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An act relating to establishing minimum flows and levels for springs; amending s. 373.042, F.S.; providing a schedule for completing establishment of minimum flows and levels; providing an exception; providing an effective date.

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

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

373.042 Minimum flows and levels.--

(2) By July 1, 1996, the Southwest Florida Water Management District shall amend and submit to the department for review and approval its priority list for the establishment of minimum flows and levels and delineating the order in which the governing board shall establish the minimum flows and levels for surface watercourses, aquifers, and surface water in the counties of Hillsborough, Pasco, and Pinellas. By November 15, 1997, and annually thereafter, each water management district shall submit to the department for review and approval a priority list and schedule for the establishment of minimum flows and levels for surface watercourses, aquifers, and surface waters within the district. The priority list shall also identify those water bodies for which the district will voluntarily undertake independent scientific peer review. By January 1, 1998, and annually thereafter, each water management district shall publish its approved priority list and schedule in the Florida 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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