

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Johnson offered the following:

2

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause, and insert:

5 Section 1. Part III of chapter 369, Florida Statutes,
6 consisting of sections 369.314, 369.315, 369.316, 369.317,
7 369.318, 369.319, 369.320, 369.321, 369.322, 369.323, and
8 369.324, is created to read:

9

PART III

10

WEKIVA PARKWAY AND PROTECTION ACT

11

369.314 Popular name.--This act shall be known by the
12 popular name the "Wekiva Parkway and Protection Act."

13

369.315 Intent.--

14

(1) The Legislature finds that, in general, Florida
15 springs whether found in urban or rural settings, public parks,
16 or private lands, are threatened by actual and potential flow

004449

Amendment No. (for drafter's use only)

17 reductions and declining water quality. As a result of climate
18 patterns and population changes, over the past 30 years, many of
19 Florida's springs have begun to exhibit signals of distress,
20 including increasing nutrient loading and lowered water flow.
21 The groundwater that feeds springs is recharged by seepage from
22 the surface and through direct conduits such as sinkholes.

23 (2) The Legislature further finds that springs and
24 groundwater once damaged by overuse can be restored through good
25 stewardship, including effective planning strategies and best
26 management practices to preserve and protect the spring and its
27 springshed. Prudent land use planning decisions can protect and
28 improve quality and quantity, as well as upland resources, of a
29 springshed. Managing land use types and their allowable
30 densities and intensities of development, followed by specific
31 site planning to further minimize impacts, rank as an important
32 goal.

33 (3) It is the intent of the Legislature that the
34 recommendations of the Wekiva River Basin Coordinating Committee
35 as stated in its final report dated March 16, 2004, be taken and
36 implemented as a whole to achieve the objective of improving and
37 ensuring protection of surface water and groundwater resources.
38 Coordination of comprehensive plans and the Regional Water
39 Supply Plan is important for protection of water resources and
40 to promote the continuity of effective planning and development.

41 (4) It is not the intent of the Legislature to place an
42 undue burden on local governments within the Wekiva Study Area.
43 Any required Wekiva Study Area comprehensive plan amendments may

004449

Amendment No. (for drafter's use only)

44 be adopted in conjunction with other amendments not required by
45 this part.

46 369.316 Wekiva Study Area.--The Wekiva Study Area is
47 defined to include the following land: Begin at the northwest
48 corner of Section 6, Township 18 South, Range 28 East, Lake
49 County, Florida, said corner lying on the north line of Township
50 18 South; thence Easterly along said north line of Township 18
51 South to the northeast corner of Section 5, Township 18 South,
52 Range 29 East; thence Southerly along the east line of said
53 Section 5 to the northeast corner of Section 8, Township 18
54 South, Range 29 East; thence Southerly along the east line of
55 said Section 8 to the northeast corner of Section 17, Township
56 18 South, Range 29 East; thence Southerly along the east line of
57 said Section 17 to the northeast corner of Section 20, Township
58 18 South, Range 29 East; thence Southerly along the east line of
59 said Section 20 to the northeast corner of Section 29, Township
60 18 South, Range 29 East; thence Southerly along the east line of
61 said Section 29 to the northeast corner of Section 32, Township
62 18 South, Range 29 East; thence Southerly along the east line of
63 said Section 32 to the southeast corner thereof, said corner
64 lying on the south line of Township 18 South; thence Easterly
65 along the south line of said Township 18 South to an
66 intersection with the east line of Range 29 East; thence
67 Southerly along the east line of said Range 29 East to the
68 southeast corner of Section 24, Township 21 South, Range 29
69 East; thence Westerly along the south line of said Section 24 to
70 the southeast corner of Section 23, Township 21 South, Range 29
71 East; thence Westerly along the south line of said Section 23,

004449

Amendment No. (for drafter's use only)

72 to an intersection with the centerline of Interstate Highway No.
73 4; thence generally Southerly along the centerline of Interstate
74 Highway No. 4 to an intersection with the south line of Section
75 13, Township 22 South, Range 29 East; thence Westerly along the
76 south line of said Section 13 to the southeast corner of Section
77 14, Township 22 South, Range 29 East; thence Westerly along the
78 south line of said Section 14 to the southeast corner of Section
79 15, Township 22 South, Range 29 East; thence Westerly along the
80 south line of said Section 15 to the northeast corner of Section
81 21, Township 22 South, Range 29 East; thence Southerly along the
82 east line of said Section 21 to an intersection with the
83 centerline of State Road No. 50; thence Westerly along the
84 centerline of said State Road No. 50 to the northeast corner of
85 Section 30, Township 22 South, Range 28 East; thence Southerly
86 along the east line of said Section 30 to the northeast corner
87 of Section 31, Township 22 South, Range 28 East; thence
88 Southerly along the east line of said Section 31 to the
89 southeast corner thereof, said corner lying on the south line of
90 Township 22 South; thence Westerly along said south line of
91 Township 22 South to the northeast corner of Section 2, Township
92 23 South, Range 27 East; thence Southerly along the east line of
93 said Section 2 to the northeast corner of Section 11, Township
94 23 South, Range 27 East; thence Southerly along the east line of
95 said Section 11 to the southeast corner thereof; thence Westerly
96 along the south line of said Section 11 to the southeast corner
97 of Section 10, Township 23 South, Range 27 East; thence Westerly
98 along the south line of said Section 10 to the southeast corner
99 of Section 9, Township 23 South, Range 27 East; thence Westerly

004449

Amendment No. (for drafter's use only)

100 along the south line of said Section 9 to the Southeast corner
101 of Section 8, Township 23 South, Range 27 East; thence Westerly
102 along the south line of said Section 8 to the southeast corner
103 of Section 7, Township 23 South, Range 27 East; thence Westerly
104 along the south line of said Section 7 to the southwest corner
105 thereof, said corner lying on the line of demarcation between
106 Orange County and Lake County; thence generally Northerly and
107 along said county line to the northeast corner of Section 12,
108 Township 20 South, Range 26 East, said corner lying on the east
109 line of Range 26 East; thence generally Northerly and along said
110 east line of Range 26 East to the southeast corner of Section
111 24, Township 19 South, Range 26 East; thence Westerly along the
112 south line of said Section 24 to the southeast corner of Section
113 23, Township 19 South, Range 26 East; thence Westerly along the
114 south line of said Section 23 to the southwest corner thereof;
115 thence Northerly along the west line of said Section 23 to the
116 southwest corner of Section 14, Township 19 South, Range 26
117 East; thence Northerly along the west line of said Section 14 to
118 the southwest corner of Section 11, Township 19 South, Range 26
119 East; thence generally Northeasterly to the southwest corner of
120 Section 1, Township 19 South, Range 26 East; thence generally
121 Northeasterly to the southwest corner of Section 31, Township 18
122 South, Range 27 East; thence generally Northeasterly to the
123 southwest corner of Section 29, Township 18 South, Range 27
124 East; thence generally Northeasterly to the northwest corner of
125 Section 28, Township 18 South, Range 27 East; thence Easterly
126 along the north line of said Section 28 to the northwest corner
127 of Section 27, Township 18 South, Range 27 East; thence Easterly

004449

Amendment No. (for drafter's use only)

128 along the north line of said Section 27 to the northwest corner
129 of Section 26, Township 18 South, Range 27 East; thence Easterly
130 along the north line of said Section 26 to the northwest corner
131 of Section 25, Township 18 South, Range 27 East; thence Easterly
132 along the north line of said Section 25 to an intersection with
133 the west line of Range 28 East; thence Northerly along the west
134 line of said Range 28 East, to the northwest corner of Section
135 6, Township 18 South, Range 28 East, and the Point of Beginning.

136 316.317 Wekiva Parkway.--

137 (1) The "Wekiva Parkway" means any limited access highway
138 or expressway constructed between State Road 429 and Interstate
139 4 specifically incorporating the corridor alignment recommended
140 by Recommendation 2 of the Wekiva River Basin Area Task Force
141 final report dated January 15, 2003, and the recommendations of
142 the SR 429 Working Group that were adopted January 16, 2004.

143 (2) The following Guiding Principles for the Wekiva
144 Parkway Design Features and Construction shall be used for the
145 Wekiva Parkway. When the design of any new expressway facility
146 is completed, it should:

147 (a) Provide that all new expressways be fully limited
148 access, with interchanges;

149 (b) Promote a "parkway look" with appropriate natural
150 buffers between the roadways and the adjacent areas;

151 (c) Include the maximum provision for bridging through
152 strategically important wetlands;

153 (d) Elevate (bridge) identified functionally significant
154 wildlife corridors and provide appropriate wildlife bridges with
155 barriers to direct wildlife to safe crossing points;

004449

Amendment No. (for drafter's use only)

156 (e) Design stormwater treatment facilities to minimize
157 habitat loss and promote restoration of impacted sites and
158 ensure capture and treatment of runoff from bridges over
159 Outstanding Florida Waters to Outstanding Florida Waters
160 standards;

161 (f) Offer opportunities to view, understand, and access
162 the environmental uniqueness of the Wekiva River ecosystem;

163 (g) Provide nonintrusive and minimal roadway and bridge
164 lighting in the Wekiva River Protection Area to support the
165 conservation of dark skies in the basin; and

166 (h) Incorporate safety and access design features to
167 promote the continuation of prescribed burning in the basin.

168 (3) If any improvements are considered to SR 44 through
169 the Wekiva River Protection Area, then the provisions of
170 subsection (2) shall apply.

171 (4) When the design and construction of the Wekiva Parkway
172 is completed it should:

173 (a) Reduce hazards to wildlife by relocating CR 46-A to
174 tie into SR 46 at the proposed SR 46 interchange;

175 (b) Close the portions of CR 46-A that parallel and
176 duplicate SR 46 and serve only the traffic necessary to provide
177 access to local property;

178 (c) Elevate the Wekiva Parkway through the Wekiva River
179 Protection Area to the maximum extent feasible, and have bridges
180 and adequate barriers as often as practical to provide for
181 adequate wildlife passages;

004449

Amendment No. (for drafter's use only)

182 (d) Bridge Wekiva River wetlands and floodplains on
183 publicly owned lands that are adjacent to the Wekiva Parkway
184 where known wildlife crossings exist;

185 (e) Close existing SR 46 at an appropriate location west
186 of the Lake-Seminole County line so that the remaining sections
187 of SR 46 continue to be open only to provide local access to
188 private properties and recreational conservation lands, and
189 prevent through traffic; and

190 (f) Where the at-grade portions of the existing SR 46
191 remain in place to provide local access, there will be no need
192 to provide wildlife passages on this low-volume, low-speed
193 service road.

194 (5) The number of interchanges located along the Wekiva
195 Parkway shall not exceed five, and shall be located as follows:

196 (a) SR 429 south of U.S. 441. The most southerly
197 interchange to occur south of U.S. 441 and serve as a junction
198 with the current SR 429 to allow a continuation of the route to
199 the northwest and then north and also to serve as a future
200 connection to the proposed extension to Maitland Boulevard (the
201 Apopka Bypass).

202 (b) U.S. 441. An interchange to be located where SR 429
203 reaches U.S. 441.

204 (c) Between U.S. 441 and SR 46 and a potential system
205 connection to the proposed U.S. 441 Bypass.

206 (d) SR 46. An interchange to be located at SR 46 near the
207 area where CR 46-A is to be located.

208 (e) Interstate 4. An interchange to be located where the
209 Wekiva Parkway reaches I-4 in Seminole County no further north

004449

Amendment No. (for drafter's use only)

210 than the St. Johns River Bridge and no further south than the SR
211 417 interchange on I-4.

212 (6) In Seminole County, the Seminole County Expressway
213 Authority, the Department of Transportation, and the Florida
214 Turnpike Enterprise shall locate the precise corridor and
215 interchanges for the Wekiva Parkway consistent with the
216 legislative intent expressed in this act and other provisions of
217 this act.

218 (7) The Department of Transportation is hereby
219 specifically granted the authority to acquire and to exercise
220 the power of eminent domain to condemn all necessary lands,
221 property and all interests in property identified herein,
222 including fee-simple or less-than-fee simple interests,
223 including, but not limited to, all rights and interests set
224 forth in s. 337.27(1). The lands subject to this authority are
225 identified in paragraph 10.a., State of Florida, Office of the
226 Governor, Executive Order 03-112 of July 1, 2003, and in
227 Recommendation 16 of the Wekiva Basin Area Task Force created by
228 Executive Order 2002-259, such lands otherwise known as
229 Neighborhood Lakes, a 1,587+/- acre parcel located in Orange and
230 Lake Counties within Sections 27, 28, 33 and 34 of Township 19
231 South, Range 28 East, and Sections 3, 4, 5 and 9 of Township 20
232 South, Range 28 East; Seminole Woods/Swamp, a 5,353+/- acre
233 parcel located in Lake County within Section 37, Township 19
234 South, Range 28 East; New Garden Coal; a 1,605+/- acre parcel in
235 Lake County within Sections 23, 25, 35 and 36, Township 19
236 South, Range 28 East; Pine Plantation, a 617+/- acre tract
237 consisting of eight individual parcels within the Apopka City

004449

Amendment No. (for drafter's use only)

238 limits. The Department of Transportation shall act as the lead
239 agency in the acquisition of these properties, and the
240 Department of Environmental Protection, the Department of
241 Community Affairs, the St. Johns River Water Management
242 District, and the Orlando-Orange County Expressway Authority and
243 other land acquisition entities shall participate and cooperate
244 in providing information and support to the lead agency.

245 (a) Acquisition of the land described in this section is
246 required to provide right-of-way for the Wekiva Parkway, a
247 limited access roadway linking State Road 429 to Interstate 4,
248 an essential component in meeting regional transportation needs
249 to provide regional connectivity, improve safety, accommodate
250 projected population and economic growth, and satisfy critical
251 transportation requirements caused by increased traffic volume
252 growth and travel demands.

253 (b) Acquisition of the lands described in this section is
254 also required to protect the surface water and groundwater
255 resources of Lake, Orange, and Seminole Counties, otherwise
256 known as the Wekiva Study Area, including recharge within the
257 springshed that provides for the Wekiva River system. Protection
258 of this area is crucial to the long-term viability of the Wekiva
259 River and springs and the central Florida region's water supply.
260 Acquisition of the lands described in this section is also
261 necessary to alleviate pressure from growth and development
262 affecting the surface water and groundwater resources within the
263 recharge area.

004449

Amendment No. (for drafter's use only)

264 (c) Title to all lands acquired under this section shall
265 vest in the State of Florida or the St. Johns Water Management
266 District, as appropriate.

267 (d) Acquisition by the Department of Transportation for
268 lands described in this section that are not needed for the
269 Wekiva Parkway shall be transferred to the Board of Trustees of
270 the Internal Improvement Trust Fund for management as
271 conservation lands pursuant to ss. 259.032 and 253.034. However,
272 the Department of Transportation is authorized to utilize such
273 lands acquired with their own funds, or with acquisition
274 services provided at their cost, on a pro rata basis to the
275 total acreage acquired, as mitigation credits for potential
276 future impacts associated with the Wekiva Parkway or other
277 regionally significant roadways. With the exception of the
278 transportation use for the Wekiva Parkway, uses of the property
279 acquired shall be limited to traditional conservation uses or
280 other uses appropriate for lands acquired for the Florida
281 Forever program as created in s. 259.105.

282 (8) The Department of Transportation, the Department of
283 Environmental Protection, the St. Johns River Water Management
284 District, Orlando-Orange County Expressway Authority and other
285 land acquisition entities shall cooperate and establish funding
286 responsibilities and partnerships by agreement to the extent
287 funds are available to the various entities. The Department of
288 Transportation shall acquire land in accordance with this
289 section of law to the extent funds are available from the
290 various funding partners, but shall not be required nor assumed

004449

Amendment No. (for drafter's use only)

291 to fund the land acquisition beyond the agreement and funding
292 provided by the various land acquisition entities.

293 (9) The Board of Trustees of the Internal Improvement
294 Trust Fund is requested to consider amending the Wekiva-Ocala
295 Greenway Florida Forever project boundary to include the Pine
296 Plantation parcel and wetland and upland (scrub oak) parcels as
297 shown in Figure 6 of the Wekiva River Basin Coordinating
298 Committee's Final Report dated March 16, 2004.

299 (10) Subject to an appropriation by the Legislature, the
300 Department of Transportation shall purchase those lands in the
301 Wekiva Study Area necessary for the construction of the Wekiva
302 Parkway and the preservation of environmentally sensitive lands.

303 369.318 Studies.--

304 (1) The Department of Environmental Protection shall study
305 the efficacy and applicability of water quality and wastewater
306 treatment standards needed to achieve nitrogen reductions
307 protective of surface water and groundwater quality within the
308 Wekiva Study Area and report to the Governor and the Department
309 of Community Affairs no later than December 1, 2004. Based on
310 the December 2004 report, the Department of Environmental
311 Protection shall, if appropriate, by March 1, 2005, initiate
312 rulemaking to achieve nitrogen reductions protective of surface
313 water and groundwater quality or recommend legislation that
314 grants any additional statutory authority needed to implement
315 the report recommendations.

316 (2) The Department of Health, in coordination with the
317 Department of Environmental Protection, shall study the efficacy
318 and applicability of onsite disposal system standards needed to

004449

Amendment No. (for drafter's use only)

319 achieve nitrogen reductions protective of groundwater quality
320 within the Wekiva Study Area and report to the Governor and the
321 Department of Community Affairs no later than December 1, 2004.
322 Based on the December 2004 report, the Department of Health
323 shall, if appropriate, by March 1, 2005, initiate rulemaking to
324 achieve nitrogen reductions protective of water quality or
325 recommend legislation that grants any additional statutory
326 authority needed to implement the report recommendations. The
327 study shall consider:

328 (a) For new developments within the Wekiva Study Area and
329 any existing development within the Wekiva River Protection Area
330 using onsite disposal systems, a more stringent level of
331 wastewater treatment, including, but not limited to, the use of
332 multiple tanks to combine aerobic and anaerobic treatment to
333 reduce the level of nitrates.

334 (b) The implementation of a septic tank maintenance and
335 inspection program which includes upgrading certain onsite
336 disposal systems permitted prior to 1982 to meet minimum
337 Department of Health standards, replacement of failing systems
338 and systems not meeting current standards, and providing funding
339 mechanisms for supporting a septic tank inspection and
340 maintenance program.

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

343 (a) Amend the recharge criteria in Rule 40C-41.063(3),
344 Florida Administrative Code, to expand the area within which the
345 standard is applied to include the Wekiva Study Area.

004449

Amendment No. (for drafter's use only)

346 (b) Adopt a consolidated environmental resource
347 permit/consumptive use permit for projects that require both an
348 environmental resource permit and a consumptive use permit that
349 involve irrigation of urban landscape, golf courses, or
350 recreational areas.

351 (4) By March 1, 2005, the St. Johns River Water Management
352 District in conjunction with the Department of Environmental
353 Protection, shall initiate rulemaking to amend the recharge
354 criteria in Rule 40C-41.063(3), Florida Administrative Code, to
355 provide that the postdevelopment recharge volume conditions
356 within the Wekiva Study Area approximate predevelopment recharge
357 volume conditions. The district shall study and undertake this
358 rulemaking to accomplish this standard on a development-specific
359 basis.

360 (5) The St. Johns River Water Management District shall
361 complete an assessment of the significance of water uses below
362 the current consumptive use permit thresholds in the Wekiva
363 Study Area to determine if rulemaking should be initiated to
364 lower consumptive use permit thresholds.

365 (6) The St. Johns River Water Management District shall
366 conduct an analysis of the impact of redevelopment projects in
367 the Wekiva River basin upon aquifer recharge and shall consider
368 whether to adopt a rule amendment to require those redevelopment
369 projects exceeding a specified threshold to meet the Wekiva
370 Basin recharge criteria. The effect of redevelopment upon
371 aquifer recharge shall be analyzed and then the costs of
372 regulation shall be analyzed.

004449

Amendment No. (for drafter's use only)

373 (7) By December 1, 2007, the St. Johns River Water
374 Management District shall update the minimum flows and levels
375 standards for Rock Springs and Wekiwa Springs. Further, the
376 district shall revise the consumptive use permit thresholds in
377 the Wekiva Study Area to address proposed water withdrawals
378 above 50,000 gallons per day. Revisions to the consumptive use
379 thresholds shall provide for a general permit, if possible, and
380 include a transition period that allows continued access to
381 water supply for users that were not previously subject to the
382 permitting process.

383 (8) By December 1, 2005, the St. Johns River Water
384 Management District shall establish pollution load reduction
385 goals for the Wekiva Study Area to assist the Department of
386 Environmental Protection in adopting total maximum daily loads
387 for impaired waters within the Wekiva Study Area by December 1,
388 2006.

389 (9) The Department of Agriculture and Consumer Services
390 shall be the lead agency in coordinating the reduction of
391 agricultural nonpoint sources of pollution. The Department of
392 Agriculture and Consumer Services shall study and, if necessary,
393 initiate rulemaking to implement new or revised best management
394 practices for improving and protecting water bodies, including
395 those basins with impaired water bodies addressed by the Total
396 Maximum Daily Loads Program.

397 369.319 Master stormwater management plan.--Each local
398 government within the Wekiva Study Area shall develop a master
399 stormwater management plan that assesses existing problems and
400 deficiencies in the community, identifies projects to meet long-

004449

Amendment No. (for drafter's use only)

401 range needs, establishes priorities to address existing
402 deficiencies, establishes measures to address redevelopment,
403 establishes a schedule to complete needed improvements,
404 evaluates the feasibility of stormwater reuse, and includes
405 requirements for inspection and maintenance of facilities. The
406 plan shall also identify a funding source, such as a stormwater
407 utility fee, to fund implementation of the plan and maintenance
408 program. In addition, the local government shall establish a
409 water reuse and irrigation program that allows for reuse of
410 stormwater to minimize pumpage of groundwater for nonpotable
411 usage.

412 369.320 Wastewater facility plan.--

413 (1) Local governments within the Wekiva Study Area shall
414 develop a wastewater facility plan for joint planning areas and
415 utility service areas where central wastewater systems are not
416 readily available. The facility plan shall include the
417 delineation of areas within the utility service area that are to
418 be served by central facilities within 5 years, a financially
419 feasible schedule of improvements, an infrastructure work plan
420 to build the facilities needed to implement the facility plan,
421 including those needed to meet enhanced treatment standards
422 adopted by the Department of Environmental Protection, and a
423 phase-out of existing onsite septic tank systems where central
424 facilities are available. The facility plan shall also include a
425 long-range component addressing service of the joint planning
426 area or utility service area. In addition, local governments
427 shall establish a water reuse program that allows for reuse of

004449

Amendment No. (for drafter's use only)

428 reclaimed water to minimize pumpage of groundwater for
429 nonpotable usage.

430 (2) Local governments shall update their wastewater
431 facility plans required in subsection (1) where the Total
432 Maximum Daily Loads Program requires reductions in point source
433 pollutants for a basin or as required by legislation for
434 enhanced treatment standards.

435 369.321 Comprehensive plan amendments.--By January 1,
436 2006, each local government within the Wekiva Study Area shall
437 amend its local government comprehensive plan to include the
438 following:

439 (1) Local governments hosting an interchange on the Wekiva
440 Parkway shall adopt an interchange land use plan into their
441 comprehensive plans. Each interchange land use plan shall
442 address appropriate land uses and compatible development,
443 secondary road access, access management, right-of-way
444 protection, vegetation protection and water conserving
445 landscaping, and the height and appearance of structures and
446 signage. Local governments within which the Wekiva Parkway is
447 planned shall amend their local government comprehensive plans
448 to include the Wekiva Parkway.

449 (2) Local governments shall amend the appropriate elements
450 of their comprehensive plans, including the capital improvements
451 element, to ensure implementation of the master stormwater
452 management plan.

453 (3) Local governments shall amend their comprehensive
454 plans to establish land use strategies that optimize open space
455 and promote a pattern of development on a jurisdiction-wide

004449

Amendment No. (for drafter's use only)

456 basis that protects the most effective recharge areas, karst
457 features, and sensitive natural habitats including longleaf pine
458 forests and sandhill, sand pine, and xeric oak scrub. Such
459 strategies shall recognize property rights and the varying
460 circumstances within the Wekiva Study Area, including rural and
461 urban land use patterns. Local comprehensive plans shall map,
462 using best available data from the St. Johns River Water
463 Management District and the Fish and Wildlife Conservation
464 Commission, recharge areas and sensitive upland habitats for
465 this purpose. Local governments shall have flexibility to
466 achieve this objective through comprehensive plan strategies
467 that may include, but are not limited to:

- 468 (a) Coordinated greenway plans;
469 (b) Dedication of conservation easements;
470 (c) Land acquisition;
471 (d) Clustering of development;
472 (e) Density credits and density incentives which result in
473 permanent protection of open space; and
474 (f) Low to very low density development.
475 (4) An up-to-date 10-year water supply facility work plan
476 for building potable water facilities necessary to serve
477 existing and new development and for which the local government
478 is responsible.

- 479 (5) Comprehensive plans and comprehensive plan amendments
480 adopted by the local governments to implement this section shall
481 be reviewed by the Department of Community Affairs pursuant to
482 s. 163.3184, and shall be exempt from the provisions of s.
483 163.3187(1).

004449

Amendment No. (for drafter's use only)

484 (6) Implementing land development regulations shall be
485 adopted no later than January 1, 2007.

486 (7) During the period prior to the adoption of the
487 comprehensive plan amendments required by this act, any local
488 comprehensive plan amendment adopted by a city or county that
489 applies to land located within the Wekiva Study Area shall
490 protect surface water and groundwater resources and be reviewed
491 by the Department of Community Affairs, pursuant to chapter 9J-
492 5, Florida Administrative Code, using the best available data,
493 including the information presented to the Wekiva River Basin
494 Coordinating Committee.

495 369.322 Coordination of land use and water supply within
496 the Wekiva Study Area.--

497 (1) In their review of local government comprehensive plan
498 amendments for property located within the Wekiva Study Area
499 pursuant to s. 163.3184, the Department of Community Affairs and
500 the St. Johns River Water Management District shall ensure that
501 amendments that increase development potential demonstrate that
502 adequate potable water consumptive use permit capacity is
503 available.

504 (2) Local governments located within the Wekiva Study Area
505 shall coordinate with the St. Johns River Water Management
506 District and other public and private utilities, on a countywide
507 or multicounty basis, to implement cooperative solutions for
508 development of alternative water sources necessary to supplement
509 groundwater supplies consistent with the St. Johns River Water
510 Management District Regional Water Supply Plan.

004449

Amendment No. (for drafter's use only)

511 (3) In recognition of the need to balance resource
512 protection, existing infrastructure and improvements planned or
513 committed as part of approved development, consistent with
514 existing municipal or county comprehensive plans and economic
515 development opportunities, planned community development
516 initiatives that ensure protection of surface water and
517 groundwater resources while promoting compact, ecologically and
518 economically sustainable growth should be encouraged. Small area
519 studies, sector plans, or similar planning tools should support
520 these community development initiatives. In addition, the
521 Department of Community Affairs may make available best practice
522 guides that demonstrate how to balance resource protection and
523 economic development opportunities.

524 369.323 Compliance.--Comprehensive plans and plan
525 amendments adopted by the local governments within the Wekiva
526 Study Area to implement this act shall be reviewed for
527 compliance by the Department of Community Affairs.

528 369.324 Wekiva River Basin Commission.--

529 (1) The Wekiva River Basin Commission is created to
530 monitor and ensure the implementation of the recommendations of
531 the Wekiva River Basin Coordinating Committee for the Wekiva
532 Study Area. The East Central Florida Regional Planning Council
533 shall provide staff support to the commission with funding
534 assistance from the Department of Community Affairs. The
535 commission shall be composed of a total of 19 members appointed
536 by the Governor, 9 of whom shall be voting members and 10 of
537 whom shall be ad hoc nonvoting members. The voting members shall
538 include:

004449

Amendment No. (for drafter's use only)

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

541 (b) One municipal elected official to serve as a
542 representative of the municipalities located within Lake County.

543 (c) One municipal elected official to serve as a
544 representative of the municipalities located within Orange
545 County.

546 (d) One municipal elected official to serve as a
547 representative of the municipalities located within Seminole
548 County.

549 (e) One citizen representing an environmental or
550 conservation organization, one citizen representing a local
551 property owner, a land developer, or an agricultural entity, and
552 one at-large citizen who shall serve as chair of the council.

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

555 1. St. Johns River Management District.

556 2. Department of Community Affairs.

557 3. Department of Environmental Protection.

558 4. Department of Health.

559 5. Department of Agriculture and Consumer Services.

560 6. Fish and Wildlife Conservation Commission.

561 7. Department of Transportation.

562 8. MetroPlan Orlando.

563 9. Orlando-Orange County Expressway Authority.

564 10. Seminole County Expressway Authority.

Amendment No. (for drafter's use only)

565 (2) Members shall serve 3-year, staggered terms, and shall
566 serve without compensation but shall serve at the expense of the
567 entity they represent.

568 (3) Meetings of the commission shall be held in Lake,
569 Orange, or Seminole County at the call of the chair, but the
570 commission shall meet at least twice a year.

571 (4) To assist the commission in its mission, the East
572 Coast Regional Planning Council, in coordination with the
573 applicable regional and state agencies, shall serve as a
574 clearinghouse of baseline or specialized studies through
575 modeling and simulation, including collecting and disseminating
576 data on the demographics, economics, and the environment of the
577 Wekiva Study Area including the changing conditions of the
578 Wekiva River surface water and groundwater basin and associated
579 influence on the Wekiva River springs.

580 (5) The commission shall report annually, no later than
581 December 31 of each year, to the Governor, the President of the
582 Senate, the Speaker of the House of Representatives, and the
583 Department of Community Affairs on implementation progress.

584 Section 2. Paragraph (b) of subsection (1) of section
585 163.3184, Florida Statutes, is amended to read:

586 163.3184 Process for adoption of comprehensive plan or
587 plan amendment.--

588 (1) DEFINITIONS.--As used in this section, the term:

589 (b) "In compliance" means consistent with the requirements
590 of ss. 163.3177, 163.31776, when a local government adopts an
591 educational facilities element, 163.3178, 163.3180, 163.3191,
592 and 163.3245, with the state comprehensive plan, with the

004449

Amendment No. (for drafter's use only)

593 appropriate strategic regional policy plan, and with chapter 9J-
594 5, Florida Administrative Code, where such rule is not
595 inconsistent with this part and with the principles for guiding
596 development in designated areas of critical state concern and
597 with part III of chapter 369, where applicable.

598 Section 3. Section 348.7546, Florida Statutes, is created
599 to read:

600 348.7546 Northwest Beltway Part B; construction
601 authorized; financing.--Notwithstanding s. 338.2275, the
602 Orlando-Orange County Expressway Authority is hereby authorized
603 to exercise its condemnation powers, construct, finance,
604 operate, own, and maintain that portion of the Western Beltway
605 known as the Northwest Beltway Part B as part of the authority's
606 long-range capital improvement plan. The Northwest Beltway Part
607 B shall extend from the existing northern terminus of State Road
608 429 at U.S. 441 near Apopka, or such realigned terminus of that
609 portion of State Road 429 known as the Northwest Beltway Part A
610 to the west of the existing northern terminus, proceeding north
611 through Orange County and into Lake County to a terminus at or
612 near State Road 46, or such terminus north of State Road 46 as
613 mutually determined by the authority and the Lake County Board
614 of County Commissioners. This project may be financed with any
615 funds available to the authority for such purpose or revenue
616 bonds issued by the authority pursuant to s. 11, Art. VII of the
617 State Constitution, and s. 348.755(1)(b).

618 Section 4. Section 348.7547, Florida Statutes, is created
619 to read:

004449

Amendment No. (for drafter's use only)

620 348.7547 Maitland Boulevard Extension and Northwest
621 Beltway Part A realignment; construction authorized;
622 financing.--Notwithstanding s. 338.2275, the Orlando-Orange
623 County Expressway Authority is hereby authorized to exercise its
624 condemnation powers, construct, finance, operate, own, and
625 maintain the portion of State Road 414 known as the Maitland
626 Boulevard Extension and the realigned portion of the Northwest
627 Beltway Part A as part of the authority's long-range capital
628 improvement plan. The Maitland Boulevard Extension shall extend
629 from the current terminus of State Road 414 at U.S. 441 west to
630 State Road 429 in west Orange County. The realigned portion of
631 the Northwest Beltway Part A shall run from the point at or near
632 where the Maitland Boulevard Extension shall connect with State
633 Road 429 and shall proceed to the west and then north resulting
634 in the northern terminus of State Road 429 moving farther west
635 before reconnecting with U.S. 441. This project may be financed
636 with any funds available to the authority for such purpose or
637 revenue bonds issued by the authority pursuant to s. 11, Art.
638 VII of the State Constitution, and s. 348.755(1)(b).

639 Section 5. This act shall take effect July 1, 2004.

640
641 ===== T I T L E A M E N D M E N T =====

642 Remove everything before the enacting clause, and insert:

643 A bill to be entitled

644 An act relating to the Wekiva Parkway and Protection Act;
645 creating part III of ch. 369, F.S., consisting of ss.
646 369.314, 369.315, 369.316, 369.317, 369.318, 369.319,
647 369.320, 369.321, 369.322, 369.323, and 369.324, F.S.;

Amendment No. (for drafter's use only)

648 providing legislative intent; providing a legal
649 description of the Wekiva Study Area; defining the Wekiva
650 Parkway; providing guiding principles for the Wekiva
651 Parkway Design Features and Construction; limiting the
652 number of interchanges along the Wekiva Parkway; granting
653 the Department of Transportation certain eminent domain
654 authority for the Wekiva Parkway construction; requiring
655 that certain entities locate the precise corridor and
656 interchanges for the Wekiva Parkway in Seminole County
657 consistent with this act; providing that title of all
658 lands acquired for the Wekiva Parkway shall vest in the
659 State of Florida or the St. Johns Water Management
660 District, as appropriate; providing that certain lands not
661 needed for the Wekiva Parkway be transferred to the Board
662 of Trustees of the Internal Improvement Trust Fund;
663 requiring certain entities and agencies to cooperate and
664 establish funding responsibilities and partnerships;
665 requiring the Department of Transportation to purchase
666 certain lands subject to a legislative appropriation;
667 requiring certain studies by the Department of
668 Environmental Protection, the Department of Health, the
669 St. Johns River Water Management District, and the
670 Department of Agriculture and Consumer Services; providing
671 for a master stormwater plan; providing for a wastewater
672 facility plan; requiring certain local government
673 comprehensive plan amendments; providing for the
674 coordination of land use and water supply with the Wekiva
675 Study Area; providing that comprehensive plans and

004449

Amendment No. (for drafter's use only)

676 comprehensive plan amendments be reviewed for compliance
677 by the Department of Community Affairs; creating the
678 Wekiva River Basin Commission; amending s. 163.3184, F.S.;
679 amending the definition of "compliance"; creating s.
680 348.7546, F.S.; authorizing the construction and financing
681 of the Northwest Beltway Part B; creating s. 348.7547,
682 F.S.; authorizing the construction and financing of the
683 Maitland Boulevard Extension and Northwest Beltway Part A;
684 providing an effective date.

685
686 WHEREAS, the Wekiva River System and its associated
687 springshed areas are of irreplaceable value to the quality of
688 life and well-being of the people of the State of Florida, and

689 WHEREAS, protection of the surface water and groundwater
690 resources, including recharge within the springshed that
691 provides for the Wekiva River System, is crucial to the long-
692 term viability of the Wekiva River and springs and the central
693 Florida Region's water supply, and

694 WHEREAS, construction of the Wekiva Parkway and other
695 roadway improvements to the west of the Wekiva River System will
696 add to the pressures for growth and development already
697 affecting the surface water and groundwater resources within the
698 recharge area, NOW, THEREFORE,