

By Senator Brown-Waite

10-131-02

1 A bill to be entitled
2 An act relating to water management; creating
3 the Citrus/Hernando Waterways Restoration
4 Council; providing for membership, powers, and
5 duties; providing for separate county task
6 forces; providing for a report to the
7 Legislature; providing for an advisory group to
8 the council; requiring the Southwest Florida
9 Water Management District to provide staff for
10 the council; providing for award of contracts
11 subject to an appropriation of funds; providing
12 for a Citrus/Hernando Waterways restoration
13 program; providing for demonstration
14 restoration projects; providing an
15 appropriation; providing an effective date.

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17 WHEREAS, the waterways of Citrus and Hernando Counties
18 are of historic, hydrological, and ecological significance,
19 and

20 WHEREAS, most of these Citrus/Hernando waterways are
21 Outstanding Florida Waterways or in the application process,
22 and

23 WHEREAS, the Citrus/Hernando waterways are plagued by
24 fluctuating water levels and sedimentation increasing nitrate
25 levels and sand movement causing blockage of natural springs
26 and excessive growth of aquatic plants, which are degrading
27 their water quality and recreational value, and

28 WHEREAS, despite their current problems, the
29 Citrus/Hernando waterways continue to provide wildlife habitat
30 for fish, birds, and game and offer recreational opportunities

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1 for the residents of Citrus and Hernando Counties and visitors
2 to the area, and

3 WHEREAS, the renewable economic potential of the
4 Citrus/Hernando waterways is significant, and

5 WHEREAS, the Southwest Florida Water Management
6 District and the Fish and Wildlife Conservation Commission,
7 along with other state, regional, and local entities, have
8 developed proposals to restore portions of the Citrus/Hernando
9 waterways, NOW, THEREFORE,

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

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13 Section 1. (1) The Citrus/Hernando Waterways
14 Restoration Council.--There is created within the
15 Withlacoochee and Coastal Rivers Basin Boards of the Southwest
16 Florida Water Management District a council to be known as the
17 Citrus/Hernando Waterways Restoration Council. The council
18 shall be coordinated by representatives of the following
19 agencies: the Florida Fish and Wildlife Conservation
20 Commission, the Department of Environmental Protection, and
21 the Southwest Florida Water Management District. The council
22 is subject to the provisions of chapters 119 and 120, Florida
23 Statutes. The Fish and Wildlife Conservation Commission shall
24 be the lead agency.

25 (2) Members of the council shall consist of twelve
26 voting members with six appointed by the President of the
27 Senate and six appointed by the Speaker of the House of
28 Representatives. The council shall consist of representatives
29 as follows:

- 30 a. Waterfront property owners from each county,
31 b. An attorney from each county,

1 c. A member of the Board of Directors of the Chamber
2 of Commerce from each county,

3 d. An environmental engineer from each county,

4 e. An engineer from each county, and

5 f. A person from each county with training in biology
6 or another scientific discipline.

7 (3) The council members from each county are to form
8 two separate county task forces from the council to review and
9 make recommendations on specific waterways. The Hernando
10 County Task Force shall develop plans for the restoration of
11 the Weeki Wachee River and Springs. The Citrus County Task
12 Force shall develop plans for the restoration of the
13 Tsala-Apopka Chain of Lakes.

14 (4) There shall be a technical advisory group to the
15 council and the two county task forces which shall consist of
16 one representative each from the Southwest Florida Water
17 Management District, the Department of Environmental
18 Protection, the Department of Transportation, the Fish and
19 Wildlife Conservation Commission, the Coastal Rivers Basin
20 Board, the Withlacoochee River Basin Board, and the United
21 States Army Corps of Engineers, each of whom shall be
22 appointed by his or her respective agency, and each of whom,
23 with the exception of the representatives from the
24 Withlacoochee River Basin Board and Coastal Rivers Basin
25 Board, shall have had training in biology or another
26 scientific discipline.

27 (5) Immediately after appointment, the council shall
28 meet and organize by electing a chair, a vice chair, and a
29 secretary, whose terms shall be for 2 years each. Council
30 officers shall not serve consecutive terms. Each council
31 member shall be a voting member. Additionally, the two county

1 task forces shall elect a chair and a secretary whose terms
2 shall be for 2 years each.

3 (6) The council or the county task forces shall meet
4 at the call of its chair, at the request of six of its
5 members, or at the request of the chair of the governing board
6 of the Southwest Florida Water Management District.

7 (7) The council shall have the powers and duties to:

8 (a) Review audits and all data specifically related to
9 lake and river restoration techniques and sport fish
10 population recovery strategies, including data and strategies
11 for shoreline restoration, sand and other sediment control and
12 removal, exotic species management, floating tussock
13 management or removal, navigation, water quality, and fish and
14 wildlife habitat improvement, particularly as they may apply
15 to the Citrus/Hernando waterways.

16 (b) Evaluate whether additional studies are needed.

17 (c) Explore all possible sources of funding to conduct
18 the restoration activities.

19 (d) Report to the Speaker of the House of
20 Representatives and the President of the Senate before
21 November 25 of each year on the progress of the
22 Citrus/Hernando Waterways restoration program and any
23 recommendations for the next fiscal year.

24 (8) The Southwest Florida Water Management District
25 shall provide staff to assist the council in carrying out the
26 provisions of this act.

27 (9) Members of the council shall receive no
28 compensation for their services, but are entitled to be
29 reimbursed for per diem and travel expenses incurred during
30 execution of their official duties, as provided in s. 112.061,
31 Florida Statutes. State and federal agencies shall be

1 responsible for the per diem and travel expenses of their
2 respective appointees to the council, and the Southwest
3 Florida Water Management District shall be responsible for per
4 diem and travel expenses of other appointees to the council.

5 Section 2. The Citrus/Hernando Waterways restoration
6 program.--

7 (1) The Fish and Wildlife Conservation Commission and
8 the Southwest Florida Water Management District, in
9 conjunction with the Department of Environmental Protection,
10 pertinent local governments, and the Citrus/Hernando Waterways
11 Restoration Council, shall review existing restoration
12 proposals to determine which ones are the most environmentally
13 sound and economically feasible methods of improving the fish
14 and wildlife habitat and natural systems of the
15 Citrus/Hernando waterways.

16 (2) To initiate the Citrus/Hernando Waterways
17 restoration program recommended by the Citrus/Hernando
18 Waterways Restoration Council, the Fish and Wildlife
19 Conservation Commission, with assistance from the Southwest
20 Florida Water Management District and in consultation and by
21 agreement with the Department of Environmental Protection and
22 pertinent local governments, shall develop tasks to be
23 considered by those entities for the enhancement of fish and
24 wildlife habitat. These agencies shall:

25 (a) Evaluate different methodologies for removing the
26 extensive tussocks and buildup of organic matter along the
27 shoreline and of the aquatic vegetation in the lake.

28 (b) Conduct any additional studies as recommended by
29 the Citrus/Hernando Waterways Restoration Council.

30 (3) Contingent on the Legislature's appropriating
31 funds for the Citrus/Hernando Waterways restoration program

1 and in conjunction with financial participation by federal,
2 other state, and local governments, the appropriate agencies
3 shall, through competitive bid, award contracts to implement
4 the activities of the Citrus/Hernando Waterways restoration
5 program.

6 Section 3. The sum of \$45,000 is appropriated from the
7 General Revenue Fund to the Southwest Florida Water Management
8 District for the purpose of paying administrative, per diem,
9 and travel expenses of the Citrus/Hernando Waterways
10 Restoration Council.

11 Section 4. The Fish and Wildlife Conservation
12 Commission is authorized to conduct a demonstration
13 restoration project on the Tsala-Apopka Chain of Lakes for the
14 purpose of removing, with proper permits, overlying
15 undesirable vegetation and associated organic material down to
16 mineralized soils, thus allowing for the establishment of a
17 more desirable aquatic plant community on hard, sandy
18 substrate and creating better habitat for fish and wildlife.

19 Section 5. The Southwest Florida Water Management
20 District is authorized to conduct a demonstration restoration
21 project on the Weeki Wachee, with proper permits, to improve
22 the water flow by a sand containment and erosion control
23 project, including other restoration activities related to
24 this problem.

25 Section 6. This act shall take effect upon becoming a
26 law.

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SENATE SUMMARY

Creates the Citrus/Hernando Waterways Restoration Council. Provides duties and powers. Creates an advisory group to the council. Establishes the Citrus/Hernando Waterways restoration program and authorizes the Fish and Wildlife Conservation Commission, with the assistance of the Southwest Florida Water Management District and by agreement with the Department of Environmental Protection, to develop tasks necessary to initiate the program as recommended by the council. Provides for a review of existing restoration proposals. Provides an appropriation to pay expenses of the Citrus/Hernando Waterways Restoration Council. Authorizes demonstration restoration projects.