

By Senator Bronson

312-1474-00

1                                   A bill to be entitled  
2           An act relating to water management districts;  
3           amending s. 373.083, F.S.; authorizing a water  
4           management district governing board to delegate  
5           its powers, duties, and functions to district  
6           staff; amending s. 373.414, F.S.; revising the  
7           criteria to be considered in determining the  
8           cumulative impacts of activities upon surface  
9           waters and wetlands; providing an effective  
10          date.

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

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14           Section 1. Subsection (5) is added to section 373.083,  
15 Florida Statutes, to read:

16           373.083 General powers and duties of the governing  
17 board.--In addition to other powers and duties allowed it by  
18 law, the governing board is authorized to:

19           (5) Execute any of the powers, duties, and functions  
20 vested in the governing board through the executive director  
21 and other district staff as designated by the governing board.  
22 This authority is supplemental to any other provision of this  
23 chapter granting authority to the governing board to delegate  
24 specific powers, duties, and functions.

25           Section 2. Subsection (8) of section 373.414, Florida  
26 Statutes, is amended to read:

27           373.414 Additional criteria for activities in surface  
28 waters and wetlands.--

29           (8)(a) The governing board or the department, in  
30 deciding whether to grant or deny a permit for an activity  
31 regulated under this part shall consider the cumulative

1 impacts upon surface water and wetlands, as delineated in s.  
2 373.421(1), within the same drainage basin as defined in s.  
3 373.403(9), of:

4 1.(a) The activity for which the permit is sought.

5 2.(b) Projects which are existing or activities  
6 regulated under this part which are under construction or  
7 projects for which permits or determinations pursuant to s.  
8 373.421 or s. 403.914 have been sought.

9 3.(c) Activities which are under review, approved, or  
10 vested pursuant to s. 380.06, or other activities regulated  
11 under this part which may reasonably be expected to be located  
12 within surface waters or wetlands, as delineated in s.  
13 373.421(1), in the same drainage basin as defined in s.  
14 373.403(9), based upon the comprehensive plans, adopted  
15 pursuant to chapter 163, of the local governments having  
16 jurisdiction over the activities, or applicable land use  
17 restrictions and regulations.

18 (b) If an applicant proposes mitigation within the  
19 same drainage basin as the adverse effects to be mitigated and  
20 if the mitigation offsets these adverse effects, the governing  
21 board and department shall consider the regulated activity to  
22 meet the requirements of paragraph (a). However, this  
23 paragraph may not be construed to prohibit mitigation outside  
24 the drainage basin which offsets the adverse effects within  
25 the drainage basin.

26 Section 3. This act shall take effect upon becoming a  
27 law.

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SENATE SUMMARY

Authorizes a water management district governing board to delegate its powers to district staff. Revises the criteria for determining the cumulative impacts on surface water and wetlands.