

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1372

SPONSOR: Natural Resources Committee and Senator Bronson

SUBJECT: Land acquisition by the South Florida Water Management District

DATE: April 11, 2000 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Branning</u>	<u>Voigt</u>	<u>NR</u>	<u>Favorable/CS</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill would allow the South Florida Water Management District to acquire lands in the Southern CREW Project, the Pal-Mar Project, and lands within Cell 11 of the East Coast Buffer in Broward County by exercising its powers of eminent domain.

This bill amends s. 373.1501, F.S.

II. Present Situation:

Section 373.1501, F.S., provides that the Legislature declares that the Kissimmee River Project, the Ten Mile Creek Project, the Water Preserve Areas, and the C-111 Project are in the public interest and are necessary for the public health and welfare. As a result, the governing board of the South Florida Water Management District is empowered and authorized to acquire fee title or easement by eminent domain for the limited purposes of implementing the Kissimmee River Project, the Ten Mile Creek Project, the Water Preserve Areas, and the C-111 Project. Notwithstanding any provision of law to the contrary, these properties are not to be removed from the district's plan of acquisition, and the use of state funds for these properties is authorized. In the absence of willing sellers, any land necessary for implementing the projects described in s. 373.1501, F.S., shall be acquired in accordance with state condemnation law pursuant to ch. 73 and ch. 74, F.S.

The South Florida Water Management District has been seeking to acquire additional lands and properties that it deems necessary and essential for the implementation of the Restudy or Comprehensive Plan for Everglades restoration. The Pal-Mar Project, or West Jupiter Wetlands Project, comprises approximately 35,000 acres of depression marsh, wet flatwoods, and upland islands. These lands form a critical link in a greenway corridor that extends from Lake Okeechobee east to the southernmost reaches of the Indian River Lagoon. Pal-Mar is a special district whose elected board has been actively pursuing public acquisition for many years. Cooperative interagency land acquisition is underway within Pal-Mar by the South Florida Water

Management District, Palm Beach County, Martin County, and the Fish and Wildlife Conservation Commission. This project contains many individual landowners, many of whom are absentee landowners. This has complicated the acquisition of these properties. While they may be willing sellers, the district has not been able to contact them.

Cell 11 in the East Coast Buffer is proposed to be used as a combination water storage impoundment and wetlands restoration system. These lands will serve as an impoundment system for local basin runoff following rain events. This water would have been backpumped through the existing S-9 Pump Station westward into the Water Conservation Area.

Under the Restudy, the S-9 Pump Station's primary function will be to pump the high quality water from within the Water Conservation Area that seeps eastward under the protective levee back to the west and back into the Water Conservation Area where it originated.

Cell 11 would provide storage and water quality enhancement for the localized runoff that is generated by the eastern portion of the drainage basin. During periods of water need, the remaining waters stored within Cell 11 will be returned to the canal network for aquifer recharge during the beginning of the dry season and to reduce seepage losses of water out of the Water Conservation Area. The wetland portions of Cell 11 would be used to maintain the spatial extent of that resource and enhance its quality within this highly urbanized coastal county and to address overflow waters from the impoundment system.

The Southern CREW (Corkscrew Regional Ecosystem Watershed) Project is in south Lee County. The Southern CREW is a critical restoration project linked to the Restudy. The Southern CREW lands will:

- Store flood waters and alleviate downstream flooding for the residents along the Imperial River in the Community of Bonita Springs.
- Help create more natural water levels within the remaining CREW watershed in Lee and Collier Counties.
- Increase aquifer recharge and water supply for the Bonita Springs Utility Wellfield.

III. Effect of Proposed Changes:

This bill amends s. 373.1501, F.S., to define the "Pal-Mar Project" and the "Southern CREW Project".

- "Pal-Mar Project" means the Pal-Mar (West Jupiter Wetlands) lands identified in the Save Our Rivers 2000 Land Acquisition and Management Plan approved by the South Florida Water Management District on September 9, 1999 (Resolution 99-94).
- "Southern CREW Project" means the area described in the Critical Restoration Project Contract C-9906 Southern CREW Project Addition/Imperial River Flowway and approved by the South Florida Water Management District on August 12, 1999.

The definition of “Water Preserve Areas” is amended to include all of those lands within Cell 11 of the East Coast Buffer in Broward County as delineated in the boundary survey prepared by Stoner and Associates, Inc., dated January 31, 2000, SFWMD #10953.

This bill would allow the South Florida Water Management District to acquire lands in the Southern CREW Project, the Pal-Mar Project, and lands within Cell 11 of the East Coast Buffer in Broward County by exercising its powers of eminent domain.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

C. Government Sector Impact:

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.