2004 HB 0373, Engrossed 2 1 A bill to be entitled 2 An act relating to water policy; amending s. 373.069, F.S.; 3 revising boundaries of the Southwest Florida Water Management 4 District and the South Florida Water Management District; 5 amending s. 373.0691, F.S.; providing for the transfer of land 6 and other incidentals from the Southwest Florida Water 7 Management District to the South Florida Water Management District; requiring the Southwest Florida Management District to 8 9 take final agency action with respect to certain permit 10 applications received prior to a date certain; amending s. 11 373.073, F.S.; removing Highlands County from the Southwest 12 Florida Water Management District's governing board; providing an effective date. 13 14 Be It Enacted by the Legislature of the State of Florida: 15 16 17 Section 1. Paragraphs (d) and (e) of subsection (2) of 18 section 373.069, Florida Statutes, are amended to read: 19 373.069 Creation of water management districts.--20 Notwithstanding the provisions of any other special or (2) 21 general act to the contrary, the boundaries of the respective districts named in subsection (1) shall include the areas within 22 the following boundaries: 23 Southwest Florida Water Management District .-- Begin at 24 (d) 25 the intersection of the north boundary of Lee County with the 26 Gulf of Mexico; thence eastward along the Lee-Charlotte County 27 line to the Southeast corner of Section 33, Township 42 South, 28 Range 24 East; thence North into Charlotte County, along the 29 section lines to the Northeast corner of Section 4, Township 42 Page 1 of 15

2004 HB 0373, Engrossed 2 30 South, Range 24 East; thence East along the township line between Townships 41 and 42 South to the Southeast corner of 31 32 Section 36, Township 41 South, Range 25 East; thence north along 33 the section line to the northwest corner of Section 6, Township 34 41 South, Range 26 East; thence east along the section line to 35 the southeast corner of Section 36, Township 40 South, Range 26 36 East; thence North along the range line between Ranges 26 and 27 to the Northeast corner of Section 1, Township 40 South, Range 37 26 East, and the Charlotte-Desoto County line; thence east along 38 39 the Charlotte-Desoto County line to the southeast corner of 40 Section 36, Township 39 South, Range 27 East; thence north along 41 the DeSoto-Highlands County line to the intersection of the 42 South boundary of Hardee County; thence north along the Hardee-Highlands County line to the northwest corner of Section 6, 43 44 Township 33 South, Range 28 East; thence east southwest corner 45 of Township 35 South, Range 28 East; thence east along the north 46 boundary of Township 36 South to the northeast corner of Section 47 1, Township 36 South, Range 28 East; thence south along the 48 range line to the southeast corner of Section 12, Township 37 49 South, Range 28 East; thence east along the section line to the 50 northeast corner of Section 15, Township 37 South, Range 29 51 East; thence south along the section line to the southeast 52 corner of Section 34, Township 37 South, Range 29 East; thence 53 east along the township line to the northeast corner of Section 1, Township 38 South, Range 29 East; thence south along the 54 55 range line to the southeast corner of Section 1, Township 39 56 South, Range 29 East; thence east along the section line to the 57 northwest corner of Section 11, Township 39 South, Range 30 58 East; thence north along the section line to the southwest

Page 2 of 15

2004 HB 0373, Engrossed 2 59 corner of Section 35, Township 38 South, Range 30 East; thence 60 east along the township line to the southeast corner of the west $\frac{1}{4}$ of Section 35, Township 38 South, Range 30 East; thence north 61 62 along the */4-section line of Sections 35, 26, and 23, Township 63 38 South, Range 30 East to the northeast corner of the west $\pm/4$ 64 section of Section 23, Township 38 South, Range 30 East; thence west along the section line to the northwest corner of Section 65 23, Township 38 South, Range 30 East; thence north along the 66 section line to the northwest corner of Section 2, Township 37 67 68 South, Range 30 East; thence west along the township line to the 69 southwest corner of Section 34, Township 36 South, Range 30 70 East; thence north along the section line to the northwest 71 corner of Section 3, Township 36 South, Range 30 East; thence 72 west along the township line to the southwest corner of Section 73 31, Township 35 South, Range 30 East; thence north along the 74 range line between Ranges 29 and 30 East, through Townships 35, 75 34, and 33 South, to the northeast corner of Township 33 South, 76 Range 29 East, being on the Highlands-Polk County line; thence 77 west along the Highlands-Polk County line to the southeast corner of Township 32 South, Range 28 East; thence north along 78 79 the range line between Ranges 28 and 29 East, in Townships 32 and 31 South, to the northeast corner of Section 12 in Township 80 31 South, Range 28 East; thence east along the section line to 81 the northeast corner of Section 7, Township 31 South, Range 29 82 East; thence north along the section line to the northwest 83 84 corner of Section 17, Township 30 South, Range 29 East; thence 85 east along the section line to the northeast corner of the west $^{1}/_{2}$ of Section 17, Township 30 South, Range 29 East; thence north 86 87 along the 1/2-section line to the northeast corner of the west 1/2

Page 3 of 15

HB 0373, Engrossed 2 2004 88 of Section 5, Township 30 South, Range 29 East; thence west along the section line to the southwest corner of Section 32, 89 Township 29 South, Range 29 East; thence north along the section 90 91 line to the northeast corner of Section 19 in Township 29 South, 92 Range 29 East; thence west along the north boundaries of Section 93 19, Township 29 South, Range 29 East, and Sections 24, 23, 22, 21, and 20, Township 29 South, Range 28 East, to the northwest 94 95 corner of said Section 20; thence north along the section line to the intersection of said section line with the west shore 96 line of Lake Pierce in Township 29 South, Range 28 East; thence 97 98 following the west shore of Lake Pierce to its intersection 99 again with the west section line of Section 5, Township 29 100 South, Range 28 East; thence north along the section line to the northwest corner of Section 5, Township 29 South, Range 28 East; 101 102 thence east along the township line to the southwest corner of 103 Section 33, Township 28 South, Range 28 East; thence north along the section line to the northwest corner of the southwest $^{1}/_{4}$ of 104 the southwest $^{1}/_{4}$ of Section 28, Township 28 South, Range 28 105 East; thence east along the 1/4-section line to the intersection 106 of said $1/_4$ -section line with Lake Pierce; thence follow the 107 shore line northeasterly to its intersection with the 1/2-section 108 109 line of Section 28, Township 28 South, Range 28 East; thence north on the 1/2-section line to the northwest corner of the 110 southeast 1/4 of Section 28, Township 28 South, Range 28 East; 111 thence east to the northeast corner of the southeast $^{1}/_{4}$ of 112 113 Section 28, Township 28 South, Range 28 East; thence south along the section line to the northwest corner of Section 3, Township 114 115 29 South, Range 28 East; thence east along the section line to 116 the northeast corner of Section 3, Township 29 South, Range 28

Page 4 of 15

2004 HB 0373, Engrossed 2 117 East; thence north along the section line to the northwest corner of Section 23, Township 28 South, Range 28 East; thence 118 west along the section line to the southwest corner of Section 119 120 16, Township 28 South, Range 28 East; thence north along the section line to the northwest corner of Section 16, Township 28 121 122 South, Range 28 East; thence west along the section line to the southwest corner of Section 8, Township 28 South, Range 28 East; 123 124 thence north along the section line to the northwest corner of 125 Section 5, Township 28 South, Range 28 East; thence west along the township line to the intersection of said township line with 126 127 Lake Marion; thence following the south shore line of Lake Marion to its intersection again with said township line; thence 128 129 west along the township line to the southeast corner of Section 36, Township 37 South, Range 27 East; thence north along the 130 131 range line between Ranges 27 and 28 East to the intersection of said range line with Lake Marion; thence following the west 132 133 shore of Lake Marion to its intersection again with the range line between Ranges 27 and 28 East; thence north along said 134 135 range line, in Townships 27 and 26 South, to the northeast corner of Township 26 South, Range 27 East, being on the Polk-136 137 Osceola County line; thence west along the Polk-Osceola County 138 line to the northwest corner of Township 26 South, Range 27 East; thence north along the section line to the Lake-Polk 139 140 County line; thence west along the county line to the southwest 141 corner of Section 32, Township 24 South, Range 26 East; thence 142 into Lake County, north along the section lines to the northeast corner of Section 30, Township 24 South, Range 26 East; thence 143 144 west along the section lines to the northeast corner of Section 145 28, Township 24 South, Range 25 East; thence north along the

Page 5 of 15

HB 0373, Engrossed 2 2004 146 section lines to the northeast corner of Section 16, Township 24 147 South, Range 25 East; thence west along the section line to the northwest corner of Section 16, Township 24 South, Range 25 148 149 East; thence north along the section line to the northeast corner of Section 8, Township 24 South, Range 25 East; thence 150 151 west along the section lines to the range line between Ranges 24 and 25; thence north along the range line to the northeast 152 153 corner of Section 1, Township 23 South, Range 24 East, also 154 being on the township line between Townships 22 and 23 South; 155 thence west along the township line to the northwest corner of 156 Section 6, Township 23 South, Range 24 East also being on the 157 Sumter-Lake County line; thence north along the Sumter-Lake 158 County line, also being the range line between Ranges 23 and 24, 159 to the northeast corner of Section 1, Township 18 South, Range 160 23 East and the Marion County line; thence west, along the 161 Sumter-Marion County line, also being the township line between 162 Townships 17 and 18 South, to the westerly right-of-way line of 163 Interstate Highway 75; thence northerly along the westerly 164 right-of-way line of Interstate Highway 75 to the Alachua-Marion 165 County line, said line also being the township line between 166 Townships 11 and 12 South; thence west along the Alachua-Marion 167 County line to the northwest corner of Section 3, Township 12 168 South, Range 19 East and the Levy County line; thence westerly 169 along the Levy-Alachua County line, also being the township line 170 between Townships 11 and 12 South, to the southeast corner of 171 Section 36, Township 11 South, Range 17 East; thence north along the Levy-Alachua County line, also being the range line between 172 173 Ranges 17 and 18 East, to the southerly right-of-way line of 174 State Road No. 24; thence southwesterly along said southerly

Page 6 of 15

HB 0373, Engrossed 2 2004 175 right-of-way line to the easterly right-of-way line of State Road No. 337; thence southerly, along said easterly right-of-way 176 line of State Road No. 337, to the south line of Section 35, 177 178 Township 14 South, Range 17 East; thence west along the section 179 line to the northwest corner of Section 3, Township 15 South, 180 Range 17 East; thence south along the section lines to the southwest corner of Section 27, Township 15 South, Range 17 181 East; thence west to the Gulf of Mexico; thence south along the 182 Gulf of Mexico, including the waters of said gulf within the 183 jurisdiction of the State of Florida, to the point of beginning. 184 185 (e) South Florida Water Management District.--Begin at the intersection of the north boundary of Lee County with the Gulf 186 187 of Mexico; thence easterly along the Lee-Charlotte County line to the southwest corner of Section 34, Township 42 South, Range 188 189 24 East; thence northerly along the section lines to the 190 northwest corner of Section 3, Township 42 South, Range 24 East; 191 thence easterly along the Township line between Townships 41 and 192 42 South to the southwest corner of Section 31, Township 41 193 South, Range 26 East; thence northerly along the Range line 194 between Ranges 25 and 26 East to the northwest corner of Section 195 6, Township 41 South, Range 26 East; thence easterly along the 196 Township line between Townships 40 and 41 South to the southwest 197 corner of Section 31, Township 40 South, Range 27 East; thence 198 northerly along the Range line between Ranges 26 and 27 East to 199 the Charlotte-DeSoto County line; thence easterly along the 200 Charlotte-Desoto County line to the west line of Highlands 201 County; thence northerly along the Highlands-Desoto County line 202 and along the Highlands-Hardee County line to the northwest 203 corner of Section 6, Township 33 South, Range 28 East; thence

Page 7 of 15

2004 HB 0373, Engrossed 2 204 east Township 36 South, Range 28 East; thence east along the north boundary of Township 36 South to the northeast corner of 205 206 Section 1, Township 36 South, Range 28 East; thence south along 207 the range line to the southeast corner of Section 12, Township 208 37 South, Range 28 East; thence east along the section line to 209 the northeast corner of Section 15, Township 37 South, Range 29 210 East; thence south along the section line to the southeast 211 corner of Section 34, Township 37 South, Range 29 East; thence 212 east along the township line to the northeast corner of Section 213 1, Township 38 South, Range 29 East; thence south along the 214 range line to the southeast corner of Section 1, Township 39 215 South, Range 29 East; thence east along the section line to the 216 northwest corner of Section 11, Township 39 South, Range 30 217 East; thence north along the section line to the southwest 218 corner of Section 35, Township 38 South, Range 30 East; thence 219 east along the township line to the southeast corner of the west 220 $\frac{1}{4}$ of Section 35, Township 38 South, Range 30 East; thence north 221 along the ⁺/₄-section line of Sections 35, 26, and 23, Township 2.2.2 38 South, Range 30 East to the northeast corner of the west $\frac{1}{4}$ 223 section of Section 23, Township 38 South, Range 30 East; thence 224 west along the section line to the northwest corner of Section 225 23, Township 38 South, Range 30 East; thence north along the 226 section line to the northwest corner of Section 2, Township 37 227 South, Range 30 East; thence west along the township line to the 228 southwest corner of Section 34, Township 36 South, Range 30 229 East; thence north along the section line to the northwest 230 corner of Section 3, Township 36 South, Range 30 East; thence 231 west along the township line to the southwest corner of Section 232 31, Township 35 South, Range 30 East; thence north along the

Page 8 of 15

2004 HB 0373, Engrossed 2 233 range line between Ranges 29 and 30 East, through Townships 35, 34, and 33 South, to the northwest corner of Township 33 South, 234 Range 30 East, being on the Highlands-Polk County line; thence 235 236 west along the Highlands-Polk County line to the southwest 237 corner of Township 32 South, Range 29 East; thence north along 238 the range line between Ranges 28 and 29 East, in Townships 32 and 31 South, to the northwest corner of Section 7 in Township 239 240 31 South, Range 29 East; thence east along the section line to the northeast corner of Section 7, Township 31 South, Range 29 241 242 East; thence north along the section line to the northwest 243 corner of Section 17, Township 30 South, Range 29 East; thence east along the section line to the northeast corner of the west 244 245 $\frac{1}{2}$ of Section 17, Township 30 South, Range 29 East; thence north along the 1/2-section line to the northeast corner of the west 1/2246 247 of Section 5, Township 30 South, Range 29 East; thence west 248 along the section line to the southwest corner of Section 32, 249 Township 29 South, Range 29 East; thence north along the section 250 line to the northeast corner of Section 19 in Township 29 South, 251 Range 29 East; thence west along the south boundaries of Section 18, Township 29 South, Range 29 East and Sections 13, 14, 15, 252 253 16, and 17 in Township 29 South, Range 28 East, to the southwest 254 corner of said Section 17; thence north along the section line to the intersection of said section line with the west shore 255 256 line of Lake Pierce in Township 29 South, Range 28 East; thence following the west shore of Lake Pierce to its intersection 257 258 again with the west section line of Section 5, Township 29 259 South, Range 28 East; thence north along the section line to the 260 northwest corner of Section 5, Township 29 South, Range 28 East; 261 thence east along the township line to the southwest corner of

Page 9 of 15

HB 0373, Engrossed 2 2004 262 Section 33, Township 28 South, Range 28 East; thence north along the section line to the northwest corner of the southwest $^{1}/_{4}$ of 263 the southwest 1/4 of Section 28, Township 28 South, Range 28 264 East; thence east along the 1/4-section line to the intersection 265 of said $1/_4$ -section line with Lake Pierce; thence follow the 266 267 shore line northeasterly to its intersection with the 1/2-section line of Section 28, Township 28 South, Range 28 East; thence 268 north on the 1/2-section line to the northwest corner of the 269 southeast $\frac{1}{4}$ of Section 28, Township 28 South, Range 28 East; 270 thence east along the 1/2-section line to the northeast corner of 271 272 the southeast $\frac{1}{4}$ of Section 28, Township 28 South, Range 28 273 East; thence south along the section line to the northwest 274 corner of Section 3, Township 29 South, Range 28 East; thence 275 east along the section line to the northeast corner of Section 276 3, Township 29 South, Range 28 East; thence north along the 277 section line to the northwest corner of Section 23, Township 28 278 South, Range 28 East; thence west along the section line to the 279 southwest corner of Section 16, Township 28 South, Range 28 280 East; thence north along the section line to the northwest corner of Section 16, Township 28 South, Range 28 East; thence 281 282 west along the section line to the southwest corner of Section 8, Township 28 South, Range 28 East; thence north along the 283 section line to the northwest corner of Section 5, Township 28 284 285 South, Range 28 East; thence west along the township line to the 286 intersection of said township line with Lake Marion; thence 287 following the south shore line of Lake Marion to its 288 intersection again with said township line; thence west along 289 the township line to the southeast corner of Section 36, 290 Township 27 South, Range 27 East; thence north along the range

Page 10 of 15

2004 HB 0373, Engrossed 2 291 line between Ranges 27 and 28 East to the intersection of said range line with Lake Marion; thence following the west shore of 292 293 Lake Marion to its intersection again with the range line 294 between Ranges 27 and 28 East; thence north along said range 295 line, in Townships 27 and 26 South, to the northwest corner of 296 Township 26 South, Range 28 East, being on the Polk-Osceola 297 County line; thence west along the Polk-Osceola County line to 298 the southwest corner of Township 25 South, Range 27 East; thence 299 northerly along the range line between Ranges 26 and 27 East to the northwest corner of Section 18, Township 23 South, Range 27 300 301 East; thence easterly along the section lines to the southwest corner of Section 12, Township 23 South, Range 27 East; thence 302 303 northerly along the section lines to the northwest corner of 304 Section 1, Township 23 South, Range 27 East; thence easterly 305 along the Township line between Townships 22 and 23 South to the 306 southwest corner of Section 31, Township 22 South, Range 29 307 East; thence northerly along the Range line between Ranges 28 308 and 29 East to the northwest corner of Section 30, Township 22 309 South, Range 29 East; thence easterly along the section lines to the westerly right-of-way line of U.S. Highway 441; thence 310 311 southerly along the westerly right-of-way line to the 312 intersection with the northerly right-of-way line of State Road 528A; thence easterly along the northerly right-of-way line to 313 314 the intersection with the northerly right-of-way line of State 315 Road 528, also known as the Bee Line Expressway; thence easterly 316 along the northerly right-of-way line of State Road 528 to the intersection with the range line between Township 23 South, 317 318 Range 31 East and Township 23 South, Range 32 East; thence 319 southerly along the Range line between Ranges 31 and 32 East to

Page 11 of 15

2004 HB 0373, Engrossed 2 320 the Orange-Osceola County line; thence easterly along said county line between Townships 24 and 25 South to the northeast 321 322 corner of Section 5, Township 25 South, Range 32 East; thence 323 southerly along the section lines to the southeast corner of Section 32, Township 25 South, Range 32 East; thence easterly 324 325 along the Township line between Townships 25 and 26 South to the northeast corner of Section 1, Township 26 South, Range 32 East; 326 327 thence southerly along the Range line between Ranges 32 and 33 East to the southeast corner of Section 36, Township 27 South, 328 329 Range 32 East; thence westerly along the township line between 330 Townships 27 and 28 South, to the northeast corner of Section 1, 331 Township 28 South, Range 32 East; thence southerly along the 332 Range line between Ranges 32 and 33 East to the southeast corner of Section 36, Township 29 South, Range 32 East; thence easterly 333 334 along the Township line between Townships 29 and 30 South to the 335 northeast corner of Section 1, Township 30 South, Range 33 East; 336 thence southerly along the Range line between Ranges 33 and 34 East to the southeast corner of Section 36, Township 30 South, 337 338 Range 33 East; thence westerly along the Township line between 339 Townships 30 and 31 South to the northeast corner of Section 4, 340 Township 31 South, Range 33 East; thence southerly along the 341 section lines to the Osceola-Okeechobee County line; thence easterly along said county line to the northeast corner of 342 343 Section 3, Township 33 South, Range 34 East; thence southerly 344 along the section lines to the southeast corner of Section 34, 345 Township 34 South, Range 34 East; thence easterly along the Township line between Townships 34 and 35 South to the southwest 346 347 corner of Section 36, Township 34 South, Range 35 East; thence 348 northerly along the section lines to the northwest corner of

Page 12 of 15

2004 HB 0373, Engrossed 2 349 Section 13, Township 34 South, Range 35 East; thence easterly 350 along the section line to the Range line between Ranges 35 and 351 36 East; thence northerly along said Range line to the northwest 352 corner of Section 18, Township 34 South, Range 36 East; thence 353 easterly along the section lines to the southwest corner of 354 Section 10, Township 34 south, Range 36 East; thence northerly 355 along the section line to the northwest corner of said Section 356 10; thence easterly along the section lines to the Okeechobee-357 St. Lucie County line; thence northerly along said county line 358 to the south line of Indian River County; thence easterly along 359 the St. Lucie-Indian River County line to the Atlantic Ocean; thence southerly along the Atlantic Ocean to the Gulf of Mexico; 360 361 thence northerly along the Gulf of Mexico, including the waters 362 of said Ocean and of said Gulf and the islands therein within 363 the jurisdiction of the State of Florida, to the point of 364 beginning. 365 Section 2. Present subsection (3) of section 373.0691, 366 Florida Statutes, is renumbered as subsection (4), and a new subsection (3) is added to said section to read: 367

368

373.0691 Transfer of areas.--

(3) Effective at 12:01 a.m. on July 1, 2004, that portion 369 370 of Highlands County formerly within the Southwest Florida Water 371 Management District as set forth in s. 373.069 is transferred to 372 the South Florida Water Management District. With respect to the 373 area transferred and at the time of the change of boundaries, 374 all contractual obligations of the Southwest Florida Water 375 Management District, all real property interests owned by the 376 Southwest Florida Water Management District, all regulatory 377 responsibilities of the Southwest Florida Water Management

Page 13 of 15

FL	OF	R	D	А	Н	0	U	S	E	0	F	R	Е	Р	R	E	S	Е	Ν	Т	А	Т		V	Е	S
----	----	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	--	---	---	---

378	HB 0373, Engrossed 2 District, all equipment and other personal property used solely
379	by the Southwest Florida Water Management District in that area,
380	and all records of the Southwest Florida Water Management
381	District shall be transferred and delivered to the South Florida
382	Water Management District. However, the Southwest Florida
383	Management District shall take final agency action on any permit
384	applications received before July 1, 2004, after which all
385	matters related to any such permits issued shall be regulated by
386	the South Florida Water Management District.
387	Section 3. Paragraph (e) of subsection (2) of section
388	373.073, Florida Statutes, is amended to read:
389	373.073 Governing board
390	(2) Membership on governing boards shall be selected from
391	candidates who have significant experience in one or more of the
392	following areas, including, but not limited to: agriculture, the
393	development industry, local government, government-owned or
394	privately owned water utilities, law, civil engineering,
395	environmental science, hydrology, accounting, or financial
396	businesses. Notwithstanding the provisions of any other general
397	or special law to the contrary, vacancies in the governing
398	boards of the water management districts shall be filled
399	according to the following residency requirements, representing
400	areas designated by the United States Water Resources Council in
401	United States Geological Survey, River Basin and Hydrological

402 Unit Map of Florida--1975, Map Series No. 72:

- 403
- 404 405

Two members shall reside in Hillsborough County.
One member shall reside in the area consisting of

(e) Southwest Florida Water Management District:

406 Hillsborough and Pinellas Counties.

Page 14 of 15

	HB 0373, Engrossed 2 2004
407	3. Two members shall reside in Pinellas County.
408	4. One member shall reside in Manatee County.
409	5. One member shall reside in Polk County.
410	6. One member shall reside in Pasco County.
411	7. One member shall be appointed at large from Levy,
412	Marion, Citrus, Sumter, Hernando, and Lake Counties.
413	8. One member shall be appointed at large from Sarasota,
414	Hardee, DeSoto, <u>and</u> Charlotte , and Highlands Counties.
415	9. One member shall be appointed at large from Levy,
416	Marion, Citrus, Sumter, Hernando, Lake, Sarasota, Hardee,
417	DeSoto, <u>and</u> Charlotte , and Highlands Counties.
418	
419	No county described in subparagraph 7., subparagraph 8., or
420	subparagraph 9. shall have more than one member on the governing
421	board.
422	Section 4. This act shall take effect July 1, 2004.