



1 establishment of minimum flows and levels for surface  
2 watercourses, aquifers, and surface waters within the  
3 district. The priority list shall also identify those water  
4 bodies for which the district will voluntarily undertake  
5 independent scientific peer review.

6 (b) By January 1, 1998, and annually thereafter, each  
7 water management district shall publish its approved priority  
8 list and schedule in the Florida Administrative Weekly. The  
9 priority list shall be based upon the importance of the waters  
10 to the state or region and the existence of or potential for  
11 significant harm to the water resources or ecology of the  
12 state or region, and shall include those waters which are  
13 experiencing or may reasonably be expected to experience  
14 adverse impacts.

15 (c) By January 1, 2003, each water management  
16 district's priority list and schedule shall include all first  
17 magnitude springs, and all second magnitude springs within  
18 state or federally owned lands purchased for conservation  
19 purposes. The specific schedule for establishment of spring  
20 minimum flows and levels shall be commensurate with the  
21 existing or potential threat to spring flow from consumptive  
22 uses. ~~Springs within the Suwannee River Water Management~~  
23 ~~District, or second magnitude springs in other areas of the~~  
24 ~~state, need not be included on the priority list if the water~~  
25 ~~management district submits a report to the Department of~~  
26 ~~Environmental Protection demonstrating that adverse impacts~~  
27 ~~are not now occurring nor are reasonably expected to occur~~  
28 ~~from consumptive uses during the next 20 years.~~ The priority  
29 list and schedule shall not be subject to any proceeding  
30 pursuant to chapter 120.

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1           (d) By January 1, 2008, the Suwannee River Water  
2 Management District and the Southwest Florida Water Management  
3 District must establish minimum flows and levels for all first  
4 and second magnitude springs remaining on their respective  
5 priority lists on the effective date of this act. Minimum  
6 flows and levels established under this paragraph are not  
7 subject to the independent peer-review provisions of this  
8 section. A minimum flow or level established under this  
9 paragraph shall take effect even if a substantially affected  
10 person files a petition for an administrative hearing under  
11 chapter 120 challenging the establishment of the minimum flow  
12 or level.

13           (e) Except as provided in subsection (3), the  
14 development of a priority list and compliance with the  
15 schedule for the establishment of minimum flows and levels  
16 pursuant to this subsection shall satisfy the requirements of  
17 subsection (1).

18           Section 2. Subsection (12) is added to section 373.59,  
19 Florida Statutes, to read:

20           373.59 Water Management Lands Trust Fund.--

21           (12) Notwithstanding the provisions of this section,  
22 in the 2005-2006 and 2006-2007 fiscal years, the Suwannee  
23 River Water Management District and the Southwest Florida  
24 Water Management District may each use not more than \$4  
25 million per year of moneys allocated to the respective  
26 districts from the Water Management Lands Trust Fund,  
27 including any unused portion and interest earnings on those  
28 moneys, for the purposes of establishing minimum flows or  
29 levels for first and second magnitude springs pursuant to s.  
30 370.042(2)(d).

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1           Section 3. This act shall take effect upon becoming a  
2 law.

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4                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
5                                COMMITTEE SUBSTITUTE FOR  
6                                Senate Bill 2368

7 The committee substute deletes a provision that the springs  
8 within the Suwannee River Water Management District and second  
9 magnitude springs in other areas of the state need not be  
10 included on the water management district's minimum flows and  
11 levels priority list under certain conditions.

12 Provides that by January 1, 2008, the Suwannee River Water  
13 Management District and the Southwest Florida Water Management  
14 District must establish minimum flows and levels for all first  
15 and second magnitude springs remaining on their respective  
16 priority lists on the effective date of the bill. Such minimum  
17 flows and levels are not subject to independent peer review. A  
18 minimum flow or level shall take effect even if a  
19 substantially affected person files a petition for an  
20 administrative hearing under ch. 120, F.S.

21 For the next 2 fiscal years, the Suwannee River Water  
22 Management District and the Southwest Florida Water Management  
23 District may each use not more than \$4 million per year of  
24 certain specified moneys for the establishment of minimum  
25 flows and levels for first and second magnitude springs.  
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