

Bill No. CS for SB 1176

Amendment No. \_\_\_\_ Barcode 774106

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Constantine moved the following amendment:		
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13	<b>Senate Amendment (with title amendment)</b>		
14	On page 61, between lines 16 and 17,		
15			
16	insert:		
17	Section 42. Section 369.301, Florida Statutes, is		
18	amended to read:		
19	369.301 Short title.--This part may be cited as the		
20	"Wekiva River <u>Basin and Springs Protection and Planning Act.</u> "		
21	Section 43. Section 369.3011, Florida Statutes, is		
22	created to read:		
23	369.3011 <u>Land use, transportation, and water resources</u>		
24	<u>planning in the Wekiva River Basin.--</u>		
25	(1) <u>SHORT TITLE.--This section may be cited as the</u>		
26	<u>"Wekiva River Basin Planning Act."</u>		
27	(2) <u>LEGISLATIVE INTENT.--</u>		
28	(a) <u>The Legislature recognizes that population growth</u>		
29	<u>and the future transportation and water resource needs of the</u>		
30	<u>central Florida region must be balanced with protection of the</u>		
31	<u>ecosystem of the Wekiva River Basin and finds that these are</u>		

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1 issues of legitimate and compelling state interest. The  
2 Legislature, therefore, finds that the recommendations  
3 included in the Final Report, dated January 15, 2003, of the  
4 Wekiva Basin Area Task Force, which was created by Executive  
5 Order 2002-259, are valuable and should be implemented.

6 (b) The Legislature finds that, in addition to the  
7 issues of legitimate and compelling state interest related to  
8 protecting natural resources and meeting the future  
9 transportation needs in and near the Wekiva Basin Area, there  
10 exists a state interest in respecting and recognizing  
11 judicially acknowledged or statutorily and constitutionally  
12 protected property rights. It is the intent of the Legislature  
13 that state agencies and county and municipal governments with  
14 jurisdiction in the area of the Wekiva River Basin establish  
15 policies to guide and coordinate local decisions relating to  
16 growth and development and implement their decisions without  
17 imposing undue restrictions on vested property rights in  
18 violation of the laws and constitutions of this state and of  
19 the United States. Further, the Legislature recognizes  
20 sensitivity to private property rights as stated in s.  
21 163.3167(8) to not limit or modify rights of any person to  
22 complete any development that has been authorized as a  
23 development of regional impact pursuant to chapter 380 or who  
24 has been issued a final local development order and  
25 development has commenced and is continuing in good faith as  
26 of the effective date of this act.

27 (c) The Legislature finds that the water resources and  
28 ecosystems of the Wekiva River Basin and the associated  
29 springshed areas that sustain the spring-fed Wekiva River and  
30 tributaries are of irreplaceable value to the quality of life  
31 and well-being of the people of the State of Florida. The

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1 Legislature further finds that greater intensities of  
2 development facilitated by the construction of major  
3 transportation facilities through the Wekiva River Basin and  
4 associated springshed areas may, unless properly designed,  
5 present serious threats to the continuing existence of the  
6 hydrological functions of the springs. It is the intent of the  
7 Legislature that regional transportation facilities be  
8 located, designed, and constructed in a manner that assures  
9 the protection of the Wekiva River Basin ecosystem. To  
10 accomplish these purposes, the Legislature directs that the  
11 completion of transportation improvements, including, but not  
12 limited to, the Wekiva Parkway and U.S. 441 Bypass, be  
13 accomplished in the context of a well-coordinated plan that  
14 simultaneously assures that the natural resources of the  
15 Wekiva River Basin, including the springshed, are protected  
16 against adverse impacts.

17 (3) DEFINITIONS.--As used in this section, the term:

18 (a) "Springshed" means the geographic area that  
19 contributes groundwater and surface water to the Wekiva River  
20 Springs systems.

21 (b) "U.S. 441 Bypass" means an expressway system  
22 connector designed and constructed as part of an extension of  
23 State Road 429 that begins at the Maitland Boulevard Extension  
24 Interchange and links to the Wekiva Parkway at a system  
25 interchange and continues in a northwesterly direction into  
26 Lake County.

27 (c) "Wekiva Parkway" means any limited access highway  
28 or expressway constructed between State Road 429 and  
29 Interstate 4.

30 (4) DESIGNATION OF THE WEKIVA RIVER SPRINGSHED

31 PROTECTION AREA.--

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1           (a) The Governor and Cabinet, sitting as the  
2 Administration Commission, shall establish by rule a Wekiva  
3 River Springshed Protection Area, which shall complement the  
4 Wekiva River Protection Area as defined in s. 369.303(9). Not  
5 later than September 30, 2003, the state land planning agency  
6 shall begin this process by giving notice of negotiated  
7 rulemaking, pursuant to s. 120.54(2)(d), for the purpose of  
8 recommending to the Administration Commission boundaries for  
9 the Wekiva River Springshed Protection Area.

10           (b) The boundary for the Wekiva River Springshed  
11 Protection Area shall be based upon, but need not be limited  
12 to, the following criteria:

13                 1. The Wekiva River Springshed Protection Area must  
14 encompass an area no larger than the Wekiva River Springshed.

15                 2. The boundary of the Wekiva River Springshed  
16 Protection Area shall be based upon the best available data  
17 from the St. Johns River Water Management District, the  
18 Department of Environmental Protection, the Department of  
19 Agriculture and Consumer Services, and other sources.

20                 3. The boundary of the Wekiva River Springshed  
21 Protection Area shall be established in a manner that ensures  
22 predictability and uniformity of implementation, which may  
23 require aligning boundaries with recognizable geographic  
24 features that are not subject to change.

25           (c) Within 45 days after receipt of the recommended  
26 boundaries, the Governor and Cabinet, sitting as the  
27 Administration Commission shall adopt, modify, or reject the  
28 recommendation and shall by rule establish the boundaries of  
29 the Wekiva River Springshed Protection Area.

30           (5) COMPREHENSIVE PLAN REQUIREMENTS FOR THE WEKIVA  
31 RIVER SPRINGSHED PROTECTION AREA.--

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1       (a) The state land planning agency, in consultation  
2 with the Department of Environmental Protection, the St. Johns  
3 River Water Management District, and the Department of  
4 Agriculture and Consumer Services, shall, not less than 60  
5 days prior to the next regular legislative session, adopt by  
6 negotiated rule pursuant to s. 120.54(2)(d) minimum criteria  
7 for land use strategies and development standards within the  
8 Wekiva River Springshed Protection Area. Such rules shall not  
9 be subject to rule challenges under s. 120.56(2) or to drawout  
10 proceedings under s. 120.54(3)(c)2. Such rules shall become  
11 effective only after they have been submitted to the President  
12 of the Senate and the Speaker of the House of Representatives  
13 for review by the Legislature. In its review, the Legislature  
14 may accept, reject, modify, or take no action relative to the  
15 rules. The agency shall conform the rules to the changes made  
16 by the Legislature or, if no action was taken, the agency  
17 rules shall become effective.

18       (b) The rules for the land use strategies and  
19 development standards, which shall be in addition to the  
20 current statutory requirements, shall protect the quality and  
21 quantity of recharge that replenishes and maintains spring  
22 flows for the Wekiva River. Land use strategies and  
23 development controls shall apply throughout the Wekiva River  
24 Springshed Protection Area and shall include, but need not be  
25 limited to, the following:

26           1. Ensuring appropriate drainage, wastewater  
27 treatment, and water supply to support new or existing  
28 development;

29           2. Locating low-impact land uses near the Wekiva River  
30 Springs. Low-impact land uses include preservation,  
31 conservation, passive recreation, unimproved rangeland,

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1 silviculture, and rural residential;

2 3. Minimizing impervious surfaces to reduce runoff and  
3 retain recharge;

4 4. Maintaining open space and natural recharge areas  
5 to protect groundwater resources and wildlife habitat through  
6 standards for open space, impervious surface coverage, and  
7 clustering; transfer of land use credits or development  
8 rights; and land acquisition, purchase of development rights,  
9 and conservation easements;

10 5. Managing stormwater impacts to reduce runoff and  
11 maintain water quality of recharge;

12 6. Providing enhanced wastewater treatment for septic  
13 tanks, central treatment systems, and a septic tank  
14 maintenance program;

15 7. Using landscape design and maintenance to reduce  
16 impacts from chemicals and conserve water resources, including  
17 golf course design and maintenance;

18 8. Siting, constructing, and maintaining golf courses  
19 using special management zones, integrated pest management,  
20 and a natural resource management plan to prevent, manage, and  
21 monitor potential impacts to water resources; and

22 9. Adopting local programs for public education and  
23 partnerships with property owners, consideration of land or  
24 development rights acquisition, and cooperative management of  
25 public owned lands, economic development, and ecotourism.

26 (c) Within 1 year after the ratification of the rules  
27 for land use strategies and development standards for the  
28 Wekiva River Springshed Protection Area, or after approval of  
29 the rules as part of any comprehensive plan amendment that  
30 proposes to increase the density or intensity of development  
31 within the Wekiva River Springshed Protection Area, whichever

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1 occurs first, a local government must adopt the comprehensive  
2 plan amendments required by this subsection. A local  
3 government may not amend its comprehensive plan if it does not  
4 adopt the amendments as required by this subsection. The  
5 Administration Commission may impose the sanctions provided by  
6 s. 163.3184(11) against any local government that fails to  
7 adopt the comprehensive plan amendments required by this  
8 subsection, using the procedure in s. 163.3191(11). All  
9 existing local governments are required to adopt the  
10 comprehensive plan amendments required by this subsection as  
11 amendments to their respective comprehensive plans. Any  
12 municipality incorporated within the Wekiva River Springshed  
13 Protection Area after the effective date of this act shall  
14 include applicable portions of the comprehensive plan  
15 amendments required by this subsection in the initial  
16 transmittal and adoption of its local government comprehensive  
17 plan.

18 (d) After legislative ratification of the rules for  
19 land use strategies and springshed protection, the state land  
20 planning agency shall review the local comprehensive plans,  
21 and all amendments, which are applicable to portions of the  
22 Wekiva River Springshed Protection Area for compliance with  
23 the provisions of this subsection in addition to its review of  
24 local comprehensive plans and amendments for compliance as  
25 defined in s. 163.3184. All procedures and penalties described  
26 in s. 163.3184 shall be applicable to this review.

27 (6) WEKIVA RIVER BASIN TRANSPORTATION; LAND USE AND  
28 WATER RESOURCES INTEGRATED PLANNING AREA DEFINED.--

29 (a) The state land planning agency, in collaboration  
30 with affected local governments, other state and regional  
31 agencies, appropriate federal agencies, and interested parties

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1 shall coordinate the development of an integrated plan for  
2 future transportation, land use, and water resource needs in  
3 the area of the Wekiva River Basin. Affected local governments  
4 shall incorporate the integrated plan in their respective  
5 comprehensive plans by amendment pursuant to paragraph (7)(b).  
6 The integrated plan for the future transportation, land use,  
7 and water resources in the area of the Wekiva River Basin  
8 shall include the following lands in Lake and Orange  
9 Counties: Township 18 South, Range 27 East, Sections 22-27,  
10 34-36; and Township 19 South, Range 27 East, Sections 1-3,  
11 10-15, 24, 25, 36; and Township 19 South, Range 28 East,  
12 Sections 6, 7, 18, 19, 29, 30-32; and Township 20 South, Range  
13 27 East, Sections 1, 2, 11-14, 23-26, 35, 36; and Township 20  
14 South, Range 28 East, Sections 4-9, 16-18, less and except  
15 those lands located in the Wekiva River Protection Area  
16 defined in s. 369.303(9).

17 (b) During the period of time between the effective  
18 date of this act and the adoption of the plan amendments  
19 required in subsections (5) and (7), a local government with  
20 jurisdiction in the area defined in paragraph (a) shall not  
21 amend its comprehensive plan to increase the density or  
22 intensity of development.

23 (c) Notwithstanding paragraph (b), a local government  
24 may amend its plan as needed to plan, design, engineer, and  
25 acquire the right-of-way for the Wekiva Parkway or the U.S.  
26 441 Bypass.

27 (d) This section shall not be construed to limit any  
28 local government's authority to implement its current  
29 comprehensive plan, including the ability to approve  
30 development consistent with its current comprehensive plan and  
31 provide public facilities and services as provided in the



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1 5-year capital improvement element, or consistent with a joint  
2 planning agreement.

3 (7) COMPREHENSIVE PLAN REQUIREMENTS FOR THE WEKIVA  
4 BASIN INTEGRATED TRANSPORTATION, LAND USE, AND WATER RESOURCE  
5 PLANNING AREA.--

6 (a) The purpose of the integrated plan for future  
7 transportation, land use, and water resource needs is to  
8 assist affected local governments in completing the planning  
9 needed to prepare for the construction and related mitigation  
10 of the Wekiva Parkway and the U.S. 441 Bypass and further  
11 protection of the Wekiva River Springshed. The state land  
12 planning agency shall coordinate development of this plan with  
13 the Department of Environmental Protection, the St. Johns  
14 River Water Management District, the Department of  
15 Transportation, the Fish and Wildlife Conservation Commission,  
16 the Department of Agriculture and Consumer Services, the East  
17 Central Florida Regional Planning Council, the Orlando-Orange  
18 County Expressway Authority, the Seminole County Expressway  
19 Authority, appropriate federal agencies, interest groups  
20 represented on the Wekiva Basin Area Task Force, and other  
21 interested parties.

22 (b) By December 31, 2004, or as part of any  
23 comprehensive plan amendment that proposes to increase the  
24 density or intensity of development within the integrated  
25 planning area, whichever comes first, a local government must  
26 adopt the comprehensive plan amendments required by this  
27 subsection. These plan amendments shall consider, but need not  
28 be limited to, the following:

29 1. A detailed land use plan that considers the overall  
30 types, intensities, and densities of development now permitted  
31 by the applicable local comprehensive plan as of the effective

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1 date of this act. However, flexibility is available to convert  
2 between land use categories such that groundwater recharge  
3 levels are equal to or greater than existing levels. The land  
4 use plan adopted by the respective jurisdictions may include  
5 establishing reasonable urban growth boundaries for existing  
6 municipalities in the area. As a component of the land use  
7 plan, a local government shall have the option to investigate  
8 the economic and other benefits that might be derived from the  
9 establishment of a Rural Land Stewardship Area pursuant to s.  
10 163.3177(11)(d). As part of this investigation, a local  
11 government shall have the flexibility to consider application  
12 of the stewardship concept that may be better suited to local  
13 circumstances. If deemed beneficial, a Rural Land Stewardship  
14 Area may be established by the local government.

15       2. A transportation plan that addresses the Wekiva  
16 Parkway and U.S. 441 alignments, as applicable, interchange  
17 locations, and design and construction features. The  
18 transportation plan should include an evaluation of any  
19 programmed road improvements that are made unnecessary by the  
20 Wekiva Parkway or the U.S. 441 Bypass.

21       3. Infrastructure planning including incentives for  
22 enhanced wastewater treatment and effluent disposal and  
23 stormwater management, including programs establishing  
24 incentives or regulations for the inspection and maintenance  
25 of existing onsite treatment and disposal systems, and for the  
26 installation of enhanced onsite treatment and disposal  
27 systems.

28       4. Provisions requiring design standards for  
29 commercial and other signage which are compatible with and  
30 reflect the character of the area.

31       5. Interchange land use plans, as applicable,

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1 including provisions for land use planning requirements for  
2 each of the interchanges associated with the Wekiva Parkway,  
3 including land use strategies and development standards, to  
4 maintain and to protect groundwater resources. The interchange  
5 land use plans or any other plans for additional expressways  
6 must address appropriate land uses and compatible development,  
7 secondary road access, access management, right-of-way  
8 protection, vegetative protection and landscaping, signage,  
9 and the height and appearance of structures.

10 (c) A local government may not amend its comprehensive  
11 plan if it does not adopt the comprehensive plan amendments as  
12 required by this section. The Administration Commission may  
13 impose the sanctions provided by s. 163.3184(11) against any  
14 local government that fails to adopt the required  
15 comprehensive plan amendments, using the procedure in s.  
16 163.3191(11). All existing local governments are required to  
17 adopt the comprehensive plan amendments required by this  
18 subsection as amendments to their respective comprehensive  
19 plans. Any municipality incorporated within the integrated  
20 planning area after the effective date of this act shall  
21 include applicable portions of the comprehensive plan  
22 amendments required by this subsection in the initial  
23 transmittal and adoption of its local government comprehensive  
24 plan.

25 (d) After December 31, 2004, the state land planning  
26 agency shall review the local comprehensive plans, and all  
27 amendments, which are applicable to portions of the integrated  
28 planning area for compliance with the provisions of this  
29 subsection in addition to its review of local comprehensive  
30 plans and amendments for compliance as defined in s. 163.3184.  
31 All the procedures and penalties described in s. 163.3184

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1 shall be applicable to this review.

2 (e) As part of the integrated planning process for  
3 future transportation, land use, and water resources, the  
4 state land planning agency and local governments with  
5 jurisdiction shall consider issues of compatibility of the  
6 integrated planning area with the Wekiva River Protection Area  
7 as designated in part II of chapter 369. By January 30, 2005,  
8 the state land planning agency shall report to the Governor,  
9 the President of the Senate, and the Speaker of the House of  
10 Representatives any land use compatibility issues with respect  
11 to the Wekiva River Protection Area, including recommendations  
12 to address any identified compatibility issues.

13 (8) TRANSPORTATION REQUIREMENTS IN THE WEKIVA RIVER  
14 BASIN.--

15 (a) The Department of Transportation, in collaboration  
16 with the Turnpike Enterprise, the Orlando-Orange County  
17 Expressway Authority, and the Seminole County Expressway  
18 Authority shall, by September 15, 2004, provide to the  
19 Governor and the Legislature a report of their joint  
20 recommendations to implement the Wekiva Basin Area Task Force  
21 recommendations in its Final Report dated January 15, 2003.

22 The report shall also include the agencies' joint  
23 recommendations on the following:

24 1. The choice of a lead agency to build the Wekiva  
25 Parkway and the respective roles of other transportation  
26 agencies, authorities, and enterprises;

27 2. A funding plan for locating, designing, and  
28 constructing the Wekiva Parkway which addresses the task force  
29 recommendations related to wider rights-of-way to promote the  
30 parkway concept, preserve rural character, buffer  
31 interchanges, and other design features; and

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1           3. Any legislation needed to secure the authority  
2 needed to acquire private lands or development rights within  
3 the Wekiva River Protection Area or the Wekiva River  
4 Springshed Protection Area in excess of that which is required  
5 for right-of-way and associated roadway construction.

6           (b) The Orlando-Orange County Expressway Authority,  
7 the Seminole County Expressway Authority, the Department of  
8 Transportation, and the Turnpike Enterprise shall locate the  
9 precise corridor and interchanges for the Wekiva Parkway  
10 within the corridor generally depicted in Figure 3,  
11 "Recommended Corridor for the Wekiva Parkway," of the Final  
12 Report of the Wekiva Basin Area Task Force dated January 15,  
13 2003. The determination of the final alignment of the Wekiva  
14 Parkway within Seminole County shall be subject to approval by  
15 the Seminole County Expressway Authority. The transportation  
16 agencies shall apply the "Guiding Principles for the Wekiva  
17 Parkway Design Features and Construction" to the construction  
18 of the Wekiva Parkway and, as applicable, to the U.S. 441  
19 Bypass, the expansion of existing expressways within the  
20 Wekiva River Springshed Protection Area, and the Wekiva River  
21 Protection Area, as the Task Force recommended in  
22 Recommendation 2 and Recommendation 8 of its Final Report,  
23 dated January 15, 2003.

24           (c) The specific design features included within  
25 Recommendations Nos. 3, 4, 6, and 7 of the Wekiva Basin Area  
26 Task Force Report shall be incorporated within the design of  
27 the Wekiva Parkway and the U.S. 441 Bypass, as applicable,  
28 where those expressways extend into or across the Wekiva River  
29 Protection Area or Wekiva River Springshed Protection Area.  
30 Such features, to the maximum extent feasible, shall include,  
31 but not be limited to, elevated roadways or bridging of

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1 identified wildlife corridors, a parkway design with  
2 appropriate natural buffers between the roadways and adjacent  
3 areas, fulfillment of mitigation needs by supporting land  
4 acquisition projects only within the Wekiva River Protection  
5 Area or Wekiva River Springshed Protection Area, and  
6 limitations on the number and location of permissible  
7 interchanges.

8 (d) If a local government fails to timely adopt plan  
9 amendments required by this section, it shall be subject to  
10 the imposition of sanctions by the Administration Commission,  
11 and that government's failure to adopt amendments by December  
12 31, 2004, shall not preclude construction of the Wekiva  
13 Parkway or U.S. 441 Bypass. Nothing herein shall preclude the  
14 immediate planning, design, engineering, and right-of-way  
15 acquisition of the U.S. 441 Bypass pursuant to Recommendation  
16 11 of the Final Report of the Wekiva Basin Area Task Force,  
17 dated January 15, 2003.

18 (9) PLANNING ASSISTANCE TO LOCAL GOVERNMENTS.--The  
19 state land planning agency and appropriate state and regional  
20 agencies shall provide planning assistance to the affected  
21 local governments in the development of comprehensive plan  
22 amendments to meet the requirements of this act. The state  
23 land planning agency, with the support of the Department of  
24 Environmental Protection, the Department of Agriculture and  
25 Consumer Services, and the St. Johns River Water Management  
26 District shall develop model land development regulations for  
27 the implementation of this act. The state land planning agency  
28 is authorized to prioritize the expenditure of funds  
29 appropriated for the purpose of providing technical assistance  
30 to local governments to those local governments with  
31 jurisdiction in the Wekiva River Springshed Protection Area

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1 and integrated planning area defined in subsection (6).  
2 (10) DUTIES OF THE DEPARTMENT OF AGRICULTURE AND  
3 CONSUMER SERVICES.--The Department of Agriculture and Consumer  
4 Services shall assist local governments in implementing this  
5 section and local governments shall consult with the  
6 Department of Agriculture and Consumer Services to determine  
7 if agricultural best management practices should be included  
8 in the comprehensive plan. Following consultation with a local  
9 government, any agricultural best management practices  
10 referenced or required in a comprehensive plan amendment shall  
11 be developed and adopted by the Department of Agriculture and  
12 Consumer Services.

13 Section 44. Paragraph (m) is added to subsection (1)  
14 of section 163.3187, Florida Statutes, to read:

15 163.3187 Amendment of adopted comprehensive plan.--

16 (1) Amendments to comprehensive plans adopted pursuant  
17 to this part may be made not more than two times during any  
18 calendar year, except:

19 (m) Any comprehensive plan amendment related to the  
20 implementation of the Wekiva River Basin Planning Act,  
21 pursuant to s. 369.3011.

22 Section 45. Section 373.0425, Florida Statutes, is  
23 created to read:

24 373.0425 Duties of the St. Johns River Water  
25 Management District regarding springshed protection.--

26 (1) The Legislature recognizes that Recommendation 15  
27 of the Final Report of the Wekiva Basin Area Task Force, dated  
28 January 15, 2003 addressed the potential to enhance protection  
29 of the Wekiva River System through the regulatory authority of  
30 the St. Johns River Water Management District. Therefore, the  
31 Legislature directs the St. Johns River Water Management

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1 District to review its permitting rules authorized under Parts  
2 II and IV to determine whether additional criteria specific to  
3 the Wekiva River Springshed Protection Area are appropriate to  
4 protect the water quality and flow of springs in accordance  
5 with state water quality standards and s. 373.042 in the  
6 Wekiva River System as defined in s. 369.303(10). The review  
7 shall include, but need not be limited to consideration of  
8 criteria to address: aquifer recharge protection; permitting  
9 thresholds to prevent significant adverse impacts to the  
10 springs; concurrent action on consumptive use permit and  
11 environmental resource permit applications; landscaping to  
12 reduce irrigation needs; best management practices to protect  
13 spring water quality; and use of reclaimed water to reduce the  
14 use of groundwater. This review shall be completed by December  
15 1, 2003.

16       (2) If rule amendments are determined to be  
17 appropriate, the St. Johns River Water Management District  
18 shall commence the rulemaking process within 90 days after the  
19 adoption of the boundary of the Wekiva River Springshed  
20 Protection Area by the Administration Commission pursuant to  
21 s. 369.3011(4). If such rule amendments include amendments to  
22 chapter 40C-44, Florida Administrative Code, governing the  
23 regulation of agricultural surface water management systems,  
24 the St. Johns River Water Management District shall consult  
25 with the Department of Agriculture and Consumer Services to  
26 develop such rule amendments.

27       Section 46. Section 381.0069, Florida Statutes, is  
28 created to read:

29       381.0069 Wekiva River Springshed Protection  
30 Area.--Within 3 years after the adoption of a final boundary  
31 of the Wekiva River Springshed Protection Area by the



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1 Administration Commission pursuant to s. 369.3011(4)(d), the  
2 Department of Health, with assistance from the Department of  
3 Environmental Protection, shall develop a program to encourage  
4 and provide incentives for the inspection and maintenance of  
5 onsite wastewater treatment and disposal systems and for the  
6 installation of enhanced onsite treatment and disposal systems  
7 within the Wekiva River Springshed Protection Area.

8 Section 47. Subsection (8) is added to section  
9 373.139, Florida Statutes, to read:

10 373.139 Acquisition of real property.--

11 (8) The St. Johns River Water Management District is  
12 encouraged to pursue the fee simple or less-than-fee-simple  
13 purchase of lands in the Wekiva Basin Area which contribute  
14 surface water and groundwater to spring flow as a means to  
15 protect the Wekiva River Springs.

16 Section 48. Subsection (5) of section 369.307, Florida  
17 Statutes, is amended to read:

18 369.307 Developments of regional impact in the Wekiva  
19 River Protection Area; land acquisition.--

20 (5) The Department of Environmental Protection is  
21 directed to proceed to negotiate for acquisition of  
22 conservation and recreation lands projects within the Wekiva  
23 River Protection Area provided that such projects have been  
24 deemed qualified under statutory and rule criteria for  
25 purchase and have been placed on the priority list for  
26 acquisition by the advisory council created in s. 259.035 or  
27 its successor. Agencies are encouraged to use all means at  
28 their disposal for completing the acquisition of the  
29 Wekiva-Ocala Greenway Florida Forever Projects identified in  
30 Recommendation 16 of the Final Report of the Wekiva Basin Area  
31 Task Force, dated January 15, 2003, prior to construction

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1 associated with the Wekiva Parkway.

2

3 It is also the intent of the Legislature that efforts should  
4 be made to identify and acquire additional lands located  
5 within the Wekiva River Springs recharge area. Agencies are  
6 encouraged to pursue binding purchase agreements for the  
7 acquisition of properties identified above, to the greatest  
8 extent practicable, prior to the commencement of construction  
9 of the Wekiva Parkway.

10 Section 49. Sections 42-48 shall stand repealed  
11 effective July 1, 2008, unless purchase of the right-of-way  
12 for the Wekiva Parkway or the U.S. 441 Bypass has been  
13 commenced. Part II of chapter 369, Florida Statutes, (2002)  
14 shall not be repealed by operation of this section.

15  
16 (Redesignate subsequent sections.)

17

18

19 ===== T I T L E A M E N D M E N T =====

20 And the title is amended as follows:

21 On page 5, line 4, after the semicolon

22

23 and insert:

24 amending s. 369.301, F.S.; changing the short  
25 title; creating s. 369.3011, F.S.; providing  
26 for a short title; providing legislative  
27 intent; providing definitions; providing for  
28 the designation of the Wekiva River Springshed  
29 Protection Area; creating comprehensive plan  
30 requirements for the area; creating a  
31 integrated planning area for the Wekiva River

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1 Basin; creating comprehensive plan requirements  
2 for transportation, land use, and water  
3 resource in the basin; creating transportation  
4 requirements for road construction in the  
5 basin; providing for planning assistance by the  
6 Department of Community Affairs; describing  
7 duties of the Department of Agriculture and  
8 Consumer Services for the creation of  
9 best-management practices; amending s.  
10 163.3187, F.S.; exempting comprehensive plan  
11 amendments created by this act from the  
12 statutory limit of two amendments per year;  
13 creating s. 373.0425, F.S.; providing for  
14 rulemaking authority for the St. Johns River  
15 Water Management District as it relates to  
16 implementing the provisions of this act;  
17 creating s. 381.0069, F.S.; directing the  
18 Department of Health to develop a program for  
19 the improvement of certain wastewater treatment  
20 systems in the Wekiva River Springshed  
21 Protection Area; amending s. 373.139, F.S.;  
22 encouraging the St. Johns River Water  
23 Management District to pursue land acquisition  
24 within the Wekiva Basin; amending s. 369.307,  
25 F.S.; encouraging all agencies to pursue  
26 acquisitions within the Wekiva-Ocala Greenway  
27 Florida Forever project or other additional  
28 lands in the springs recharge area; providing  
29 for the repeal of this act;

30

31