
 30 extent possible:

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1 (8)(a) Provide such coordination, cooperation, or
2 approval necessary to the effectuation of any plan or project
3 of the Federal Government in connection with or concerning the
4 waters in the state. Unless otherwise provided by state or
5 federal law, the department shall, subject to confirmation by
6 the Legislature, have the power to approve or disapprove such
7 federal plans or projects on behalf of the state. If such plan
8 or project is for a coastal inlet, the department shall first
9 determine the impact of the plan or project on the sandy
10 beaches in the state. If the department determines that the
11 plan will have a significant adverse impact on the sandy
12 beaches, the department may not approve the plan or project
13 unless it is revised to mitigate those impacts.

14 **(b) For the Central and Southern Florida Flood Control**
15 **Project Restudy, prior to any action of the state or the South**
16 **Florida Water Management District, including the decision to**
17 **seek congressional authority or act as local sponsor in regard**
18 **to the restudy, the Legislature must approve any coordination,**
19 **cooperation, plan, or expenditure of funds necessary to the**
20 **effectuation of any project contained in the restudy, and the**
21 **participation by the South Florida Water Management District**
22 **as local sponsor in regard to the restudy. In implementing**
23 **this paragraph, the department and the Governor shall provide**
24 **appropriate recommendations to the Speaker of the House of**
25 **Representatives and the President of the Senate.**

26 **(c)**~~(b)~~ The department, subject to confirmation by the
27 Legislature, shall act on behalf of the state in the
28 negotiation and consummation of any agreement or compact with
29 another state or states concerning waters of the state.

30 Section 2. This act shall take effect upon becoming a
31 law.

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HOUSE SUMMARY

Requires prior legislative approval for any coordination, cooperation, plan, or expenditure to implement any project contained in the Central and Southern Flood Control Project Restudy, including any decision to seek congressional authority and any participation by the South Florida Water Management District as local sponsor of the restudy. Requires the Department of Environmental Protection and the Governor to provide recommendations to the Legislature.