

1  
2 An act relating to water policy; repealing s.  
3 373.0693(11), F.S.; deleting a provision  
4 requiring legislative approval to abolish or  
5 combine basins existing within the Southwest  
6 Florida Water Management District; amending s.  
7 373.2295, F.S.; redefining the term  
8 "interdistrict transfer and use"; validating  
9 and providing continued effect of agreements  
10 between water management districts which were  
11 entered into before the effective date of the  
12 act; amending s. 373.451, F.S.; revising  
13 legislative intent with respect to the Surface  
14 Water Improvement and Management Act; deleting  
15 requirement that state and local funds be  
16 provided for certain purposes; amending s.  
17 373.453, F.S.; revising criteria to be applied  
18 in determining the priority of water bodies  
19 under surface water improvement and management  
20 plans and programs; providing for periodic  
21 lists of water bodies of regional or statewide  
22 significance; authorizing participation by  
23 additional persons in the development of plans  
24 and programs; deleting certain reporting  
25 requirements; requiring identification of  
26 potential funding sources for the plans and  
27 programs; requiring review of plans developed  
28 by water management districts by various state  
29 agencies within a specified time; deleting the  
30 requirement that state agencies be on certain  
31 advisory committees; authorizing water

1 management districts to enter into contracts  
2 with governmental agencies regarding the  
3 development and implementation of water  
4 improvement and management programs; amending  
5 s. 373.459, F.S.; providing for appropriation  
6 of funds for surface water improvement and  
7 management activities by water management  
8 districts; providing for release of funds by  
9 the Department of Environmental Protection;  
10 repealing s. 373.455, F.S., relating to review  
11 of surface water improvement and management  
12 plans; repealing s. 373.456, F.S., relating to  
13 approval of surface water improvement and  
14 management plans; repealing s. 373.457, F.S.,  
15 relating to implementation of surface water  
16 improvement and management plans and programs;  
17 amending ss. 259.101, 373.4136, 403.067, and  
18 403.1835, F.S.; amending s. 403.1837, F.S.;  
19 repealing provisions limiting the bonding  
20 authority of the Florida Water Pollution  
21 Control Financing Corporation; deleting  
22 cross-references; amending s. 373.069, F.S.;  
23 revising boundaries of the St. Johns River and  
24 Southwest Florida Water Management Districts;  
25 amending s. 373.079, F.S.; revising procedures  
26 relating to the hiring of legal staff in the  
27 water management districts; amending s.  
28 373.0691, F.S.; providing for the transfer of  
29 land and other incidentals from the St. Johns  
30 River Water Management District to the  
31

1 Southwest Florida Water Management District;  
2 providing effective dates.

3  
4 Be It Enacted by the Legislature of the State of Florida:

5  
6 Section 1. Subsection (11) of section 373.0693,  
7 Florida Statutes, is amended to read:

8 373.0693 Basins; basin boards.--

9 ~~(11)(a) Basins existing within the Southwest Florida~~  
10 ~~Water Management District, as described in rule 40D-0.061,~~  
11 ~~Florida Administrative Code, may not be abolished or combined~~  
12 ~~without the approval of the Legislature, except that the~~  
13 ~~entire area lying to the East of the Hillsborough County line~~  
14 ~~and presently located within the Hillsborough Basin is hereby~~  
15 ~~annexed into the Peace River Basin. Within the Southwest~~  
16 ~~Florida Water Management District, the entire area lying to~~  
17 ~~the East of the Hillsborough County line and presently located~~  
18 ~~within the Alafia Basin is hereby annexed into the Peace River~~  
19 ~~Basin.~~

20 ~~(b) Assets or liabilities of the basin located in~~  
21 ~~those areas transferred from the Hillsborough and Alafia~~  
22 ~~Basins into the Peace River Basin pursuant to this section,~~  
23 ~~including funds held in trust, shall be transferred to the~~  
24 ~~Peace River Basin.~~

25 Section 2. Subsection (1) of section 373.2295, Florida  
26 Statutes, is amended to read:

27 373.2295 Interdistrict transfers of groundwater.--

28 (1) As used in this section, the term "interdistrict  
29 transfer and use" means a consumptive water use that which  
30 involves the withdrawal of groundwater from a point within one  
31 water management district for use outside the boundaries of

1 that district, but does not include a withdrawal and use  
2 within the same county. In case of withdrawal of groundwater  
3 from a point within one water management district for use  
4 outside the boundaries of that district but within the same  
5 county, the provisions of subsections (4), (11), and (13)  
6 shall apply, and the district considering a permit application  
7 for such a consumptive use shall apply the applicable  
8 provisions of this chapter, and its rules, to the withdrawal  
9 and use.

10 Section 3. Any agreements between water management  
11 districts entered into before the effective date of this act  
12 pursuant to section 373.046, Florida Statutes, authorizing the  
13 issuance of permits for the interdistrict withdrawal and use  
14 of water within a county are validated and shall continue in  
15 effect until otherwise rescinded.

16 Section 4. Subsections (5), (7), and (8) of section  
17 373.451, Florida Statutes, are amended to read:

18 373.451 Short title; legislative findings and  
19 intent.--

20 (5) The Legislature finds that many surface water  
21 problems can be and have been corrected and prevented through  
22 plans and programs for surface water improvement and  
23 management that are developed ~~planned, designed, and~~  
24 implemented by the water management districts, the department,  
25 and local governments.

26 (7) It is also the intent of the Legislature that the  
27 department, the water management districts, and others ~~shall~~  
28 ~~conduct or coordinate statewide research by the water~~  
29 ~~management districts or others~~ to provide a better scientific  
30 understanding of the causes and effects of surface water  
31 pollution and of the destruction of natural systems in order

1 to improve and manage surface waters and associated natural  
2 systems.

3 ~~(8) The state, through the department, shall provide~~  
4 ~~funds to assist with the implementation of the district plans~~  
5 ~~and programs under this act. However, to achieve the goals of~~  
6 ~~this act, cooperation and funding is necessary from the state,~~  
7 ~~the water management districts, and local governments.~~

8 Section 5. Section 373.453, Florida Statutes, is  
9 amended to read:

10 373.453 Surface water improvement and management plans  
11 and programs.--

12 (1)(a) Each water management district, in cooperation  
13 with the department, the Department of Agriculture and  
14 Consumer Services, the Department of Community Affairs, the  
15 Fish and Wildlife Conservation Commission, ~~and~~ local  
16 governments, and others, shall ~~prepare and~~ maintain a list  
17 that prioritizes ~~which shall prioritize~~ water bodies of  
18 regional or statewide significance within the ~~each~~ water  
19 management district. The list shall be reviewed and updated  
20 every 5 ~~3~~ years. ~~The list shall be based on criteria adopted~~  
21 ~~by rule of the department and shall assign priorities to the~~  
22 ~~water bodies based on their need for protection and~~  
23 ~~restoration.~~

24 (b) Criteria to be used in developing the lists  
25 ~~developed by the department~~ shall include, but ~~need~~ not be  
26 limited to, consideration of violations of water quality  
27 standards occurring in the water body, the amounts of  
28 nutrients entering the water body and the water body's trophic  
29 state, water bodies on the department's list of impaired  
30 waters, water bodies with established total maximum daily  
31 loads, the existence of or need for a continuous aquatic weed

1 control program in the water body, the biological condition of  
2 the water body, reduced fish and wildlife values, ~~and~~ threats  
3 to agricultural and urban water supplies, threats to and  
4 public recreational opportunities, the management of the water  
5 body through federal, state, or local water quality programs  
6 or plans, and public input.

7 (c) In maintaining ~~developing~~ their respective  
8 priority water body lists, water management districts shall  
9 give consideration to the following priority areas:

10 1. The South Florida Water Management District shall  
11 give priority to the restoration needs of Lake Okeechobee,  
12 Biscayne Bay, the Lake Worth Lagoon, and the Indian River  
13 Lagoon system and their tributaries.

14 2. The Southwest Florida Water Management District  
15 shall give priority to the restoration needs of Tampa Bay and  
16 its tributaries.

17 3. The St. Johns River Water Management District shall  
18 give priority to the restoration needs of Lake Apopka, the  
19 Lower St. Johns River, and the Indian River Lagoon system and  
20 their tributaries.

21 (2) Unless otherwise provided by law ~~Once the priority~~  
22 ~~lists are approved by the department,~~ the water management  
23 districts, in cooperation with state agencies, ~~the department,~~  
24 ~~the Fish and Wildlife Conservation Commission, the Department~~  
25 ~~of Community Affairs, the Department of Agriculture and~~  
26 ~~Consumer Services, and local governments, and others, may~~  
27 ~~shall~~ develop surface water improvement and management plans  
28 and programs for the water bodies identified ~~based~~ on the  
29 priority lists. ~~The department shall establish a uniform~~  
30 ~~format for such plans and a schedule for reviewing and~~

31

1 ~~updating the plans. These~~ Plans developed pursuant to this  
2 subsection shall include, but not be limited to:

3 (a) A description of the water body system, its  
4 historical and current uses, its hydrology, and ~~a history of~~  
5 the conditions that ~~which~~ have led to the need for restoration  
6 or protection;

7 (b) An identification of all governmental units that  
8 have jurisdiction over the water body and its drainage basin  
9 within the approved surface water improvement and management  
10 plan area, including local, regional, state, and federal  
11 units;

12 (c) A description of land uses within the drainage  
13 basin of the priority water body ~~within the approved surface~~  
14 ~~water improvement and management plan area~~ and those of  
15 important tributaries, ~~point and nonpoint sources of~~  
16 ~~pollution, and permitted discharge activities;~~

17 (d) Identification ~~A list of the owners~~ of point and  
18 nonpoint sources of water pollution that are discharged into  
19 the each water body and its important tributaries ~~tributary~~  
20 ~~thereto and that adversely affect the public interest,~~  
21 ~~including separate lists of those sources that are:~~

- 22 1. ~~Operating without a permit;~~  
23 2. ~~Operating with a temporary operating permit; and~~  
24 3. ~~Presently violating effluent limits or water~~  
25 ~~quality standards.~~

26  
27 ~~The plan shall also include recommendations and schedules for~~  
28 ~~bringing all sources into compliance with state standards when~~  
29 ~~not contrary to the public interest. This paragraph does not~~  
30 ~~authorize any existing or future violation of any applicable~~  
31 ~~statute, regulation, or permit requirement, and does not~~

1 ~~diminish the authority of the department or the water~~  
2 ~~management district;~~

3 (e) A description of strategies and a schedule for  
4 related management actions ~~potential strategies~~ for restoring  
5 or protecting the water body to Class III or better, including  
6 those needed to help achieve state-adopted total maximum daily  
7 loads for the water body;

8 ~~(f) A listing of studies that are being or have been~~  
9 ~~prepared for the water body;~~

10 ~~(g) A description of the research and feasibility~~  
11 ~~studies which will be performed to determine the particular~~  
12 ~~strategy or strategies to restore or protect the water body;~~

13 ~~(f)(h)~~ A description of the management actions  
14 measures needed to ~~manage and~~ maintain the water body once it  
15 has been restored and to prevent future degradation; and

16 ~~(i) A schedule for restoration and protection of the~~  
17 ~~water body; and~~

18 ~~(g)(j)~~ An estimate of the funding needed to carry out  
19 the restoration or protection strategies and a listing of  
20 available and potential funding sources and amounts.

21 (3) ~~Each water management district shall be~~  
22 ~~responsible for planning and coordinating restoration or~~  
23 ~~protection strategies for the priority water bodies within the~~  
24 ~~district which have been approved by the department as water~~  
25 ~~bodies of regional and statewide significance in need of~~  
26 ~~protection or restoration.~~The governing board of the  
27 appropriate water management district shall hold at least one  
28 public hearing and public workshop ~~workshops~~ in the vicinity  
29 of a priority ~~the~~ water body for which a plan is being  
30 developed to obtain ~~under consideration as may be necessary~~  
31 ~~for obtaining~~ public input prior to finalizing the surface



1 water improvement and management plan ~~plans~~ for the water body  
2 ~~bodies on the priority list~~. The water management district  
3 shall then forward a copy of the plan ~~plans~~ to the department,  
4 the Fish and Wildlife Conservation Commission, the Department  
5 of Agriculture and Consumer Services, and to appropriate local  
6 governmental units for their review and comment within 45  
7 calendar days after the date the plan is forwarded to them.  
8 The department shall specifically comment on the likelihood  
9 that implementing the plan will significantly improve or  
10 protect water quality and associated natural systems. At the  
11 end of the 45-day review period, the water management district  
12 may proceed to approve the plan, whether or not comments have  
13 been submitted.

14 (4) Plans shall be updated as necessary to ensure that  
15 they effectively address the restoration and protection needs  
16 of the priority water bodies and that they reflect current  
17 scientific understandings and budgetary adjustments. If a  
18 district determines that modifications of or additions to a  
19 plan are necessary, such modifications or additions shall be  
20 subject to the review process established in this section.  
21 ~~Each September 1, the water management districts shall submit~~  
22 ~~a funding proposal for the next state fiscal year to the~~  
23 ~~department for its review and approval. The proposal shall~~  
24 ~~specify the activities that need state funding and the amounts~~  
25 ~~of funding, and shall describe the specific restoration or~~  
26 ~~protection activities proposed. The department shall review~~  
27 ~~water management district funding proposals and shall consider~~  
28 ~~them in making its annual budget request.~~

29 (5) The governing board of each water management  
30 district is encouraged to appoint advisory committees as  
31 necessary to assist in formulating and evaluating strategies

1 for water body protection and restoration activities and to  
2 increase public awareness and intergovernmental cooperation.  
3 Such committees should include representatives of ~~the Fish and~~  
4 ~~Wildlife Conservation Commission, the Department of~~  
5 ~~Agriculture and Consumer Services,~~ appropriate local  
6 governments, state and federal agencies, existing advisory  
7 councils for the priority ~~subject~~ water body, and  
8 representatives of the public who use the water body.

9 (6) The water management districts may contract with  
10 appropriate state, local, and regional agencies and others to  
11 perform various tasks associated with the development and  
12 implementation of ~~the~~ surface water improvement and management  
13 plans and programs.

14 Section 6. Section 373.459, Florida Statutes, is  
15 amended to read:

16 373.459 Funds for surface water improvement and  
17 management.--

18 (1) Legislative appropriations provided to the water  
19 management districts for surface water improvement and  
20 management activities shall be available for detailed planning  
21 and plan and program implementation.

22 (2)~~(1)~~ The Ecosystem Management and Restoration Trust  
23 Fund shall be used for the deposit of funds appropriated by  
24 the Legislature for the purposes of ss. 373.451-373.4595. The  
25 department shall administer all funds appropriated to or  
26 received for surface water improvement and management  
27 activities. Expenditure of the moneys shall be limited to the  
28 costs of detailed planning ~~for~~ and plan and program  
29 ~~implementation of programs prepared~~ for priority surface water  
30 bodies ~~waters~~. Moneys from the fund shall not be expended for  
31

1 planning for, or construction or expansion of, treatment  
2 facilities for domestic or industrial waste disposal.

3 ~~(3)(2)~~ The ~~secretary of the~~ department shall authorize  
4 the release of money from the fund in accordance with the  
5 provisions of s. 373.501(2) and procedures in s. 373.59(4) and  
6 ~~(5) within 30 days after receipt of a request adopted by the~~  
7 ~~governing board of a water management district or by the~~  
8 ~~executive director when authority has been delegated by the~~  
9 ~~governing board, certifying that the money is needed for~~  
10 ~~detailed planning for or implementation of plans approved~~  
11 ~~pursuant to ss. 373.453, 373.455, and 373.456. A water~~  
12 ~~management district may not receive more than 50 percent of~~  
13 ~~the moneys appropriated to the fund for the purposes of ss.~~  
14 ~~373.451-373.4595 in any fiscal year unless otherwise provided~~  
15 ~~for by law. Each year after funds are appropriated, each water~~  
16 ~~management district shall receive the amount requested~~  
17 ~~pursuant to s. 373.453(4) or 10 percent of the money~~  
18 ~~appropriated for the purposes of ss. 373.451-373.4595,~~  
19 ~~whichever is less. The department shall allocate the remaining~~  
20 ~~money in the appropriation for such purposes annually, based~~  
21 ~~upon the specific needs of the districts. The department, at~~  
22 ~~its discretion, may include any funds allocated to a district~~  
23 ~~for such purposes in previous years which remain unencumbered~~  
24 ~~by the district on July 1, to the amount of money to be~~  
25 ~~distributed based upon specific needs of the districts.~~

26 ~~(3)~~ The amount of money that may be released to a  
27 water management district from the fund for approved plans, or  
28 continuations of approved plans, to improve and manage the  
29 surface waters described in ss. 373.451-373.4595 is limited to  
30 not more than 60 percent of the amount of money necessary for  
31 the approved plans of the South Florida Water Management

1 ~~District, the Southwest Florida Water Management District, and~~  
2 ~~the St. Johns River Water Management District, and not more~~  
3 ~~than 80 percent of the amount of money necessary for the~~  
4 ~~approved plans of the Northwest Florida Water Management~~  
5 ~~District and the Suwannee River Water Management District. The~~  
6 ~~remaining funds necessary for the approved plans shall be~~  
7 ~~provided by the district.~~

8 (4) Moneys in the fund which are not needed to meet  
9 current obligations incurred under this section shall be  
10 transferred to the State Board of Administration, to the  
11 credit of the trust fund, to be invested in the manner  
12 provided by law. Interest received on such investments shall  
13 be credited to the trust fund.

14 Section 7. Sections 373.455, 373.456, and 373.457,  
15 Florida Statutes, are repealed.

16 Section 8. Paragraph (b) of subsection (3) of section  
17 259.101, Florida Statutes, is amended to read:

18 259.101 Florida Preservation 2000 Act.--

19 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.--Less the  
20 costs of issuance, the costs of funding reserve accounts, and  
21 other costs with respect to the bonds, the proceeds of bonds  
22 issued pursuant to this act shall be deposited into the  
23 Florida Preservation 2000 Trust Fund created by s. 375.045. In  
24 fiscal year 2000-2001, for each Florida Preservation 2000  
25 program described in paragraphs (a)-(g), that portion of each  
26 program's total remaining cash balance which, as of June 30,  
27 2000, is in excess of that program's total remaining  
28 appropriation balances shall be redistributed by the  
29 department and deposited into the Save Our Everglades Trust  
30 Fund for land acquisition. For purposes of calculating the  
31 total remaining cash balances for this redistribution, the

1 Florida Preservation 2000 Series 2000 bond proceeds, including  
2 interest thereon, and the fiscal year 1999-2000 General  
3 Appropriations Act amounts shall be deducted from the  
4 remaining cash and appropriation balances, respectively. The  
5 remaining proceeds shall be distributed by the Department of  
6 Environmental Protection in the following manner:

7       (b) Thirty percent to the Department of Environmental  
8 Protection for the purchase of water management lands pursuant  
9 to s. 373.59, to be distributed among the water management  
10 districts as provided in that section. Funds received by each  
11 district may also be used for acquisition of lands necessary  
12 to implement surface water improvement and management plans  
13 ~~approved in accordance with s. 373.456~~ or for acquisition of  
14 lands necessary to implement the Everglades Construction  
15 Project authorized by s. 373.4592.

16  
17 Local governments may use federal grants or loans, private  
18 donations, or environmental mitigation funds, including  
19 environmental mitigation funds required pursuant to s.  
20 338.250, for any part or all of any local match required for  
21 the purposes described in this subsection. Bond proceeds  
22 allocated pursuant to paragraph (c) may be used to purchase  
23 lands on the priority lists developed pursuant to s. 259.035.  
24 Title to lands purchased pursuant to paragraphs (a), (d), (e),  
25 (f), and (g) shall be vested in the Board of Trustees of the  
26 Internal Improvement Trust Fund. Title to lands purchased  
27 pursuant to paragraph (c) may be vested in the Board of  
28 Trustees of the Internal Improvement Trust Fund. The board of  
29 trustees shall hold title to land protection agreements and  
30 conservation easements that were or will be acquired pursuant  
31 to s. 380.0677, and the Southwest Florida Water Management

1 District and the St. Johns River Water Management District  
2 shall monitor such agreements and easements within their  
3 respective districts until the state assumes this  
4 responsibility.

5 Section 9. Paragraph (a) of subsection (6) of section  
6 373.4136, Florida Statutes, is amended to read:

7 373.4136 Establishment and operation of mitigation  
8 banks.--

9 (6) MITIGATION SERVICE AREA.--The department or water  
10 management district shall establish a mitigation service area  
11 for each mitigation bank permit. The department or water  
12 management district shall notify and consider comments  
13 received on the proposed mitigation service area from each  
14 local government within the proposed mitigation service area.  
15 Except as provided herein, mitigation credits may be withdrawn  
16 and used only to offset adverse impacts in the mitigation  
17 service area. The boundaries of the mitigation service area  
18 shall depend upon the geographic area where the mitigation  
19 bank could reasonably be expected to offset adverse impacts.  
20 Mitigation service areas may overlap, and mitigation service  
21 areas for two or more mitigation banks may be approved for a  
22 regional watershed.

23 (a) In determining the boundaries of the mitigation  
24 service area, the department or the water management district  
25 shall consider the characteristics, size, and location of the  
26 mitigation bank and, at a minimum, the extent to which the  
27 mitigation bank:

- 28 1. Contributes to a regional integrated ecological  
29 network;
- 30 2. Will significantly enhance the water quality or  
31 restoration of an offsite receiving water body that is

1 designated as an Outstanding Florida Water, a Wild and Scenic  
2 River, an aquatic preserve, a water body designated in a plan  
3 approved ~~adopted~~ pursuant to ~~s. 373.456~~ of the Surface Water  
4 Improvement and Management Act, or a nationally designated  
5 estuarine preserve;

6           3. Will provide for the long-term viability of  
7 endangered or threatened species or species of special  
8 concern;

9           4. Is consistent with the objectives of a regional  
10 management plan adopted or endorsed by the department or water  
11 management districts; and

12           5. Can reasonably be expected to offset specific types  
13 of wetland impacts within a specific geographic area. A  
14 mitigation bank need not be able to offset all expected  
15 impacts within its service area.

16           Section 10. Paragraph (b) of subsection (3) and  
17 paragraph (a) of subsection (7) of section 403.067, Florida  
18 Statutes, are amended to read:

19           403.067 Establishment and implementation of total  
20 maximum daily loads.--

21           (3) ASSESSMENT.--

22           (b) The department shall adopt by rule a methodology  
23 for determining those waters which are impaired. The rule  
24 shall provide for consideration as to whether water quality  
25 standards codified in chapter 62-302, Florida Administrative  
26 Code, are being exceeded, based on objective and credible  
27 data, studies and reports, including surface water improvement  
28 and management plans approved by water management districts  
29 ~~under s. 373.456~~ and pollutant load reduction goals developed  
30 according to department rule. Such rule also shall set forth:

31

- 1           1. Water quality sample collection and analysis  
2 requirements, accounting for ambient background conditions,  
3 seasonal and other natural variations;
- 4           2. Approved methodologies;
- 5           3. Quality assurance and quality control protocols;
- 6           4. Data modeling; and
- 7           5. Other appropriate water quality assessment  
8 measures.
- 9           (7) IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.--
- 10           (a) The department shall be the lead agency in  
11 coordinating the implementation of the total maximum daily  
12 loads through water quality protection programs. Application  
13 of a total maximum daily load by a water management district  
14 shall be consistent with this section and shall not require  
15 the issuance of an order or a separate action pursuant to s.  
16 120.536(1) or s. 120.54 for adoption of the calculation and  
17 allocation previously established by the department. Such  
18 programs may include, but are not limited to:
- 19           1. Permitting and other existing regulatory programs;
- 20           2. Nonregulatory and incentive-based programs,  
21 including best management practices, cost sharing, waste  
22 minimization, pollution prevention, and public education;
- 23           3. Other water quality management and restoration  
24 activities, for example surface water improvement and  
25 management plans approved by water management districts under  
26 ~~s. 373.456~~ or watershed or basin management plans developed  
27 pursuant to this subsection;
- 28           4. Pollutant trading or other equitable economically  
29 based agreements;
- 30           5. Public works including capital facilities; or
- 31           6. Land acquisition.



1           Section 11. Subsection (7) of section 403.1835,  
2 Florida Statutes, is amended to read:

3           403.1835 Water pollution control financial  
4 assistance.--

5           (7) Eligible projects must be given priority according  
6 to the extent each project is intended to remove, mitigate, or  
7 prevent adverse effects on surface or ground water quality and  
8 public health. The relative costs of achieving environmental  
9 and public health benefits must be taken into consideration  
10 during the department's assignment of project priorities. The  
11 department shall adopt a priority system by rule. In  
12 developing the priority system, the department shall give  
13 priority to projects that:

14           (a) Eliminate public health hazards;

15           (b) Enable compliance with laws requiring the  
16 elimination of discharges to specific water bodies;

17           (c) Assist in the implementation of total maximum  
18 daily loads adopted under s. 403.067;

19           (d) Enable compliance with other pollution control  
20 requirements, including, but not limited to, toxics control,  
21 wastewater residuals management, and reduction of nutrients  
22 and bacteria;

23           (e) Assist in the implementation of surface water  
24 improvement and management plans ~~approved under s. 373.456~~ and  
25 pollutant load reduction goals developed under state water  
26 policy;

27           (f) Promote reclaimed water reuse;

28           (g) Eliminate failing onsite sewage treatment and  
29 disposal systems or those that are causing environmental  
30 damage; or

31

1 (h) Reduce pollutants to and otherwise promote the  
2 restoration of Florida's surface and ground waters.

3 Section 12. Paragraphs (c) and (d) of subsection (2)  
4 of section 373.069, Florida Statutes, are amended to read:

5 373.069 Creation of water management districts.--

6 (2) Notwithstanding the provisions of any other  
7 special or general act to the contrary, the boundaries of the  
8 respective districts named in subsection (1) shall include the  
9 areas within the following boundaries:

10 (c) St. Johns River Water Management District.--Begin  
11 at the intersection of the south boundary of Indian River  
12 County with the Atlantic Ocean; thence west along the Indian  
13 River-St. Lucie County line to the intersection of the west  
14 boundary of St. Lucie County; thence south along the  
15 Okeechobee-St. Lucie County line to the southeast corner of  
16 Section 1, Township 34 South, Range 36 East; thence west along  
17 the section line to the northwest corner of Section 10,  
18 Township 34 South, Range 36 East; thence south along the  
19 section line to the southeast corner of Section 9, Township 34  
20 South, Range 36 East; thence west along the section line to  
21 the northwest corner of Section 18, Township 34 South, Range  
22 36 East; thence south along the range line between Ranges 35  
23 and 36 East to the southeast corner of Section 12, Township 34  
24 South, Range 35 East; thence west along the section line to  
25 the northwest corner of Section 13, Township 34 South, Range  
26 35 East; thence south along the section line to the southeast  
27 corner of Section 35, Township 34 South, Range 35 East; thence  
28 west along the township line between Townships 34 and 35 south  
29 to the southwest corner of Section 35, Township 34 South,  
30 Range 34 East; thence north along the section line to the  
31 Okeechobee-Osceola County line; thence west along the

1 Okeechobee-Osceola County line to the southwest corner of  
2 Section 34, Township 32 South, Range 33 East; thence north  
3 along the section line to the northwest corner of Section 3,  
4 Township 31 South, Range 33 East; thence east along the  
5 township line between Townships 30 and 31 South to the  
6 southeast corner of Section 36, Township 30 South, Range 33  
7 East; thence north along the range line between Ranges 33 and  
8 34 East to the northeast corner of Section 1, Township 30  
9 South, Range 33 East; thence west along the township line  
10 between Townships 29 and 30 south to the southwest corner of  
11 Section 31, Township 29 South, Range 33 East; thence north  
12 along the range line between Ranges 32 and 33 East to the  
13 northwest corner of Section 6, Township 28 South, Range 33  
14 East; thence east along the township line between Townships 27  
15 and 28 south to the southeast corner of Section 36, Township  
16 27 South, Range 32 East; thence north along the range line  
17 between Ranges 32 and 33 East to the northeast corner of  
18 Section 1, Township 26 South, Range 32 East; thence west along  
19 the township line between Townships 25 and 26 South to the  
20 southwest corner of Section 33, Township 25 South, Range 32  
21 East; thence north along the section line to the  
22 Orange-Osceola County line; thence westerly along the  
23 Orange-Osceola County line to the Southwest corner of Section  
24 31, Township 24 South, Range 32 East; thence north along the  
25 range line to the intersection with the northerly right-of-way  
26 line of State Road 528, also known as the Bee Line Expressway;  
27 thence westerly along the northerly right-of-way line of State  
28 Road 528 to the intersection with the northerly right-of-way  
29 line of State Road 528A; thence westerly along the northerly  
30 right-of-way line of State Road 528A to the westerly  
31 right-of-way line of U.S. Highway 441; thence northerly along

1 the right-of-way line to the section line between sections 22  
2 and 27 of Township 22 South, Range 29 East; thence west along  
3 the section lines to the Northeast corner of Section 25,  
4 Township 22 South, Range 28 East; thence south along the range  
5 line between Ranges 28 and 29 East to the Southeast corner of  
6 Section 36, Township 22 South, Range 28 East; thence west  
7 along the township line between Townships 22 and 23 South to  
8 the Northeast corner of Section 2, Township 23 South, Range 27  
9 East; thence south to the Southeast corner of Section 11,  
10 Township 23 South, Range 27 East; thence west along the  
11 section lines to the Southwest corner of Section 7, Township  
12 23 South, Range 27 East, also being the Lake-Orange County  
13 line; thence south along the range line between Ranges 26 and  
14 27 East to the southwest corner of Section 18, Township 26  
15 South, Range 27 East; thence east along the section line to  
16 the northeast corner of Section 19, township 26 South, Range  
17 27 East; thence south along the section line to the southwest  
18 corner of Section 32, Township 26 South, Range 27 East; thence  
19 east along the township line between Townships 26 and 27 South  
20 to the northeast corner of Section 5, Township 27 South, Range  
21 27 East; thence south along the section lines to the southerly  
22 right-of-way line of State Road 600; thence westerly along the  
23 southerly right-of-way line of said State Road No. 600 to the  
24 west boundary of Section 27, Township 27 South, Range 26 East;  
25 thence north along the section lines to the northeast corner  
26 of Section 16, Township 25 South, Range 26 East; thence west  
27 along the section line to the southwest corner of Section 9,  
28 Township 25 South, Range 26 East; thence north along the  
29 section lines to the Lake-Polk County line; thence west along  
30 the county line to the southwest corner of Section 32,  
31 Township 24 South, Range 26 East; thence into Lake County,

1 north along the section lines to the northeast corner of  
2 Section 30, Township 24 South, Range 26 East; thence west  
3 along the section lines to the northeast corner of Section 28,  
4 Township 24 South, Range 25 East; thence north along the  
5 section lines to the northeast corner of Section 16, Township  
6 24 South, Range 25 East; thence west along the section line to  
7 the northwest corner of Section 16, Township 24 South, Range  
8 25 East; thence north along the section line to the northeast  
9 corner of Section 8, Township 24 South, Range 25 East; thence  
10 west along the section lines to the range line between Ranges  
11 24 and 25; thence north along the range line to the northeast  
12 corner of Section 1, Township 23 South, Range 24 East, also  
13 being on the township line between Townships 22 and 23 South;  
14 thence west along the township line to the northwest corner of  
15 Section 6, Township 23 South, Range 24 East, also being on the  
16 Sumter-Lake County line; thence north along the Sumter-Lake  
17 County line, also being the range line between Ranges 23 and  
18 24 East, to the northeast corner of Section 1, Township 18  
19 South, Range 23 East, and the Marion County line; thence west  
20 along the Sumter-Marion County line, also being the township  
21 line between Townships 17 and 18 South, to the westerly  
22 right-of-way line of Interstate Highway 75; thence northerly  
23 along the westerly right-of-way line of Interstate Highway 75  
24 to the Alachua-Marion County line, said line also being the  
25 township line between Townships 11 and 12 South; thence west  
26 along the Alachua-Marion County line to the northwest corner  
27 of Section 3, Township 12 South, Range 19 East, and the Levy  
28 County line; thence westerly along the Levy-Alachua County  
29 line, also being the township line between Townships 11 and 12  
30 South, to the southeast corner of Section 36, Township 11  
31 South, Range 18 East; thence north along the range line

1 between Ranges 18 and 19 East to the northwest corner of  
2 Section 19, Township 9 South, Range 19 East; thence east along  
3 the section line to the southeast corner of Section 13,  
4 Township 9 South, Range 19 East; thence north along the range  
5 line between Ranges 19 and 20 East to the northwest corner of  
6 Section 6, Township 9 South, Range 20 East; thence easterly  
7 along the township line between Townships 8 and 9 South to the  
8 southeast corner of Section 36, Township 8 South, Range 20  
9 East; thence north along the range line between Ranges 20 and  
10 21 East to the northwest corner of Section 18, Township 8  
11 South, Range 21 East; thence east along the section line to  
12 the northeast corner of Section 15, Township 8 South, Range 21  
13 East; thence south along the section line to the southwest  
14 corner of Section 23, Township 8 South, Range 21 East; thence  
15 east along the section line to the northeast corner of Section  
16 26, Township 8 South, Range 21 East; thence south along the  
17 section line to the southwest corner of the north 1/2 of  
18 Section 25, Township 8 South, Range 21 East; thence east to  
19 the northeast corner of the south 1/2 of Section 25, Township  
20 8 South, Range 21 East; thence south along the range line  
21 between Ranges 21 and 22 East to the southwest corner of  
22 Section 30, Township 8 South, Range 22 East; thence east along  
23 the section line to the northeast corner of Section 32,  
24 Township 8 South, Range 22 East; thence south along the  
25 section line to the southwest corner of Section 16, Township 9  
26 South, Range 22 East; thence eastward along the section line  
27 to the southeast corner of the west 1/8 of Section 18,  
28 Township 9 South, Range 23 East; thence northward to the  
29 northeast corner of the west 1/8 of Section 18, Township 9  
30 South, Range 23 East; thence west to the southwest corner of  
31 Section 7, Township 9 South, Range 23 East; thence northward

1 along the Bradford-Clay County line to the northeast corner of  
2 Section 36, Township 8 South, Range 22 East; thence west along  
3 the section line to the southwest corner of the east 1/2 of  
4 Section 25, Township 8 South, Range 22 East; thence north to  
5 the northeast corner of the west 1/2 of Section 24, Township 8  
6 South, Range 22 East; thence west along the section line to  
7 the southwest corner of Section 13, Township 8 South, Range 22  
8 East; thence north along the section line to the northwest  
9 corner of Section 25, Township 7 South, Range 22 East; thence  
10 east along the section line to the Bradford-Clay County line;  
11 thence north along the Bradford-Clay County line to the  
12 intersection of the south boundary of Baker County; thence  
13 west along the Baker-Bradford County line to the intersection  
14 of the east boundary of Union County; thence west along the  
15 Baker-Union County line to the southwest corner of Section 18,  
16 Township 4 South, Range 20 East; thence north along the range  
17 line between Ranges 19 and 20 East to the northeast corner of  
18 Section 1, Township 3 South, Range 19 East; thence west along  
19 the township line between Townships 2 and 3 South to the  
20 Baker-Columbia County line; thence north along the  
21 Baker-Columbia County line to the north boundary line of the  
22 State of Florida; thence easterly along the Florida-Georgia  
23 line to the Atlantic Ocean; thence southerly along the  
24 Atlantic Ocean, including the waters of said ocean within the  
25 jurisdiction of the State of Florida to the point of  
26 beginning.

27 (d) Southwest Florida Water Management  
28 District.--Begin at the intersection of the north boundary of  
29 Lee County with the Gulf of Mexico; thence eastward along the  
30 Lee-Charlotte County line to the Southeast corner of Section  
31 33, Township 42 South, Range 24 East; thence North into

1 Charlotte County, along the section lines to the Northeast  
2 corner of Section 4, Township 42 South, Range 24 East; thence  
3 East along the township line between Townships 41 and 42 South  
4 to the Southeast corner of Section 36, Township 41 South,  
5 Range 25 East; thence north along the section line to the  
6 northwest corner of Section 6, Township 41 South, Range 26  
7 East; thence east along the section line to the southeast  
8 corner of Section 36, Township 40 South, Range 26 East; thence  
9 North along the range line between Ranges 26 and 27 to the  
10 Northeast corner of Section 1, Township 40 South, Range 26  
11 East, and the Charlotte-Desoto County line; thence east along  
12 the Charlotte-Desoto County line to the southeast corner of  
13 Section 36, Township 39 South, Range 27 East; thence north  
14 along the DeSoto-Highlands County line to the intersection of  
15 the South boundary of Hardee County; thence north along the  
16 Hardee-Highlands County line to the southwest corner of  
17 Township 35 South, Range 28 East; thence east along the north  
18 boundary of Township 36 South to the northeast corner of  
19 Section 1, Township 36 South, Range 28 East; thence south  
20 along the range line to the southeast corner of Section 12,  
21 Township 37 South, Range 28 East; thence east along the  
22 section line to the northeast corner of Section 15, Township  
23 37 South, Range 29 East; thence south along the section line  
24 to the southeast corner of Section 34, Township 37 South,  
25 Range 29 East; thence east along the township line to the  
26 northeast corner of Section 1, Township 38 South, Range 29  
27 East; thence south along the range line to the southeast  
28 corner of Section 1, Township 39 South, Range 29 East; thence  
29 east along the section line to the northwest corner of Section  
30 11, Township 39 South, Range 30 East; thence north along the  
31 section line to the southwest corner of Section 35, Township



1 38 South, Range 30 East; thence east along the township line  
2 to the southeast corner of the west 1/4 of Section 35,  
3 Township 38 South, Range 30 East; thence north along the  
4 1/4-section line of Sections 35, 26, and 23, Township 38  
5 South, Range 30 East to the northeast corner of the west 1/4  
6 section of Section 23, Township 38 South, Range 30 East;  
7 thence west along the section line to the northwest corner of  
8 Section 23, Township 38 South, Range 30 East; thence north  
9 along the section line to the northwest corner of Section 2,  
10 Township 37 South, Range 30 East; thence west along the  
11 township line to the southwest corner of Section 34, Township  
12 36 South, Range 30 East; thence north along the section line  
13 to the northwest corner of Section 3, Township 36 South, Range  
14 30 East; thence west along the township line to the southwest  
15 corner of Section 31, Township 35 South, Range 30 East; thence  
16 north along the range line between Ranges 29 and 30 East,  
17 through Townships 35, 34, and 33 South, to the northeast  
18 corner of Township 33 South, Range 29 East, being on the  
19 Highlands-Polk County line; thence west along the  
20 Highlands-Polk County line to the southeast corner of Township  
21 32 South, Range 28 East; thence north along the range line  
22 between Ranges 28 and 29 East, in Townships 32 and 31 South,  
23 to the northeast corner of Section 12 in Township 31 South,  
24 Range 28 East; thence east along the section line to the  
25 northeast corner of Section 7, Township 31 South, Range 29  
26 East; thence north along the section line to the northwest  
27 corner of Section 17, Township 30 South, Range 29 East; thence  
28 east along the section line to the northeast corner of the  
29 west 1/2 of Section 17, Township 30 South, Range 29 East;  
30 thence north along the 1/2-section line to the northeast  
31 corner of the west 1/2 of Section 5, Township 30 South, Range

1 29 East; thence west along the section line to the southwest  
2 corner of Section 32, Township 29 South, Range 29 East; thence  
3 north along the section line to the northeast corner of  
4 Section 19 in Township 29 South, Range 29 East; thence west  
5 along the north boundaries of Section 19, Township 29 South,  
6 Range 29 East, and Sections 24, 23, 22, 21, and 20, Township  
7 29 South, Range 28 East, to the northwest corner of said  
8 Section 20; thence north along the section line to the  
9 intersection of said section line with the west shore line of  
10 Lake Pierce in Township 29 South, Range 28 East; thence  
11 following the west shore of Lake Pierce to its intersection  
12 again with the west section line of Section 5, Township 29  
13 South, Range 28 East; thence north along the section line to  
14 the northwest corner of Section 5, Township 29 South, Range 28  
15 East; thence east along the township line to the southwest  
16 corner of Section 33, Township 28 South, Range 28 East; thence  
17 north along the section line to the northwest corner of the  
18 southwest 1/4 of the southwest 1/4 of Section 28, Township 28  
19 South, Range 28 East; thence east along the 1/4-section line  
20 to the intersection of said 1/4-section line with Lake Pierce;  
21 thence follow the shore line northeasterly to its intersection  
22 with the 1/2-section line of Section 28, Township 28 South,  
23 Range 28 East; thence north on the 1/2-section line to the  
24 northwest corner of the southeast 1/4 of Section 28, Township  
25 28 South, Range 28 East; thence east to the northeast corner  
26 of the southeast 1/4 of Section 28, Township 28 South, Range  
27 28 East; thence south along the section line to the northwest  
28 corner of Section 3, Township 29 South, Range 28 East; thence  
29 east along the section line to the northeast corner of Section  
30 3, Township 29 South, Range 28 East; thence north along the  
31 section line to the northwest corner of Section 23, Township

1 28 South, Range 28 East; thence west along the section line to  
2 the southwest corner of Section 16, Township 28 South, Range  
3 28 East; thence north along the section line to the northwest  
4 corner of Section 16, Township 28 South, Range 28 East; thence  
5 west along the section line to the southwest corner of Section  
6 8, Township 28 South, Range 28 East; thence north along the  
7 section line to the northwest corner of Section 5, Township 28  
8 South, Range 28 East; thence west along the township line to  
9 the intersection of said township line with Lake Marion;  
10 thence following the south shore line of Lake Marion to its  
11 intersection again with said township line; thence west along  
12 the township line to the southeast corner of Section 36,  
13 Township 37 South, Range 27 East; thence north along the range  
14 line between Ranges 27 and 28 East to the intersection of said  
15 range line with Lake Marion; thence following the west shore  
16 of Lake Marion to its intersection again with the range line  
17 between Ranges 27 and 28 East; thence north along said range  
18 line, in Townships 27 and 26 South, to the northeast corner of  
19 Township 26 South, Range 27 East, being on the Polk-Osceola  
20 County line; thence west along the Polk-Osceola County line to  
21 the northwest corner of Township 26 South, Range 27 East;  
22 ~~thence south along the range line between Ranges 26 and 27~~  
23 ~~East to the southwest corner of Section 18 in Township 26~~  
24 ~~South, Range 27 East; thence east along the section line to~~  
25 ~~the southeast corner of said Section 18; thence south along~~  
26 ~~the section lines to the southwest corner of Section 32 in~~  
27 ~~Township 26 South, Range 27 East; thence east along the~~  
28 ~~section line to the southeast corner of said Section 32;~~  
29 ~~thence south along the section lines to the southerly~~  
30 ~~right-of-way line of State Road 600 (U.S. Route 17 and 92) in~~  
31 ~~Township 27 South, Range 27 East; thence westerly along the~~

1 ~~southerly right-of-way line of said State Road No. 600 to the~~  
2 ~~West boundary of Section 27, Township 27 South, Range 26 East;~~  
3 ~~thence north along the section line to the northeast corner of~~  
4 ~~Section 16, Township 25 South, Range 26 East; thence west~~  
5 ~~along the section line to the southwest corner of Section 9,~~  
6 ~~Township 25 South, Range 26 East; thence north along the~~  
7 section line to the Lake-Polk County line; thence west along  
8 the county line to the southwest corner of Section 32,  
9 Township 24 South, Range 26 East; thence into Lake County,  
10 north along the section lines to the northeast corner of  
11 Section 30, Township 24 South, Range 26 East; thence west  
12 along the section lines to the northeast corner of Section 28,  
13 Township 24 South, Range 25 East; thence north along the  
14 section lines to the northeast corner of Section 16, Township  
15 24 South, Range 25 East; thence west along the section line to  
16 the northwest corner of Section 16, Township 24 South, Range  
17 25 East; thence north along the section line to the northeast  
18 corner of Section 8, Township 24 South, Range 25 East; thence  
19 west along the section lines to the range line between Ranges  
20 24 and 25; thence north along the range line to the northeast  
21 corner of Section 1, Township 23 South, Range 24 East, also  
22 being on the township line between Townships 22 and 23 South;  
23 thence west along the township line to the northwest corner of  
24 Section 6, Township 23 South, Range 24 East also being on the  
25 Sumter-Lake County line; thence north along the Sumter-Lake  
26 County line, also being the range line between Ranges 23 and  
27 24, to the northeast corner of Section 1, Township 18 South,  
28 Range 23 East and the Marion County line; thence west, along  
29 the Sumter-Marion County line, also being the township line  
30 between Townships 17 and 18 South, to the westerly  
31 right-of-way line of Interstate Highway 75; thence northerly

1 along the westerly right-of-way line of Interstate Highway 75  
2 to the Alachua-Marion County line, said line also being the  
3 township line between Townships 11 and 12 South; thence west  
4 along the Alachua-Marion County line to the northwest corner  
5 of Section 3, Township 12 South, Range 19 East and the Levy  
6 County line; thence westerly along the Levy-Alachua County  
7 line, also being the township line between Townships 11 and 12  
8 South, to the southeast corner of Section 36, Township 11  
9 South, Range 17 East; thence north along the Levy-Alachua  
10 County line, also being the range line between Ranges 17 and  
11 18 East, to the southerly right-of-way line of State Road No.  
12 24; thence southwesterly along said southerly right-of-way  
13 line to the easterly right-of-way line of State Road No. 337;  
14 thence southerly, along said easterly right-of-way line of  
15 State Road No. 337, to the south line of Section 35, Township  
16 14 South, Range 17 East; thence west along the section line to  
17 the northwest corner of Section 3, Township 15 South, Range 17  
18 East; thence south along the section lines to the southwest  
19 corner of Section 27, Township 15 South, Range 17 East; thence  
20 west to the Gulf of Mexico; thence south along the Gulf of  
21 Mexico, including the waters of said gulf within the  
22 jurisdiction of the State of Florida, to the point of  
23 beginning.

24 Section 13. Subsection (5) of section 373.079, Florida  
25 Statutes, is amended to read:

26 373.079 Members of governing board; oath of office;  
27 staff.--

28 (5) The executive director ~~governing board~~ may employ  
29 a legal staff for the purposes of:

30 (a) Providing legal counsel to ~~the governing board on~~  
31 ~~matters relating to the exercise of its powers and duties and~~

1 to the executive director and district staff on matters  
2 relating to the day-to-day operations of the district;

3 (b) Representing the district ~~it~~ in all proceedings of  
4 an administrative or judicial nature; and

5 (c) Otherwise assisting in the administration of the  
6 provisions of this chapter.

7

8 Attorneys employed by the governing board ~~district~~ must  
9 represent the legal interest or position of the governing  
10 board.

11 Section 14. Subsection (6) of section 403.1837,  
12 Florida Statutes, is amended to read:

13 403.1837 Florida Water Pollution Control Financing  
14 Corporation.--

15 (6) The corporation may issue and incur notes, bonds,  
16 certificates of indebtedness, or other obligations or  
17 evidences of indebtedness payable from and secured by amounts  
18 received from payment of loans and other moneys received by  
19 the corporation, including, but not limited to, amounts  
20 payable to the corporation by the department under a service  
21 contract entered into under subsection (5). ~~The corporation~~  
22 ~~may not issue bonds in excess of an amount authorized by~~  
23 ~~general law or an appropriations act except to refund~~  
24 ~~previously issued bonds. The corporation may issue bonds in~~  
25 ~~amounts not exceeding \$50 million in fiscal year 2000-2001,~~  
26 ~~\$75 million in fiscal year 2001-2002, and \$100 million in~~  
27 ~~fiscal year 2002-2003.~~The proceeds of the bonds may be used  
28 for the purpose of providing funds for projects and activities  
29 provided for in subsection (1) or for refunding bonds  
30 previously issued by the corporation. The corporation may  
31 select a financing team and issue obligations through

1 competitive bidding or negotiated contracts, whichever is most  
2 cost-effective. Any such indebtedness of the corporation does  
3 not constitute a debt or obligation of the state or a pledge  
4 of the faith and credit or taxing power of the state.

5 Section 15. Subsection (2) of section 373.0691,  
6 Florida Statutes, is redesignated as subsection (3), and a new  
7 subsection (2) is added to that section, to read:

8 373.0691 Transfer of areas.--

9 (2) Effective at 12:01 a.m. on July 1, 2003, that  
10 portion of Polk County formerly within the St. Johns River  
11 Water Management District as set forth in s. 373.069 is  
12 transferred to the Southwest Florida Water Management  
13 District. With respect to the area transferred and at the time  
14 of change of boundaries, all contractual obligations of the  
15 St. Johns River Water Management District, all real property  
16 interests owned by the St. Johns River Water Management  
17 District, all regulatory responsibilities of the St. Johns  
18 River Water Management District, all equipment and other  
19 personal property used solely by the St. Johns River Water  
20 Management District in that area, and all records of the St.  
21 Johns River Water Management District shall be transferred and  
22 delivered to the Southwest Florida Water Management District.

23 Section 16. Except as otherwise expressly provided in  
24 this act, this act shall take effect upon becoming a law.

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