

1 A bill to be entitled
2 An act relating to the Wekiva Parkway and
3 Protection Act; creating part III of ch. 369,
4 F.S., consisting of ss. 369.314, 369.315,
5 369.316, 369.317, 369.318, 369.319, 369.320,
6 369.321, 369.322, 369.323, and 369.324, F.S.;
7 providing legislative intent; providing a legal
8 description of the Wekiva Study Area; defining
9 the Wekiva Parkway; providing guiding
10 principles for the Wekiva Parkway Design
11 Features and Construction; limiting the number
12 of interchanges along the Wekiva Parkway;
13 granting the Department of Transportation
14 certain eminent domain authority for the Wekiva
15 Parkway construction; requiring that certain
16 entities locate the precise corridor and
17 interchanges for the Wekiva Parkway in Seminole
18 County consistent with this act; providing that
19 the Orlando-Orange County Expressway Authority
20 is granted authority to act as a third-party
21 acquisition agent on behalf of the Board of
22 Trustees of the Internal Improvement Trust Fund
23 or the St. Johns River Water Management
24 District; providing that certain properties
25 shall be acquired prior to the completion of
26 the parkway; requiring certain entities and
27 agencies to cooperate and establish funding
28 responsibilities and partnerships; requiring
29 certain studies by the Department of
30 Environmental Protection, the Department of
31 Health, the St. Johns River Water Management

1 District, and the Department of Agriculture and
2 Consumer Services; providing for a master
3 stormwater plan; providing for a wastewater
4 facility plan; requiring certain local
5 government comprehensive plan amendments;
6 providing for the coordination of land use and
7 water supply with the Wekiva Study Area;
8 providing that comprehensive plans and
9 comprehensive plan amendments be reviewed for
10 compliance by the Department of Community
11 Affairs; creating the Wekiva River Basin
12 Commission; amending s. 163.3184, F.S. ;
13 amending the definition of "compliance";
14 providing an effective date.

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16 WHEREAS, the Wekiva River System and its associated
17 springshed areas are of irreplaceable value to the quality of
18 life and well-being of the people of the State of Florida, and

19 WHEREAS, protection of the surface and groundwater
20 resources, including recharge within the springshed that
21 provides for the Wekiva River System, is crucial to the
22 long-term viability of the Wekiva River and springs and the
23 central Florida Region's water supply, and

24 WHEREAS, construction of the Wekiva Parkway and other
25 roadway improvements to the west of the Wekiva River System
26 will add to the pressures for growth and development already
27 affecting the surface and groundwater resources within the
28 recharge area, NOW, THEREFORE,

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30 Be It Enacted by the Legislature of the State of Florida:
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1 Committee as stated in its final report dated March 16, 2004,
2 be taken and implemented as a whole to achieve the objective
3 of improving and assuring protection of surface water and
4 groundwater resources. Coordination of comprehensive plans and
5 the Regional Water Supply Plan is important for protection of
6 water resources and to promote the continuity of effective
7 planning and development.

8 (4) It is not the intent of the Legislature to place
9 an undue burden on local governments within the Wekiva Study
10 Area. Any required Wekiva Study Area comprehensive plan
11 amendments may be adopted in conjunction with other amendments
12 not required by this part.

13 369.316 Wekiva Study Area.--The Wekiva Study Area is
14 defined to include the following land: Begin at the northwest
15 corner of Section 6, Township 18 South, Range 28 East, Lake
16 County, Florida, said corner lying on the north line of
17 Township 18 South; thence Easterly along said north line of
18 Township 18 South to the northeast corner of Section 5,
19 Township 18 South, Range 29 East; thence Southerly along the
20 east line of said Section 5 to the northeast corner of Section
21 8, Township 18 South, Range 29 East; thence Southerly along
22 the east line of said Section 8 to the northeast corner of
23 Section 17, Township 18 South, Range 29 East; thence Southerly
24 along the east line of said Section 17 to the northeast corner
25 of Section 20, Township 18 South, Range 29 East; thence
26 Southerly along the east line of said Section 20 to the
27 northeast corner of Section 29, Township 18 South, Range 29
28 East; thence Southerly along the east line of said Section 29
29 to the northeast corner of Section 32, Township 18 South,
30 Range 29 East; thence Southerly along the east line of said
31 Section 32 to the southeast corner thereof, said corner lying

1 on the south line of Township 18 South; thence Easterly along
2 the south line of said Township 18 South to an intersection
3 with the east line of Range 29 East; thence Southerly along
4 the east line of said Range 29 East to the southeast corner of
5 Section 24, Township 21 South, Range 29 East; thence Westerly
6 along the south line of said Section 24 to the southeast
7 corner of Section 23, Township 21 South, Range 29 East; thence
8 Westerly along the south line of said Section 23, to an
9 intersection with the centerline of Interstate Highway No. 4;
10 thence generally Southerly along the centerline of Interstate
11 Highway No. 4 to an intersection with the south line of
12 Section 13, Township 22 South, Range 29 East; thence Westerly
13 along the south line of said Section 13 to the southeast
14 corner of Section 14, Township 22 South, Range 29 East; thence
15 Westerly along the south line of said Section 14 to the
16 southeast corner of Section 15, Township 22 South, Range 29
17 East; thence Westerly along the south line of said Section 15
18 to the northeast corner of Section 21, Township 22 South,
19 Range 29 East; thence Southerly along the east line of said
20 Section 21 to an intersection with the centerline of State
21 Road No. 50; thence Westerly along the centerline of said
22 State Road No. 50 to the northeast corner of Section 30,
23 Township 22 South, Range 28 East; thence Southerly along the
24 east line of said Section 30 to the northeast corner of
25 Section 31, Township 22 South, Range 28 East; thence Southerly
26 along the east line of said Section 31 to the southeast corner
27 thereof, said corner lying on the south line of Township 22
28 South; thence Westerly along said south line of Township 22
29 South to the northeast corner of Section 2, Township 23 South,
30 Range 27 East; thence Southerly along the east line of said
31 Section 2 to the northeast corner of Section 11, Township 23

1 South, Range 27 East; thence Southerly along the east line of
2 said Section 11 to the southeast corner thereof; thence
3 Westerly along the south line of said Section 11 to the
4 southeast corner of Section 10, Township 23 South, Range 27
5 East; thence Westerly along the south line of said Section 10
6 to the southeast corner of Section 9, Township 23 South, Range
7 27 East; thence Westerly along the south line of said Section
8 9 to the Southeast corner of Section 8, Township 23 South,
9 Range 27 East; thence Westerly along the south line of said
10 Section 8 to the southeast corner of Section 7, Township 23
11 South, Range 27 East; thence Westerly along the south line of
12 said Section 7 to the southwest corner thereof, said corner
13 lying on the line of demarcation between Orange County and
14 Lake County; thence generally Northerly and along said county
15 line to the northeast corner of Section 12, Township 20 South,
16 Range 26 East, said corner lying on the east line of Range 26
17 East; thence generally Northerly and along said east line of
18 Range 26 East to the southeast corner of Section 24, Township
19 19 South, Range 26 East; thence Westerly along the south line
20 of said Section 24 to the southeast corner of Section 23,
21 Township 19 South, Range 26 East; thence Westerly along the
22 south line of said Section 23 to the southwest corner thereof;
23 thence Northerly along the west line of said Section 23 to the
24 southwest corner of Section 14, Township 19 South, Range 26
25 East; thence Northerly along the west line of said Section 14
26 to the southwest corner of Section 11, Township 19 South,
27 Range 26 East; thence generally Northeasterly to the southwest
28 corner of Section 1, Township 19 South, Range 26 East; thence
29 generally Northeasterly to the southwest corner of Section 31,
30 Township 18 South, Range 27 East; thence generally
31 Northeasterly to the southwest corner of Section 29, Township

1 18 South, Range 27 East; thence generally Northeasterly to the
2 northwest corner of Section 28, Township 18 South, Range 27
3 East; thence Easterly along the north line of said Section 28
4 to the northwest corner of Section 27, Township 18 South,
5 Range 27 East; thence Easterly along the north line of said
6 Section 27 to the northwest corner of Section 26, Township 18
7 South, Range 27 East; thence Easterly along the north line of
8 said Section 26 to the northwest corner of Section 25,
9 Township 18 South, Range 27 East; thence Easterly along the
10 north line of said Section 25 to an intersection with the west
11 line of Range 28 East; thence Northerly along the west line of
12 said Range 28 East, to the northwest corner of Section 6,
13 Township 18 South, Range 28 East, and the Point of Beginning.

14 316.317 Wekiva Parkway.--

15 (1) The "Wekiva Parkway" means any limited access
16 highway or expressway constructed between State Road 429 and
17 Interstate 4 specifically incorporating the corridor alignment
18 recommended by Recommendation 2 of the Wekiva River Basin Area
19 Task Force final report dated January 15, 2003, and the
20 recommendations of the SR 429 Working Group that were adopted
21 January 16, 2004.

22 (2) The Wekiva Parkway and related transportation
23 facilities shall follow the design criteria contained in the
24 recommendations of the Wekiva River Basin Area Task Force
25 adopted by reference by the Wekiva River Basin Coordinating
26 Committee in its final report of March 16, 2004 and the
27 recommendations of the Wekiva Coordinating Committee contained
28 in its final report of March 16, 2004, subject to reasonable
29 environmental, economic and engineering considerations.

30 (3) With the exception of the road commonly referred
31 to as the Apopka Bypass, the construction of any other

1 limited-access highway or expressway that is identified by the
2 Final Recommendations of the State Road 429 Working Group
3 adopted January 16, 2004 within the Wekiva Study Area shall
4 adhere to transportation and conservation principles
5 identified within the Final Report of the Wekiva River Basin
6 Coordinating Committee dated March 16, 2004. If any other
7 limited-access highway or expressway is considered within the
8 Wekiva Study Area, then such a project shall adhere to the
9 extent practicable with transportation and conservation
10 principles identified within the Final Report of the Wekiva
11 River Basin Coordinating Committee dated March 16, 2004.

12 (4) Access to properties adjacent to SR 46 shall be
13 maintained through appropriate neighborhood streets or
14 frontage roads integrated into the parkway design.

15 (5) In Seminole County, the Seminole County Expressway
16 Authority, the Department of Transportation, and the Florida
17 Turnpike Enterprise shall locate the precise corridor and
18 interchanges for the Wekiva Parkway consistent with the
19 legislative intent expressed in this act and other provisions
20 of this act.

21 (6) The Orlando-Orange County Expressway Authority is
22 hereby granted the authority to act as a third-party
23 acquisition agent, pursuant to s. 259.041 on behalf of the
24 Board of Trustees or chapter 373 on behalf of the governing
25 board of the St. Johns River Water Management District, for
26 the acquisition of all necessary lands, property and all
27 interests in property identified herein, including fee simple
28 or less-than-fee simple interests. The lands subject to this
29 authority are identified in paragraph 10.a., State of Florida,
30 Office of the Governor, Executive Order 03-112 of July 1,
31 2003, and in Recommendation 16 of the Wekiva Basin Area Task

1 Force created by Executive Order 2002-259, such lands
2 otherwise known as Neighborhood Lakes, a 1,587+/- acre parcel
3 located in Orange and Lake Counties within Sections 27, 28, 33
4 and 34 of Township 19 South, Range 28 East, and Sections 3, 4,
5 5 and 9 of Township 20 South, Range 28 East; Seminole
6 Woods/Swamp, a 5,353+/- acre parcel located in Lake County
7 within Section 37, Township 19 South, Range 28 East; New
8 Garden Coal; a 1,605+/- acre parcel in Lake County within
9 Sections 23, 25, 26, 35 and 36, Township 19 South, Range 28
10 East; Pine Plantation, a 617+/- acre tract consisting of eight
11 individual parcels within the Apopka City limits. The
12 Department of Transportation, the Department of Environmental
13 Protection, the St. Johns River Water Management District, and
14 other land acquisition entities shall participate and
15 cooperate in providing information and support to the
16 third-party acquisition agent. The land acquisition process
17 authorized by this paragraph shall begin no later than
18 December 31, 2004. Acquisition of the properties identified as
19 Neighborhood Lakes, Pine Plantation, and New Garden Coal, or
20 approval as a mitigation bank shall be concluded prior to the
21 completion of the Parkway.

22 (a) Acquisition of the land described in this section
23 is required to provide right of way for the Wekiva Parkway, a
24 limited access roadway linking State Road 429 to Interstate 4,
25 an essential component in meeting regional transportation
26 needs to provide regional connectivity, improve safety,
27 accommodate projected population and economic growth, and
28 satisfy critical transportation requirements caused by
29 increased traffic volume growth and travel demands.

30 (b) Acquisition of the lands described in this section
31 is also required to protect the surface water and groundwater

1 resources of Lake, Orange, and Seminole counties, otherwise
2 known as the Wekiva Study Area, including recharge within the
3 springshed that provides for the Wekiva River system.

4 Protection of this area is crucial to the long term viability
5 of the Wekiva River and springs and the central Florida
6 region's water supply. Acquisition of the lands described in
7 this section is also necessary to alleviate pressure from
8 growth and development affecting the surface and groundwater
9 resources within the recharge area.

10 (c) Lands acquired pursuant to this section that are
11 needed for transportation facilities for the Wekiva Parkway
12 shall be determined not necessary for conservation purposes
13 pursuant to ss. 253.034(6) and 373.089(5) and shall be
14 transferred to or retained by the Orlando-Orange County
15 Expressway Authority or the Department of Transportation upon
16 reimbursement of the full purchase price and acquisition
17 costs.

18 (7) The Department of Transportation, the Department
19 of Environmental Protection, the St. Johns River Water
20 Management District, Orlando-Orange County Expressway
21 Authority and other land acquisition entities shall cooperate
22 and establish funding responsibilities and partnerships by
23 agreement to the extent funds are available to the various
24 entities. Properties acquired with Florida Forever funds shall
25 be in accordance with s. 259.041 or chapter 373. The
26 Orlando-Orange County Expressway Authority shall acquire land
27 in accordance with this section of law to the extent funds are
28 available from the various funding partners, but shall not be
29 required nor assumed to fund the land acquisition beyond the
30 agreement and funding provided by the various land acquisition
31 entities.

1 (8) The Department of Environmental Protection and the
2 St. Johns River Water Management District shall give the
3 highest priority to the acquisition of the lands described and
4 identified in subsection (6) for Florida Forever purchases.

5 369.318 Studies.--

6 (1) The Department of Environmental Protection shall
7 study the efficacy and applicability of water quality and
8 wastewater treatment standards needed to achieve nitrogen
9 reductions protective of surface and groundwater quality
10 within the Wekiva Study Area and report to the Governor and
11 the Department of Community Affairs no later than December 1,
12 2004. Based on the December 2004 report, the Department of
13 Environmental Protection shall, if appropriate, by March 1,
14 2005, initiate rulemaking to achieve nitrogen reductions
15 protective of surface and groundwater quality or recommend any
16 additional statutory authority needed to implement the report
17 recommendations.

18 (2) The Department of Health, in coordination with the
19 Department of Environmental Protection, shall study the
20 efficacy and applicability of onsite disposal system standards
21 needed to achieve nitrogen reductions protective of
22 groundwater quality within the Wekiva Study Area including
23 publicly owned lands and report to the Governor and the
24 Department of Community Affairs no later than December 1,
25 2004. Based on the December 2004 report, the Department of
26 Health shall, if appropriate, by March 1, 2005, initiate
27 rulemaking to achieve nitrogen reductions protective of water
28 quality or recommend legislation for any additional statutory
29 authority needed to implement the report recommendations. The
30 study shall consider:

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1 (a) For new developments within the Wekiva Study Area
2 and any existing development within the Wekiva River
3 Protection Area using onsite disposal systems, a more
4 stringent level of wastewater treatment, including, but not
5 limited to, the use of multiple tanks to combine aerobic and
6 anaerobic treatment to reduce the level of nitrates.

7 (b) The implementation of a septic tank maintenance
8 and inspection program which includes upgrading certain onsite
9 disposal systems permitted prior to 1982 to meet minimum
10 Department of Health standards; replacement of failing systems
11 and systems not meeting current standards; and providing
12 funding mechanisms for supporting a septic tank inspection and
13 maintenance program.

14 (3) The St. Johns River Water Management District
15 shall initiate rulemaking to:

16 (a) Amend the recharge criteria in Rule 40C-41.063(3),
17 Florida Administrative Code, to apply to all recharge lands
18 within the Wekiva Study Area.

19 (b) Adopt a consolidated environmental resources
20 permit/consumptive use permit for projects that require both
21 an environmental resource permit and a consumptive use permit
22 that involve irrigation of urban landscape, golf course or
23 recreational areas.

24 (4) By March 1, 2005, the St. Johns River Water
25 Management District in conjunction with the Department of
26 Environmental Protection, shall initiate rulemaking to amend
27 the recharge criteria in Rule 40C-41.063(3), Florida
28 Administrative Code, to provide that the post-development
29 recharge volume conditions within the Wekiva Study Area
30 approximate pre-development recharge volume conditions. The
31 district shall study and undertake this rulemaking to

1 accomplish this standard on a development-specific basis. The
2 rule shall permit the utilization of existing permitted
3 municipal master stormwater systems with adequate capacity to
4 meet the new standards in lieu of onsite retention and shall
5 provide applicants with the ability to submit appropriate
6 geotechnical information demonstrating that a specific site is
7 not within a most effective recharge area of the Wekiva
8 springshed.

9 (5) The St. Johns River Water Management District
10 shall complete an assessment of the significance of water uses
11 below the current consumptive use permit thresholds in the
12 Wekiva Study Area to determine if rulemaking should be
13 initiated to lower consumptive use permit thresholds.

14 (6) The St. Johns River Water Management District
15 shall conduct an analysis of the impact of redevelopment
16 projects in the Wekiva River basin upon aquifer recharge and
17 shall consider whether to adopt a rule amendment to require
18 those redevelopment projects exceeding a specified threshold
19 to meet the Wekiva Basin recharge criteria. The effect of
20 redevelopment upon aquifer recharge shall be analyzed and then
21 the costs of regulation shall be analyzed.

22 (7) By December 1, 2007, the St. Johns River Water
23 Management District shall update the minimum flows and levels
24 standards for Rock Springs and Wekiva Springs. Further, the
25 district shall revise the consumptive use permit thresholds in
26 the Wekiva Study Area to address proposed water withdrawals
27 above 50,000 gallons per day. Revisions to the consumptive use
28 thresholds shall provide for a general permit, if possible,
29 and include a transition period that allows continued access
30 to water supply for users that were not previously subject to
31 the permitting process.

1 (8) By December 1, 2005, the St. Johns River Water
2 Management District shall establish pollution load reduction
3 goals for the Wekiva Study Area to assist the Department of
4 Environmental Protection in adopting total maximum daily loads
5 for impaired waters within the Wekiva Study Area by December
6 1, 2006.

7 (9) The Department of Agriculture and Consumer
8 Services shall be the lead agency in coordinating the
9 reduction of agricultural nonpoint sources of pollution. The
10 Department of Agriculture and Consumer Services shall study,
11 and if necessary, initiate rulemaking to implement new or
12 revised best management practices for improving and protecting
13 water bodies, including those basins with impaired water
14 bodies addressed by the Total Maximum Daily Loads Program.

15 369.319 Master stormwater management plan.--Each local
16 government within the Wekiva Study Area shall develop a master
17 stormwater management plan that: assesses existing problems
18 and deficiencies in the community; identifies projects to meet
19 long-range needs; establishes priorities to address existing
20 deficiencies; establishes measures to address redevelopment;
21 establishes a schedule to complete needed improvements;
22 evaluates the feasibility of stormwater reuse; and includes
23 requirements for inspection and maintenance of facilities. The
24 plan shall also identify a funding source, such as a
25 stormwater utility fee, to fund implementation of the plan and
26 maintenance program. In addition, the local government shall
27 establish a water reuse and irrigation program that allows for
28 reuse of stormwater on a site basis for development over a
29 size threshold to be determined by the local government or on
30 a jurisdiction-wide basis to minimize pumpage of groundwater
31 for nonpotable usage.

1 369.320 Wastewater facility plan.--

2 (1) Local governments within the Wekiva Study Area
3 shall develop a wastewater facility plan for joint planning
4 areas and utility service areas where central wastewater
5 systems are not readily available. The facility plan shall
6 include: the delineation of areas within the utility service
7 area that are to be served by central facilities within 5
8 years; a financially feasible schedule of improvements; an
9 infrastructure work plan to build the facilities needed to
10 implement the facility plan, including those needed to meet
11 enhanced treatment standards adopted by the Department of
12 Environmental Protection; and a phase-out of existing onsite
13 septic tank systems where central facilities are available.
14 The term available shall be interpreted consistent with the
15 definition of s. 381.0065(2)(a). The facility plan shall also
16 include a long-range component addressing service of the joint
17 planning area or utility service area. In addition, local
18 governments shall establish a water reuse program that allows
19 for reuse of reclaimed water on a site-by-site basis for
20 development over a size threshold to be determined by the
21 local government or on a jurisdiction-wide basis to minimize
22 pumpage of groundwater for nonpotable usage.

23 (2) Local governments shall update their wastewater
24 facility plans required in subsection (1) where the Total
25 Maximum Daily Loads Program requires reductions in point
26 source pollutants for a basin or as required by legislation
27 for enhanced treatment standards.

28 369.321 Comprehensive plan amendments.--By January 1,
29 2006, each local government within the Wekiva Study Area shall
30 amend its local government comprehensive plan to include the
31 following:

1 (1) Local governments hosting an interchange on the
2 Wekiva Parkway shall adopt an interchange land use plan into
3 their comprehensive plans. Each interchange land use plan
4 shall address: appropriate land uses and compatible
5 development; secondary road access; access management;
6 right-of-way protection; vegetation protection and water
7 conserving landscaping; and the height and appearance of
8 structures and signage. Local governments within which the
9 Wekiva Parkway is planned shall amend their local government
10 comprehensive plan to include the Wekiva Parkway.

11 (2) Local governments shall amend the appropriate
12 elements of the comprehensive plan, including the capital
13 improvements element, to ensure implementation of the master
14 stormwater management plan.

15 (3) Local governments shall amend their comprehensive
16 plans to establish land use strategies that optimize open
17 space and promote a pattern of development on a
18 jurisdiction-wide basis that protects the most effective
19 recharge areas, karst features, and sensitive natural habitats
20 including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak
21 Scrub. Such strategies shall recognize property rights and the
22 varying circumstances within the Wekiva Study Area, including
23 rural and urban land use patterns. Local comprehensive plans
24 shall map, using best available data from the St. Johns River
25 Water Management District and the Fish and Wildlife
26 Conservation Commission, recharge areas and sensitive upland
27 habitats for this purpose. Local governments shall have
28 flexibility to achieve this objective through comprehensive
29 plan strategies that may include, but are not limited to:

30 (a) Coordinated greenway plans;

31 (b) Dedication of conservation easements;

1 (c) Land acquisition;
2 (d) Clustering of development;
3 (e) Density credits and density incentives which
4 result in permanent protection of open space; and
5 (f) Low to very low density development.
6 (4) An up-to-date 10-year water supply facility work
7 plan for building potable water facilities necessary to serve
8 existing and new development and for which the local
9 government is responsible as required by paragraph
10 163.3177(6)(c).
11 (5) Comprehensive plans and comprehensive plan
12 amendments adopted by the local governments to implement this
13 section shall be reviewed by the Department of Community
14 Affairs pursuant to s. 163.3184, and shall be exempt from the
15 provisions of s. 163.3187(1).
16 (6) Implementing land development regulations shall be
17 adopted no later than January 1, 2007.
18 (7) During the period prior to the adoption of the
19 comprehensive plan amendments required by this act, any local
20 comprehensive plan amendment adopted by a city or county that
21 applies to land located within the Wekiva Study Area shall
22 protect surface and groundwater resources and be reviewed by
23 the Department of Community Affairs, pursuant to chapter 9J-5,
24 Florida Administrative Code, using best available data,
25 including the information presented to the Wekiva River Basin
26 Coordinating Committee.
27 369.322 Coordination of land use and water supply
28 within the Wekiva Study Area.--
29 (1) In their review of local government comprehensive
30 plan amendments for property located within the Wekiva Study
31 Area pursuant to s. 163.3184, the Department of Community

1 Affairs and the St. Johns River Water Management District
2 shall assure that amendments that increase development
3 potential demonstrate that adequate potable water consumptive
4 use permit capacity is available.

5 (2) Local governments located within the Wekiva Study
6 Area shall coordinate with the St. Johns River Water
7 Management District and other public and private utilities, on
8 a countywide or multicounty basis, to implement cooperative
9 solutions for development of alternative water sources
10 necessary to supplement groundwater supplies consistent with
11 the St. Johns River Water Management District Regional Water
12 Supply Plan.

13 (3) In recognition of the need to balance resource
14 protection, existing infrastructure and improvements planned
15 or committed as part of approved development, consistent with
16 existing municipal or county comprehensive plans and economic
17 development opportunities, planned community development
18 initiatives that assure protection of surface and groundwater
19 resources while promoting compact, ecologically and
20 economically sustainable growth should be encouraged. Small
21 area studies, sector plans, or similar planning tools should
22 support these community development initiatives. In addition,
23 the Department of Community Affairs may make available best
24 practice guides that demonstrate how to balance resource
25 protection and economic development opportunities.

26 369.323 Compliance.--Comprehensive plans and plan
27 amendments adopted by the local governments within the Wekiva
28 Study Area to implement this act shall be reviewed for
29 compliance by the Department of Community Affairs.

30 369.324 Wekiva River Basin Commission.--
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1 (1) The Wekiva River Basin Commission is created to
2 monitor and ensure the implementation of the recommendations
3 of the Wekiva River Basin Coordinating Committee for the
4 Wekiva Study Area. The East Central Florida Regional Planning
5 Council shall provide staff support to the commission with
6 funding assistance from the Department of Community Affairs.
7 The commission shall be comprised of a total of 19 members
8 appointed by the Governor, 9 of whom shall be voting members
9 and 10 shall be ad hoc nonvoting members. The voting members
10 shall include:

11 (a) One member of each of the Boards of County
12 Commissioners for Lake, Orange, and Seminole Counties.

13 (b) One municipal elected official to serve as a
14 representative of the municipalities located within the Wekiva
15 Study Area of Lake County.

16 (c) One municipal elected official to serve as a
17 representative of the municipalities located within the Wekiva
18 Study Area of Orange County.

19 (d) One municipal elected official to serve as a
20 representative of the municipalities located within the Wekiva
21 Study Area of Seminole County.

22 (e) One citizen representing an environmental or
23 conservation organization, one citizen representing a local
24 property owner, a land developer, or an agricultural entity,
25 and one at-large citizen who shall serve as chairman of the
26 council.

27 (f) The ad hoc nonvoting members shall include one
28 representative from each of the following entities:

29 1. St. Johns River Management District.

30 2. Department of Community Affairs.

31 3. Department of Environmental Protection.

1 4. Department of Health.
2 5. Department of Agriculture and Consumer Services.
3 6. Fish and Wildlife Conservation Commission.
4 7. Department of Transportation.
5 8. MetroPlan Orlando.
6 9. Orlando-Orange County Expressway Authority.
7 10. Seminole County Expressway Authority.
8 (2) Voting members shall serve 3-year, staggered
9 terms, and shall serve without compensation but shall serve at
10 the expense of the entity they represent.
11 (3) Meetings of the commission shall be held in Lake,
12 Orange, or Seminole county at the call of the chairman, but
13 shall meet at least twice a year.
14 (4) To assist the commission in its mission, the East
15 Coast Regional Planning Council, in coordination with the
16 applicable regional and state agencies, shall serve as a
17 clearinghouse of baseline or specialized studies through
18 modeling and simulation, including collecting and
19 disseminating data on the demographics, economics, and the
20 environment of the Wekiva Study Area including the changing
21 conditions of the Wekiva River surface and groundwater basin
22 and associated influence on the Wekiva River and the Wekiva
23 Springs.
24 (5) The commission shall report annually, no later
25 than December 31 of each year, to the Governor, the President
26 of the Senate, the Speaker of the House of Representatives,
27 and the Department of Community Affairs on implementation
28 progress.
29 Section 2. Paragraph (b) of subsection (1) of section
30 163.3184, Florida Statutes, is amended to read:
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1 163.3184 Process for adoption of comprehensive plan or
2 plan amendment.--
3 (1) DEFINITIONS.--As used in this section, the term:
4 (b) "In compliance" means consistent with the
5 requirements of ss. 163.3177, 163.31776, when a local
6 government adopts an educational facilities element, 163.3178,
7 163.3180, 163.3191, and 163.3245, with the state comprehensive
8 plan, with the appropriate strategic regional policy plan, and
9 with chapter 9J-5, Florida Administrative Code, where such
10 rule is not inconsistent with this part and with the
11 principles for guiding development in designated areas of
12 critical state concern and with part III of chapter 369, where
13 applicable.

14 Section 3. This act shall take effect July 1, 2004.
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