

By the Committee on Natural Resources; and Senator Brown-Waite

312-2086-02

1 A bill to be entitled
2 An act relating to establishing minimum flows
3 and levels for springs; amending s. 373.042,
4 F.S.; providing a schedule for completing
5 establishment of minimum flows and levels;
6 providing an exception; providing an effective
7 date.

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

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11 Section 1. Subsection (2) of section 373.042, Florida
12 Statutes, is amended to read:

13 373.042 Minimum flows and levels.--

14 (2) By July 1, 1996, the Southwest Florida Water
15 Management District shall amend and submit to the department
16 for review and approval its priority list for the
17 establishment of minimum flows and levels and delineating the
18 order in which the governing board shall establish the minimum
19 flows and levels for surface watercourses, aquifers, and
20 surface water in the counties of Hillsborough, Pasco, and
21 Pinellas. By November 15, 1997, and annually thereafter, each
22 water management district shall submit to the department for
23 review and approval a priority list and schedule for the
24 establishment of minimum flows and levels for surface
25 watercourses, aquifers, and surface waters within the
26 district. The priority list shall also identify those water
27 bodies for which the district will voluntarily undertake
28 independent scientific peer review. By January 1, 1998, and
29 annually thereafter, each water management district shall
30 publish its approved priority list and schedule in the Florida
31 Administrative Weekly. The priority list shall be based upon

1 the importance of the waters to the state or region and the
2 existence of or potential for significant harm to the water
3 resources or ecology of the state or region, and shall include
4 those waters which are experiencing or may reasonably be
5 expected to experience adverse impacts. By January 1, 2003,
6 each water management district's priority list and schedule
7 shall include all first magnitude springs, and all second
8 magnitude springs within state or federally owned lands
9 purchased for conservation purposes. The specific schedule
10 for establishment of spring minimum flows and levels shall be
11 commensurate with the existing or potential threat to spring
12 flow from consumptive uses. Springs within the Suwannee River
13 Water Management District, or second magnitude springs in
14 other areas of the state, need not be included on the priority
15 list if the water management district submits a report to the
16 Department of Environmental Protection demonstrating that
17 adverse impacts are not now occurring nor are reasonably
18 expected to occur from consumptive uses during the next 20
19 years. The priority list and schedule shall not be subject to
20 any proceeding pursuant to chapter 120. Except as provided in
21 subsection (3), the development of a priority list and
22 compliance with the schedule for the establishment of minimum
23 flows and levels pursuant to this subsection shall satisfy the
24 requirements of subsection (1).

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

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 574

The committee substitute amends s. 373.042, F.S., relating to minimum flows and levels instead of amending s. 373.223, F.S., relating to conditions for a consumptive use permit.

By January 1, 2003, each water management district's priority list and schedule for establishing minimum flows and levels shall include all first magnitude springs, and all second magnitude springs with state or federally owned lands purchased for conservation purposes. Springs within the Suwannee River Water Management District, or second magnitude springs in other areas of the state, need not be included on the priority list if the water management district submits a report to the Department of Environmental Protection demonstrating that adverse impacts are not now occurring nor are reasonably expected to occur from consumptive uses during the next 20 years.