

Bill No. CS for SB 2758

Amendment No. ____ Barcode 085670

| | <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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| 11 | Senator Constantine moved the following amendment: | | |
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| 13 | Senate Amendment (with title amendment) | | |
| 14 | On page 19, between lines 17 and 18, | | |
| 15 | | | |
| 16 | and insert: | | |
| 17 | Section 11. 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 12. Section 369.3011, Florida Statutes, is | | |
| 22 | created to read: | | |
| 23 | <u>369.3011 Land use, transportation, and water resources</u> | | |
| 24 | <u>planning in the Wekiva River Basin.--</u> | | |
| 25 | <u>(1) SHORT TITLE.--This section may be cited as the</u> | | |
| 26 | <u>"Wekiva River Basin Planning Act."</u> | | |
| 27 | <u>(2) LEGISLATIVE INTENT.--</u> | | |
| 28 | <u>(a) 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 13. 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 14. 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 15. 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 16. 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 17. 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 18. Sections 11-17 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 2, line 7, after the semicolon

22

23 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;

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