

CHAMBER ACTION

1 The Committee on Local Government & Veterans' Affairs recommends
2 the following:

3
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to the Wekiva Study Area and the Wekiva
8 Parkway; creating pt. III of ch. 369, F.S.; creating s.
9 369.314, F.S.; providing a popular name; creating s.
10 369.315, F.S.; providing legislative findings and intent;
11 creating s. 369.316, F.S.; providing and fixing the
12 boundaries of the Wekiva Study Area; creating s. 369.317,
13 F.S.; defining the Wekiva Parkway; specifying guiding
14 principles for construction of the parkway and location of
15 interchanges; requiring acquisition of right-of-way prior
16 to commencement of construction; requiring the Seminole
17 County Expressway Authority, the Department of
18 Transportation, and the Florida Turnpike Enterprise to
19 locate the parkway corridor and interchanges in Seminole
20 County consistent with the intent of the act; authorizing
21 the Department of Transportation to acquire and exercise
22 the power of eminent domain with regard to identified
23 lands; providing purposes for the acquisition of certain

24 | lands; providing that title to lands acquired under s.
25 | 369.316, F.S., shall vest in the state; providing for
26 | transfer of certain lands not needed for the parkway to
27 | the Board of Trustees of the Internal Improvement Trust
28 | Fund; providing for certain uses of said lands; requiring
29 | cooperation and establishment of funding responsibilities
30 | and partnerships between certain land-acquisition
31 | entities; providing appropriations; creating s. 369.318,
32 | F.S.; requiring certain studies relating to water quality
33 | and wastewater treatment standards to be conducted by the
34 | Department of Environmental Protection, the Department of
35 | Health, and the Department of Agriculture and Consumer
36 | Services; providing for rulemaking; requiring a report to
37 | the Governor and the Department of Community Affairs;
38 | requiring the St. Johns River Water Management District to
39 | initiate rulemaking with regard to recharge criteria;
40 | requiring the district to provide certain information and
41 | establish certain goals with regard to Rock Springs,
42 | Wekiwa Springs, and the Wekiva Study Area; creating s.
43 | 369.319, F.S.; requiring local governments within the
44 | Wekiva Study Area to develop a master stormwater
45 | management plan and a water reuse and irrigation program;
46 | creating s. 369.320, F.S.; requiring local governments in
47 | specified areas to develop a wastewater facility plan;
48 | creating s. 369.321, F.S.; requiring local governments to
49 | amend their comprehensive plans for certain purposes and
50 | specifying a date certain for implementation thereof;
51 | creating s. 369.322, F.S.; providing for coordination of

52 | land use and water supply within the Wekiva Study Area;
 53 | creating s. 369.323, F.S.; requiring the Department of
 54 | Community Affairs to review comprehensive plans and
 55 | amendments thereto for compliance; creating s. 369.324,
 56 | F.S.; creating the Wekiva River Basin Commission;
 57 | providing for membership, meetings, and duties; providing
 58 | that the East Central Florida Regional Planning Council,
 59 | in coordination with applicable regional and state
 60 | agencies, shall serve as a clearinghouse of baseline or
 61 | specialized studies; requiring a report to the Governor,
 62 | Legislature, and Department of Community Affairs; amending
 63 | s. 163.3184, F.S.; revising the definition of the term "in
 64 | compliance" to include the provisions of pt. III of ch.
 65 | 369, F.S.; providing for future repeal of the act under
 66 | certain circumstances; providing an effective date.

67 |
 68 | WHEREAS, the Wekiva River System and its associated
 69 | springshed areas are of irreplaceable value to the quality of
 70 | life and the well-being of the people of the State of Florida,
 71 | and

72 | WHEREAS, protection of the surface water and groundwater
 73 | resources, including recharge within the springshed that
 74 | provides for the Wekiva River System, is crucial to the long-
 75 | term viability of the Wekiva River and Wekiwa Springs and the
 76 | central Florida region's water supply, and

77 | WHEREAS, construction of the Wekiva Parkway and other
 78 | roadway improvements to the west of the Wekiva River System will
 79 | add to the pressures for growth and development already

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80 affecting the surface water and groundwater resources within the
81 recharge area, NOW, THEREFORE,

82

83 Be It Enacted by the Legislature of the State of Florida:

84

85 Section 1. Part III of chapter 369, Florida Statutes,
86 consisting of sections 369.314, 369.315, 369.316, 369.317,
87 369.318, 369.319, 369.320, 369.321, 369.322, 369.323, and
88 369.324, is created to read:

89

PART III

90

WEKIVA STUDY AREA AND WEKIVA PARKWAY ACT

91

369.314 Popular name.--This act shall be known by the
92 popular name the "Wekiva Study Area and Wekiva Parkway Act."

93

369.315 Legislative findings and intent.--

94

(1) The Legislature finds that, in general, Florida
95 springs, whether found in urban or rural settings, public parks,
96 or private lands, are threatened by actual and potential flow
97 reductions and declining water quality. As a result of climate
98 patterns and population changes, over the past 30 years many of
99 Florida's springs may have begun to exhibit signals of distress,
100 including increasing nutrient loading and lowered water flow.
101 The groundwater that feeds springs is recharged by seepage from
102 the surface and through direct conduits such as sinkholes.

103

(2) The Legislature further finds that springs and
104 groundwater once damaged by overuse can be restored through good
105 stewardship, including effective planning strategies and best
106 management practices to preserve and protect springs and their
107 springsheds. Prudent land use planning decisions can protect and

108 improve the quality and quantity of springs and groundwater, as
 109 well as the upland resources of springsheds. Managing land use
 110 types and the allowable density and intensity of areas of
 111 development, followed by specific site planning to further
 112 minimize impacts, is an important goal.

113 (3) It is the intent of the Legislature that the
 114 recommendations of the Wekiva River Basin Coordinating Committee
 115 as stated in its final report dated March 16, 2004, be taken and
 116 implemented to achieve the objective of improving and ensuring
 117 protection of surface water and groundwater resources.
 118 Coordination of local comprehensive plans and the regional water
 119 supply plan is important for protection of water resources and
 120 to promote the continuity of effective planning and development.

121 (4) It is not the intent of the Legislature to place an
 122 undue burden on local governments within the Wekiva Study Area.

123 369.316 Wekiva Study Area.--The Wekiva Study Area shall
 124 consist of a portion of Lake, Orange, and Seminole Counties,
 125 Florida, being more particularly described as follows:

126
 127 Begin at the northwest corner of Section 6, Township
 128 18 South, Range 28 East, Lake County, Florida, said
 129 corner lying on the north line of Township 18 South;
 130 thence Easterly along said north line of Township 18
 131 South to the northeast corner of Section 5, Township
 132 18 South, Range 29 East; thence Southerly along the
 133 east line of said Section 5 to the northeast corner of
 134 Section 8, Township 18 South, Range 29 East; thence
 135 Southerly along the east line of said Section 8 to the

136 northeast corner of Section 17, Township 18 South,
 137 Range 29 East; thence Southerly along the east line of
 138 said Section 17 to the northeast corner of Section 20,
 139 Township 18 South, Range 29 East; thence Southerly
 140 along the east line of said Section 20 to the
 141 northeast corner of Section 29, Township 18 South,
 142 Range 29 East; thence Southerly along the east line of
 143 said Section 29 to the northeast corner of Section 32,
 144 Township 18 South, Range 29 East; thence Southerly
 145 along the east line of said Section 32 to the
 146 southeast corner thereof, said corner lying on the
 147 south line of Township 18 South; thence Easterly along
 148 the south line of said Township 18 South to an
 149 intersection with the east line of Range 29 East;
 150 thence Southerly along the east line of said Range 29
 151 East to the southeast corner of Section 24, Township
 152 21 South, Range 29 East; thence Westerly along the
 153 south line of said Section 24 to the southeast corner
 154 of Section 23, Township 21 South, Range 29 East;
 155 thence Westerly along the south line of said Section
 156 23 to an intersection with the centerline of
 157 Interstate Highway No. 4; thence generally Southerly
 158 along the centerline of Interstate Highway No. 4 to an
 159 intersection with the south line of Section 13,
 160 Township 22 South, Range 29 East; thence Westerly
 161 along the south line of said Section 13 to the
 162 southeast corner of Section 14, Township 22 South,
 163 Range 29 East; thence Westerly along the south line of

164 said Section 14 to the southeast corner of Section 15,
 165 Township 22 South, Range 29 East; thence Westerly
 166 along the south line of said Section 15 to the
 167 northeast corner of Section 21, Township 22 South,
 168 Range 29 East; thence Southerly along the east line of
 169 said Section 21 to an intersection with the centerline
 170 of State Road No. 50; thence Westerly along the
 171 centerline of said State Road No. 50 to the northeast
 172 corner of Section 30, Township 22 South, Range 28
 173 East; thence Southerly along the east line of said
 174 Section 30 to the northeast corner of Section 31,
 175 Township 22 South, Range 28 East; thence Southerly
 176 along the east line of said Section 31 to the
 177 southeast corner thereof, said corner lying on the
 178 south line of Township 22 South; thence Westerly along
 179 said south line of Township 22 South to the northeast
 180 corner of Section 2, Township 23 South, Range 27 East;
 181 thence Southerly along the east line of said Section 2
 182 to the northeast corner of Section 11, Township 23
 183 South, Range 27 East; thence Southerly along the east
 184 line of said Section 11 to the southeast corner
 185 thereof; thence Westerly along the south line of said
 186 Section 11 to the southeast corner of Section 10,
 187 Township 23 South, Range 27 East; thence Westerly
 188 along the south line of said Section 10 to the
 189 southeast corner of Section 9, Township 23 South,
 190 Range 27 East; thence Westerly along the south line of
 191 said Section 9 to the southeast corner of Section 8,

192 Township 23 South, Range 27 East; thence Westerly
 193 along the south line of said Section 8 to the
 194 southeast corner of Section 7, Township 23 South,
 195 Range 27 East; thence Westerly along the south line of
 196 said Section 7 to the southwest corner thereof, said
 197 corner lying on the line of demarcation between Orange
 198 County and Lake County; thence generally Northerly and
 199 along said county line to the northeast corner of
 200 Section 12, Township 20 South, Range 26 East,
 201 said corner lying on the east line of Range 26 East;
 202 thence generally Northerly and along said east line of
 203 Range 26 East to the southeast corner of Section 24,
 204 Township 19 South, Range 26 East; thence Westerly
 205 along the south line of said Section 24 to the
 206 southeast corner of Section 23, Township 19 South,
 207 Range 26 East; thence Westerly along the south line of
 208 said Section 23 to the southwest corner thereof;
 209 thence Northerly along the west line of said Section
 210 23 to the southwest corner of Section 14, Township 19
 211 South, Range 26 East; thence Northerly along the west
 212 line of said Section 14 to the southwest corner of
 213 Section 11, Township 19 South, Range 26 East; thence
 214 generally Northeasterly to the southwest corner of
 215 Section 1, Township 19 South, Range 26 East; thence
 216 generally Northeasterly to the southwest corner of
 217 Section 31, Township 18 South, Range 27 East; thence
 218 generally Northeasterly to the southwest corner of
 219 Section 29, Township 18 South, Range 27 East; thence

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220 generally Northeasterly to the northwest corner of
 221 Section 28, Township 18 South, Range 27 East; thence
 222 Easterly along the north line of said Section 28 to
 223 the northwest corner of Section 27, Township 18 South,
 224 Range 27 East; thence Easterly along the north line of
 225 said Section 27 to the northwest corner of Section 26,
 226 Township 18 South, Range 27 East; thence Easterly
 227 along the north line of said Section 26 to the
 228 northwest corner of Section 25, Township 18 South,
 229 Range 27 East; thence Easterly along the north line of
 230 said Section 25 to an intersection with the west line
 231 of Range 28 East; thence Northerly along the west line
 232 of said Range 28 East to the northwest corner of
 233 Section 6, Township 18 South, Range 28 East, and the
 234 Point of Beginning.

235
 236 369.317 Wekiva Parkway.--

237 (1) The "Wekiva Parkway" means a limited access highway or
 238 expressway constructed between State Road 429 and Interstate 4
 239 or State Road 417 specifically incorporating the corridor
 240 alignment recommended by Recommendation 2 of the Wekiva River
 241 Basin Area Task Force final report dated January 15, 2003.

242 (2) The following guiding principles shall be used for the
 243 Wekiva Parkway design and construction:

244 (a) The expressway shall be a limited access expressway
 245 with few interchanges and will not replace State Road 46 in Lake
 246 County.

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247 (b) Appropriate natural buffers shall be provided between
248 roadways and adjacent areas.

249 (c) The most current, environmentally sound, and practical
250 road construction techniques shall be used throughout
251 strategically important wetlands.

252 (d) Wildlife corridors with barriers to direct wildlife to
253 safe crossing points shall be provided.

254 (e) Stormwater treatment facilities shall minimize habitat
255 loss and promote restoration of impacted sites and ensure
256 capture and treatment of runoff from bridges over Outstanding
257 Florida Waters to meet Outstanding Florida Waters standards.

258 (f) Opportunities to view, understand, and access the
259 environmental uniqueness of the Wekiva River ecosystem shall be
260 provided where practical.

261 (g) Nonintrusive and minimal roadway and bridge lighting
262 in the Wekiva River Protection Area shall be provided to support
263 the conservation of dark skies in the Wekiva River Basin area.

264 (h) Safety and access design features shall be
265 incorporated to promote the continuation of prescribed burning
266 in the Wekiva River Basin area.

267 (3) The number of interchanges located along the Wekiva
268 Parkway shall not exceed five and shall be located as follows:

269 (a) State Road 429 south of U.S. Highway 441.

270 (b) U.S. Highway 441.

271 (c) Between U.S. Highway 441 and State Road 46.

272 (d) State Road 46.

273 (e) Interstate 4 or State Road 417.

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274 (4) The construction of the Wekiva Parkway or State Road
 275 429 north of U.S. Highway 441 shall not commence until the
 276 right-of-way for the Wekiva Parkway is acquired from State Road
 277 46 in Lake County to Interstate 4 or State Road 417 in Seminole
 278 County.

279 (5) In Seminole County, the Seminole County Expressway
 280 Authority, the Department of Transportation, and the Florida
 281 Turnpike Enterprise shall locate the precise corridor and
 282 interchanges for the Wekiva Parkway consistent with the
 283 legislative intent expressed in this act.

284 (6) The Department of Transportation is specifically
 285 granted the authority to acquire and to exercise the power of
 286 eminent domain to condemn all necessary lands, property, and all
 287 interests in property identified herein, including fee-simple or
 288 less-than-fee-simple interests, including, but not limited to,
 289 all rights and interests set forth in s. 337.27(1). The lands
 290 subject to this authority are identified in paragraph 10.a.,
 291 State of Florida, Office of the Governor, Executive Order 03-112
 292 of July 1, 2003, and in Task Force Recommendation 16 of the
 293 Wekiva River Basin Area Task Force created by Executive Order
 294 2002-259, such lands otherwise known as Neighborhood Lakes, a
 295 1,587 +/- acre parcel located in Orange and Lake Counties within
 296 Sections 27, 28, 33 and 34 of Township 19 South, Range 28 East,
 297 and Sections 3, 4, 5 and 9 of Township 20 South, Range 28 East;
 298 Seminole Woods/Swamp, a 5,353.2 +/- acre parcel located in Lake
 299 County within Section 37, Township 19 South, Range 28 East; New
 300 Garden Coal, a 1,605 +/- acre parcel in Lake County within
 301 Sections 23, 25, 26, 35 and 36, Township 19 South, Range 28

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302 East; Pine Plantation, a 617 +/- acre tract consisting of eight
 303 (8) individual parcels within the Apopka City limits. The
 304 Department of Transportation shall act as the lead agency in the
 305 acquisition of these properties, and the Department of
 306 Environmental Protection, the Department of Community Affairs,
 307 the St. John's River Water Management District, the Orlando-
 308 Orange County Expressway Authority, and other land-acquisition
 309 entities shall participate and cooperate in providing
 310 information and support to the lead agency.

311 (a) Acquisition of the lands described in this section is
 312 required to provide right-of-way for the Wekiva Parkway, a
 313 limited access roadway linking State Road 429 to Interstate 4 or
 314 State Road 417, an essential component in meeting regional
 315 transportation needs to provide regional connectivity, improve
 316 safety, accommodate projected population and economic growth,
 317 and satisfy critical transportation requirements caused by
 318 growth in traffic volume and increased travel demands.

319 (b) Acquisition of the lands described in this section is
 320 also required to protect the surface water and groundwater
 321 resources of Lake, Orange, and Seminole Counties, otherwise
 322 known as the Wekiva Study Area, including recharge within the
 323 springshed that provides for the Wekiva River system. Protection
 324 of this area is crucial to the long-term viability of the Wekiva
 325 River and Wekiwa Springs and the central Florida region's water
 326 supply. Acquisition of the lands described in s. 369.316 is also
 327 necessary to alleviate pressure for growth and development which
 328 could possibly affect the surface water and groundwater
 329 resources within the recharge area.

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330 (c) Title to all lands acquired under this section shall
331 vest in the state.

332 (d) Acquisition by the Department of Transportation of the
333 lands described in s. 369.316 that are not needed for the Wekiva
334 Parkway shall be transferred to the Board of Trustees of the
335 Internal Improvement Trust Fund for management as conservation
336 lands pursuant to ss. 253.034 and 259.032. However, the
337 Department of Transportation is authorized to utilize such lands
338 acquired with its own funds, or with acquisition services
339 provided at its cost, on a pro rata basis to the total acreage
340 acquired, as mitigation credits for potential future impacts
341 associated with the Wekiva Parkway or other regionally
342 significant roadways. With the exception of the transportation
343 use for the Wekiva Parkway, uses of the property acquired shall
344 be limited to traditional conservation uses appropriate for land
345 acquisition for the Florida Forever program as created by s.
346 259.105.

347 (7) The Department of Transportation, the Department of
348 Environmental Protection, the St. Johns River Water Management
349 District, the Orlando-Orange County Expressway Authority, and
350 other land-acquisition entities shall cooperate and establish
351 funding responsibilities and partnerships by agreement to the
352 extent funds are available to the various entities. The
353 Department of Transportation shall acquire land in accordance
354 with this section to the extent funds are available from the
355 various funding partners but shall not be required nor assumed
356 to fund the land acquisition beyond the agreement and funding
357 provided by the various land-acquisition entities.

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358 (8) For fiscal year 2004-2005, there is appropriated to
 359 the Department of Community Affairs the sum of \$7,750,000 from
 360 the General Revenue Fund to fund the cost to impacted cities of
 361 comprehensive land use amendments, and \$4,000,000 to the
 362 Department of Environmental Protection for the implementation of
 363 wastewater collection facilities for the residential communities
 364 in Seminole County on Wekiva Park Drive and in the Wekiva River
 365 Oaks subdivision, and in Lake County in the residential
 366 community known as Wekiva Falls east of and on Wekiva River
 367 Road.

368 369.318 Studies; rulemaking.--

369 (1) The Department of Environmental Protection shall study
 370 the efficacy and applicability of water quality and wastewater
 371 treatment standards needed to achieve nitrogen reductions
 372 protective of water quality within the Wekiva Study Area and
 373 report to the Governor and the Department of Community Affairs
 374 no later than December 1, 2004. Based on the December 2004
 375 report, the Department of Environmental Protection shall, by
 376 March 1, 2005, initiate rulemaking to achieve nitrogen
 377 reductions protective of water quality or recommend legislation
 378 that grants any additional statutory authority needed to
 379 implement the report recommendations.

380 (2) The Department of Health, in coordination with the
 381 Department of Environmental Protection, shall study the efficacy
 382 and applicability of onsite disposal system standards needed to
 383 achieve nitrogen reductions protective of water quality within
 384 the Wekiva Study Area and report to the Governor and the
 385 Department of Community Affairs no later than December 1, 2004.

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386 Based on the December 2004 report, the Department of Health
387 shall, by March 1, 2005, initiate rulemaking to achieve nitrogen
388 reductions protective of water quality or recommend legislation
389 that grants any additional statutory authority needed to
390 implement the report recommendations. The study shall consider:

391 (a) For new developments and any existing development
392 within the Wekiva River Protection Area using onsite disposal
393 systems, a more stringent level of wastewater treatment,
394 including the use of multiple tanks to combine aerobic and
395 anaerobic treatment to reduce the level of nitrates.

396 (b) The implementation of a septic tank maintenance and
397 inspection program that includes upgrading certain onsite
398 disposal systems permitted prior to 1982 to meet minimum
399 Department of Health standards, replacement of failing systems
400 and systems not meeting current standards, and providing funding
401 mechanisms for supporting a septic tank inspection and
402 maintenance program.

403 (3)(a) The St. Johns River Water Management District shall
404 initiate rulemaking to apply the recharge criteria set forth in
405 Rule 40C-41.063(3), Florida Administrative Code, to the most
406 effective recharge areas within the Wekiva Study Area. In
407 addition, the St. Johns River Water Management District shall,
408 in conjunction with the Department of Environmental Protection,
409 study the recharge volume conditions in the Wekiva Study Area
410 and make recommendations to implement new standards to provide
411 that postdevelopment recharge volume conditions approximate
412 predevelopment recharge volume conditions. By March 1, 2005, the
413 St. Johns River Water Management District shall initiate

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414 rulemaking to implement new standards to provide that
415 postdevelopment recharge volume conditions approximate
416 predevelopment recharge volume conditions.

417 (b) By December 1, 2007, the St. Johns River Water
418 Management District shall update the minimum flows and levels
419 for Rock Springs and Wekiwa Springs. Further, the district shall
420 revise the consumptive use permit thresholds in the Wekiva Study
421 Area to address proposed water withdrawals above 50,000 gallons
422 per day. Revisions to the consumptive use thresholds shall
423 provide for a general permit, if possible, and include a
424 transition period that allows continued access to the water
425 supply for users that were not previously subject to the
426 permitting process.

427 (c) By December 1, 2005, the St. Johns River Water
428 Management District shall establish pollution load reduction
429 goals for the Wekiva Study Area to assist the Department of
430 Environmental Protection in adopting total maximum daily loads
431 for the Wekiva Study Area by December 1, 2006.

432 (4) The Department of Agriculture and Consumer Services
433 shall be the lead agency in coordinating the reduction of
434 agricultural nonpoint sources of pollution. The Department of
435 Agriculture and Consumer Services shall study, and, if
436 necessary, initiate rulemaking to implement, new or revised best
437 management practices for improving and protecting water bodies,
438 including those basins with impaired water bodies addressed by
439 the Clean Water Act's Total Maximum Daily Loads Program.

440 369.319 Master stormwater management plan.--Each local
441 government within the Wekiva Study Area shall develop a master

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442 stormwater management plan that assesses existing problems and
443 deficiencies in the community, identifies projects to meet long-
444 range needs, establishes priorities to address existing
445 deficiencies, establishes measures to address redevelopment,
446 establishes a schedule to complete needed improvements,
447 evaluates the feasibility of stormwater reuse, and includes
448 requirements for inspection and maintenance of facilities. The
449 plan shall also identify a funding source, such as a stormwater
450 utility fee, to fund implementation of the plan and maintenance
451 program. In addition, the local government shall establish a
452 water reuse and irrigation program that allows for reuse of
453 stormwater to minimize pumpage of groundwater for nonpotable
454 usage.

455 369.320 Wastewater facility plan.--Within joint planning
456 areas and utility service areas where central wastewater systems
457 are not readily available, local governments shall develop a
458 wastewater facility plan. The facility plan shall include the
459 delineation of areas within the utility service area that are to
460 be served by central facilities within 5 years, a financially
461 feasible schedule of improvements, an infrastructure work plan
462 to build the facilities needed to implement the facility plan,
463 including those needed to meet enhanced treatment standards
464 adopted by the Department of Environmental Protection, and a
465 phase-out of existing onsite septic tank systems where central
466 facilities are available. The facility plan shall also include a
467 long-range component that addresses service of the joint
468 planning area or utility service area. In addition, local
469 governments shall establish a water reuse program that allows

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470 for reuse of reclaimed water to minimize pumpage of groundwater
 471 for nonpotable usage. For those basins in which the Clean Water
 472 Act's Total Maximum Daily Loads Program requires reductions in
 473 point source pollutants or as required by legislation for
 474 enhanced treatment standards, local governments shall update
 475 their wastewater facility plans.

476 369.321 Comprehensive plan amendments.--

477 (1) By January 1, 2006, each local government within the
 478 Wekiva Study Area shall amend its local government comprehensive
 479 plan, including the capital improvements element, to include the
 480 following:

481 (a) An interchange land use plan for local governments
 482 within the boundaries of which an interchange is planned to be
 483 located. Each interchange land use plan shall address
 484 appropriate land uses and compatibility, secondary road access,
 485 access management, right-of-way protection, vegetation
 486 protection and water-conserving landscaping, and the height and
 487 appearance of structures and signage.

488 (b) The appropriate elements to ensure implementation of a
 489 master stormwater management plan.

490 (c) The appropriate elements to ensure implementation of a
 491 wastewater facility plan.

492 (d) Land use strategies that optimize open space and
 493 promote a pattern of development on a jurisdiction-wide basis
 494 that protects the most effective recharge areas, karst features,
 495 and sensitive natural habitats, including Sand Hill Scrub, Sand
 496 Pine Scrub, and Xeric Oak Scrub. Such strategies shall recognize
 497 property rights and the varying circumstances within the Wekiva

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498 Study Area, including rural and urban land use patterns. Local
 499 comprehensive plans shall map, using the best available data
 500 from the St. Johns River Water Management District and the
 501 Florida Fish and Wildlife Conservation Commission, the most
 502 effective recharge areas and sensitive upland habitats for this
 503 purpose. Land use strategies that optimize open space may
 504 include, but are not limited to:

- 505 1. Coordinated greenway plans.
- 506 2. Dedication of conservation easements.
- 507 3. Land acquisition.
- 508 4. Clustering of development.
- 509 5. Density credits and density incentives that result in
 510 permanent protection of open space.
- 511 6. An up-to-date 10-year water supply facility work plan
 512 for building potable water facilities necessary to serve
 513 existing and new developments and for which the local government
 514 is responsible.

515 (2) Land use strategies adopted under this section should
 516 encourage the use of planned development initiatives and
 517 encourage economically sustainable growth.

518 (3) Comprehensive plans and comprehensive plan amendments
 519 adopted by local governments to implement this section shall be
 520 reviewed by the Department of Community Affairs pursuant to s.
 521 163.3184 and shall be exempt from the provisions of s.
 522 163.3187(1).

523 (4) By January 1, 2007, each local government located
 524 within the Wekiva Study Area shall adopt land development

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525 regulations to implement the comprehensive plan amendments
526 required by this section.

527 (5) During the period prior to the adoption of the
528 comprehensive plan amendments required by this act, any local
529 comprehensive plan amendment adopted by a city or county that
530 applies to land located within the Wekiva Study Area shall
531 protect surface water and groundwater resources and be reviewed
532 by the Department of Community Affairs, pursuant to Rule 9J-5,
533 Florida Administrative Code, using the best available data,
534 including the information presented to the Wekiva River Basin
535 Coordinating Committee.

536 369.322 Coordination of land use and water supply within
537 the Wekiva Study Area.--

538 (1) In their review of local government comprehensive plan
539 amendments for property located within the Wekiva Study Area
540 pursuant to s. 163.3184, the Department of Community Affairs and
541 the St. Johns River Water Management District shall ensure that
542 amendments that increase development potential demonstrate that
543 adequate potable water consumptive use permit capacity is
544 available.

545 (2) Local governments located within the Wekiva Study Area
546 shall coordinate with the St. Johns River Water Management
547 District and other public and private utilities, on a countywide
548 or multi-countywide basis, to implement cooperative solutions
549 for development of alternative water sources necessary to
550 supplement groundwater supplies consistent with the St. Johns
551 River Water Management District Regional Water Supply Plan.

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552 369.323 Compliance.--Comprehensive plans and comprehensive plan
 553 amendments adopted by the local governments shall be reviewed
 554 for compliance by the Department of Community Affairs.

555 369.324 Wekiva River Basin Commission.--

556 (1) The Wekiva River Basin Commission is created to
 557 monitor and ensure the implementation of state, regional, and
 558 local efforts with regard to the recommendations of the Wekiva
 559 River Basin Coordinating Committee for the Wekiva Study Area.
 560 The East Central Florida Regional Planning Council shall provide
 561 staff support to the commission, and the Department of Community
 562 Affairs shall provide funding assistance. The commission shall
 563 be composed of a total of 19 members appointed by the Governor,
 564 9 of whom shall be voting members and 10 of whom shall be ad hoc
 565 nonvoting members.

566 (a) The voting members shall include:

567 1. One member of each of the Boards of County
 568 Commissioners for Lake, Orange, and Seminole Counties.

569 2. One municipal elected official to serve as a
 570 representative of the municipalities located within the study
 571 area of Lake County.

572 3. One municipal elected official to serve as a
 573 representative of the municipalities located within the study
 574 area of Orange County.

575 4. One municipal elected official to serve as a
 576 representative of the municipalities located within the study
 577 area of Seminole County.

578 5. One citizen representing an environmental organization,
 579 a conservation organization, or an agricultural entity, one

580 citizen representing a local property owner, and one at-large
 581 citizen who shall serve as chair of the council.

582 (b) The ad hoc nonvoting members shall include one
 583 representative from each of the following entities:

- 584 1. St. Johns River Water Management District.
- 585 2. Department of Community Affairs.
- 586 3. Department of Environmental Protection.
- 587 4. Department of Health.
- 588 5. Department of Agriculture and Consumer Services.
- 589 6. Florida Fish and Wildlife Conservation Commission.
- 590 7. Department of Transportation.
- 591 8. MetroPlan Orlando.
- 592 9. Orlando-Orange County Expressway Authority.
- 593 10. Seminole County Expressway Authority.

594 (2) Voting members shall serve 3-year, staggered terms and
 595 shall serve without compensation but shall serve at the expense
 596 of the entity they represent.

597 (3) Meetings of the commission shall be held in Lake
 598 County, Orange County, or Seminole County at the call of the
 599 chair; however, the commission shall meet at least twice a year.

600 (4) To assist the commission in its mission, the East
 601 Central Florida Regional Planning Council, in coordination with
 602 the applicable regional and state agencies, shall serve as a
 603 clearinghouse of baseline or specialized studies through
 604 modeling and simulation, including collecting and disseminating
 605 data on the demographics, economics, and environment of the
 606 Wekiva Study Area including the changing conditions of the

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607 Wekiva River surface water and groundwater basin and associated
608 influence on the Wekiva River and Wekiwa Springs.

609 (5) The commission shall report annually, no later than
610 December 31, to the Governor, the President of the Senate, the
611 Speaker of the House of Representatives, and the Department of
612 Community Affairs on the progress of the implementation of the
613 recommendations of the Wekiva River Basin Coordinating
614 Committee.

615 Section 2. Paragraph (b) of subsection (1) of section
616 163.3184, Florida Statutes, is amended to read:

617 163.3184 Process for adoption of comprehensive plan or plan
618 amendment.--

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

620 (b) "In compliance" means consistent with the requirements
621 of ss. 163.3177, 163.31776, when a local government adopts an
622 educational facilities element, 163.3178, 163.3180, 163.3191,
623 and 163.3245, with the state comprehensive plan, with the
624 appropriate strategic regional policy plan, ~~and~~ with chapter 9J-
625 5, Florida Administrative Code, where such rule is not
626 inconsistent with this part and with the principles for guiding
627 development in designated areas of critical state concern, and
628 with part III of chapter 369 where applicable.

629 Section 3. This act shall be repealed July 1, 2009, unless
630 the purchase of the right-of-way for the Wekiva Parkway has been
631 completed.

632 Section 4. This act shall take effect upon becoming a law.