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A bill to be entitled  
 An act relating to water management district planning and reporting; amending s. 373.036, F.S.; authorizing submission of a strategic plan and associated reports in lieu of other district water management plan information and providing requirements therefor; requiring water management districts to submit a consolidated annual report and providing requirements therefor; correcting a cross reference; amending ss. 11.80, 163.3177, 193.625, 373.0397, 373.042, 373.145, 373.1961, 373.199, 373.207, 373.414, 373.4592, 373.45926, 373.4595, 373.470, and 373.536, F.S.; revising certain reporting requirements and cross references to conform; directing the Department of Environmental Protection to recommend to the Governor and Legislature additional changes to or consolidation of planning and reporting requirements of ch. 373, F.S., relating to water resources; repealing s. 373.0395, F.S., relating to groundwater basin resource availability inventories; providing an effective date.

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

Section 1. Subsection (4) of section 11.80, Florida Statutes, is amended to read:

11.80 Joint Legislative Committee on Everglades Oversight.--

(4) Annually, no later than March ~~January~~ 1, as part of the consolidated annual report required by s. 373.036(7), the

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29 South Florida Water Management District shall report to the  
 30 Joint Legislative Committee on Everglades Oversight on the  
 31 status of the implementation of the Everglades Forever Act. Such  
 32 report shall include, but is not limited to:

- 33 (a) Progress on the Everglades Construction Project.
- 34 (b) Changes to the Everglades Construction Project.
- 35 (c) Actual revenues, compared to projected revenues.
- 36 (d) Projected acquisition costs, construction costs,  
 37 operation and maintenance costs, and projected revenues, over  
 38 the succeeding 5 years.

39 Section 2. Paragraph (c) of subsection (6) of section  
 40 163.3177, Florida Statutes, is amended to read:

41 163.3177 Required and optional elements of comprehensive  
 42 plan; studies and surveys.--

43 (6) In addition to the requirements of subsections (1)-  
 44 (5), the comprehensive plan shall include the following  
 45 elements:

- 46 (c) A general sanitary sewer, solid waste, drainage,  
 47 potable water, and natural groundwater aquifer recharge element  
 48 correlated to principles and guidelines for future land use,  
 49 indicating ways to provide for future potable water, drainage,  
 50 sanitary sewer, solid waste, and aquifer recharge protection  
 51 requirements for the area. The element may be a detailed  
 52 engineering plan including a topographic map depicting areas of  
 53 prime groundwater recharge. The element shall describe the  
 54 problems and needs and the general facilities that will be  
 55 required for solution of the problems and needs. The element  
 56 shall also include a topographic map depicting any areas adopted

57 | by a regional water management district as prime groundwater  
 58 | recharge areas for the Floridan or Biscayne aquifers, ~~pursuant~~  
 59 | ~~to s. 373.0395~~. These areas shall be given special consideration  
 60 | when the local government is engaged in zoning or considering  
 61 | future land use for said designated areas. For areas served by  
 62 | septic tanks, soil surveys shall be provided which indicate the  
 63 | suitability of soils for septic tanks. By December 1, 2006, the  
 64 | element must consider the appropriate water management  
 65 | district's regional water supply plan approved pursuant to s.  
 66 | 373.0361. The element must include a work plan, covering at  
 67 | least a 10-year planning period, for building water supply  
 68 | facilities that are identified in the element as necessary to  
 69 | serve existing and new development and for which the local  
 70 | government is responsible. The work plan shall be updated, at a  
 71 | minimum, every 5 years within 12 months after the governing  
 72 | board of a water management district approves an updated  
 73 | regional water supply plan. Amendments to incorporate the work  
 74 | plan do not count toward the limitation on the frequency of  
 75 | adoption of amendments to the comprehensive plan.

76 | Section 3. Paragraph (b) of subsection (3) of section  
 77 | 193.625, Florida Statutes, is amended to read:

78 | 193.625 High-water recharge lands; classification and  
 79 | assessment.--

80 | (3)

81 | (b) Subject to the restrictions set out in this section,  
 82 | only lands that are used primarily for bona fide high-water  
 83 | recharge purposes may be classified as high-water recharge. The  
 84 | term "bona fide high-water recharge purposes" means good faith

85 high-water recharge use of the land. In determining whether the  
 86 use of the land for high-water recharge purposes is bona fide,  
 87 the following factors apply:

88 1. The land use must have been continuous.

89 2. The land use must be vacant residential, vacant  
 90 commercial, vacant industrial, vacant institutional,  
 91 nonagricultural, or single-family residential. The maintenance  
 92 of one single-family residential dwelling on part of the land  
 93 does not in itself preclude a high-water recharge  
 94 classification.

95 3. The land must be located within a prime groundwater  
 96 recharge area ~~established in accordance with s. 373.0395~~ or in  
 97 an area considered by the appropriate water management district  
 98 to supply significant groundwater recharge. Significant  
 99 groundwater recharge shall be assessed by the appropriate water  
 100 management district on the basis of hydrologic characteristics  
 101 of the soils and underlying geologic formations.

102 4. The land must not be receiving any other special  
 103 classification.

104 5. There must not be in the vicinity of the land any  
 105 activity that has the potential to contaminate the ground water,  
 106 including, but not limited to, the presence of:

- 107 a. Toxic or hazardous substances;
- 108 b. Free-flowing saline artesian wells;
- 109 c. Drainage wells;
- 110 d. Underground storage tanks; or

111 e. Any potential pollution source existing on a property  
 112 that drains to the property seeking the high-water recharge  
 113 classification.

114 6. The owner of the property has entered into a contract  
 115 with the county as provided in subsection (5).

116 7. The parcel of land must be at least 10 acres.

117  
 118 Notwithstanding the provisions of this paragraph, the property  
 119 appraiser shall use the best available information on the high-  
 120 water recharge characteristics of lands when making a final  
 121 determination to grant or deny an application for high-water  
 122 recharge assessment for the lands.

123 Section 4. Paragraph (b) of subsection (2) of section  
 124 373.036, Florida Statutes, is amended, paragraph (e) is added to  
 125 said subsection, and subsection (7) is added to said section, to  
 126 read:

127 373.036 Florida water plan; district water management  
 128 plans.--

129 (2) DISTRICT WATER MANAGEMENT PLANS.--

130 (b) The district water management plan shall include, but  
 131 not be limited to:

132 1. The scientific methodologies for establishing minimum  
 133 flows and levels under s. 373.042, and all established minimum  
 134 flows and levels.

135 2. Identification of one or more water supply planning  
 136 regions that singly or together encompass the entire district.

137 3. Technical data and information prepared under s. ss.  
 138 373.0391 ~~and 373.0395~~.

139 4. A districtwide water supply assessment, to be completed  
140 no later than July 1, 1998, which determines for each water  
141 supply planning region:

142 a. Existing legal uses, reasonably anticipated future  
143 needs, and existing and reasonably anticipated sources of water  
144 and conservation efforts; and

145 b. Whether existing and reasonably anticipated sources of  
146 water and conservation efforts are adequate to supply water for  
147 all existing legal uses and reasonably anticipated future needs  
148 and to sustain the water resources and related natural systems.

149 5. Any completed regional water supply plans.

150 (e) At its option, a governing board may substitute an  
151 annual strategic plan and associated reports for the  
152 requirements in paragraphs (a) and (b) to develop a district  
153 water management plan and the district water management plan  
154 annual report required by subparagraph (7)(b)5., provided that  
155 the strategic plan meets the following minimum requirements:

156 1. The strategic plan establishes the water management  
157 district's strategic priorities for at least a future 5-year  
158 period.

159 2. The strategic plan identifies the goals, strategies,  
160 success indicators, funding sources, deliverables, and  
161 milestones to accomplish the strategic priorities.

162 3. The strategic plan development process includes at  
163 least one publicly noticed meeting to allow public participation  
164 in its development.

165 4. The strategic plan includes separately, as an addendum,  
166 an annual work plan report on the implementation of the

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167 strategic plan for the previous fiscal year, addressing success  
168 indicators, deliverables, and milestones.

169 (7) CONSOLIDATED WATER MANAGEMENT DISTRICT ANNUAL  
170 REPORT.--

171 (a) By March 1, 2006, and annually thereafter, each water  
172 management district shall prepare and submit to the department,  
173 the Governor, the President of the Senate, and the Speaker of  
174 the House of Representatives a consolidated water management  
175 district annual report on the management of water resources. In  
176 addition, copies must be provided by the water management  
177 districts to the chairs of all legislative committees having  
178 substantive or fiscal jurisdiction over the districts and the  
179 governing board of each county in the district having  
180 jurisdiction or deriving any funds for operations of the  
181 district. Copies of the consolidated annual report must be made  
182 available to the public, either in printed or electronic format.

183 (b) The consolidated annual report shall contain the  
184 following elements, as appropriate to that water management  
185 district:

186 1. A district water management plan annual report or the  
187 annual strategic plan option provided in paragraph (2)(e).

188 2. The department-approved minimum flows and levels annual  
189 priority list and schedule required by s. 373.042(2).

190 3. The annual 5-year capital improvements plan required by  
191 s. 373.536(6)(a)3.

192 4. The alternative water supplies annual report required  
193 by s. 373.1961(2)(k).

194 5. The final annual 5-year water resource development work

195 program required by s. 373.536(6)(a)4.

196 6. The Florida Forever Water Management District Work Plan  
 197 annual report required by s. 373.199(7).

198 7. The mitigation donation annual report required by s.  
 199 373.414(1)(b)2.

200 (c) Each of the elements listed in paragraph (b) is to be  
 201 addressed in a separate chapter within the consolidated annual  
 202 report, although information common to more than one of these  
 203 elements may be consolidated as deemed appropriate by the  
 204 individual water management district.

205 (d) Each water management district may include in the  
 206 consolidated annual report such additional information on the  
 207 status or management of water resources within the district as  
 208 it deems appropriate.

209 (e) In addition to the elements specified in paragraph  
 210 (b), the South Florida Water Management District shall include  
 211 in the consolidated annual report the following elements:

212 1. The Lake Okeechobee Protection Program annual progress  
 213 report required by s. 373.4595(3)(g).

214 2. The Everglades annual progress reports specified in s.  
 215 373.4592(4)(d)5., (13), and (14).

216 3. The Everglades restoration annual report required by  
 217 s. 373.470(7).

218 4. The Everglades Forever Act annual implementation report  
 219 required by s. 11.80(4).

220 5. The Everglades Trust Fund annual expenditure report  
 221 required by s. 373.45926(3).



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222 Section 5. Section 373.0397, Florida Statutes, is amended  
 223 to read:

224 373.0397 Floridan and Biscayne aquifers; designation of  
 225 prime groundwater recharge areas.--Upon preparation of an  
 226 inventory of prime groundwater recharge areas for the Floridan  
 227 or Biscayne aquifers ~~as a part of the requirements of s.~~  
 228 ~~373.0395(3)~~, but prior to adoption by the governing board, the  
 229 water management district shall publish a legal notice of public  
 230 hearing on the designated areas for the Floridan and Biscayne  
 231 aquifers, with a map delineating the boundaries of the areas, in  
 232 newspapers defined in chapter 50 as having general circulation  
 233 within the area to be affected. The notice shall be at least  
 234 one-fourth page and shall read as follows:

235  
 236 NOTICE OF PRIME RECHARGE  
 237 AREA DESIGNATION  
 238

239 The (name of taxing authority) proposes to designate  
 240 specific land areas as areas of prime recharge to the (name of  
 241 aquifer) Aquifer.

242 All concerned citizens are invited to attend a public  
 243 hearing on the proposed designation to be held on (date and  
 244 time) at (meeting place) .

245 A map of the affected areas follows.

246  
 247 The governing board of the water management district shall adopt  
 248 a designation of prime groundwater recharge areas to the

249 Floridan and Biscayne aquifers by rule within 120 days after the  
 250 public hearing, subject to the provisions of chapter 120.

251 Section 6. Subsection (2) of section 373.042, Florida  
 252 Statutes, is amended to read:

253 373.042 Minimum flows and levels.--

254 (2) By November 15, 1997, and annually thereafter, each  
 255 water management district shall submit to the department for  
 256 review and approval a priority list and schedule for the  
 257 establishment of minimum flows and levels for surface  
 258 watercourses, aquifers, and surface waters within the district.  
 259 The priority list shall also identify those water bodies for  
 260 which the district will voluntarily undertake independent  
 261 scientific peer review. By March 1, 2006 ~~January 1, 1998~~, and  
 262 annually thereafter, each water management district shall  
 263 include ~~publish~~ its approved priority list and schedule in the  
 264 consolidated annual report required by s. 373.036(7) ~~Florida~~  
 265 ~~Administrative Weekly~~. The priority list shall be based upon the  
 266 importance of the waters to the state or region and the  
 267 existence of or potential for significant harm to the water  
 268 resources or ecology of the state or region, and shall include  
 269 those waters which are experiencing or may reasonably be  
 270 expected to experience adverse impacts. ~~By January 1, 2003~~, Each  
 271 water management district's priority list and schedule shall  
 272 include all first magnitude springs, and all second magnitude  
 273 springs within state or federally owned lands purchased for  
 274 conservation purposes. The specific schedule for establishment  
 275 of spring minimum flows and levels shall be commensurate with  
 276 the existing or potential threat to spring flow from consumptive

277 uses. Springs within the Suwannee River Water Management  
278 District, or second magnitude springs in other areas of the  
279 state, need not be included on the priority list if the water  
280 management district submits a report to the Department of  
281 Environmental Protection demonstrating that adverse impacts are  
282 not now occurring nor are reasonably expected to occur from  
283 consumptive uses during the next 20 years. The priority list and  
284 schedule shall not be subject to any proceeding pursuant to  
285 chapter 120. Except as provided in subsection (3), the  
286 development of a priority list and compliance with the schedule  
287 for the establishment of minimum flows and levels pursuant to  
288 this subsection shall satisfy the requirements of subsection  
289 (1).

290 Section 7. Section 373.145, Florida Statutes, is amended  
291 to read:

292 373.145 Information program regarding hydrologic  
293 conditioning and consumption of major surface and groundwater  
294 sources.--In order to aid in the development of a better  
295 understanding of the unique surface and groundwater resources of  
296 this state, the water management districts shall develop an  
297 information program designed to provide information concerning  
298 existing hydrologic conditions of major surface and groundwater  
299 sources in this state and suggestions for good conservation  
300 practices within those areas. The program shall be developed by  
301 December 31, 2002. The water management districts shall utilize  
302 the most efficient means to regularly distribute this  
303 information to members of the Legislature, the media, and the  
304 public. ~~Beginning January 1, 2003, and on a regular basis no~~

305 ~~less than every 6 months thereafter, the information developed~~  
 306 ~~pursuant to this section shall be distributed to every member of~~  
 307 ~~the Florida Senate and the Florida House of Representatives and~~  
 308 ~~to local print and broadcast news organizations. Each water~~  
 309 ~~management district shall be responsible for the distribution of~~  
 310 ~~this information within its established geographic area.~~

311 Section 8. Paragraph (k) of subsection (2) of section  
 312 373.1961, Florida Statutes, is amended to read:

313 373.1961 Water production.--

314 (2) The Legislature finds that, due to a combination of  
 315 factors, vastly increased demands have been placed on natural  
 316 supplies of fresh water, and that, absent increased development  
 317 of alternative water supplies, such demands may increase in the  
 318 future. The Legislature also finds that potential exists in the  
 319 state for the production of significant quantities of  
 320 alternative water supplies, including reclaimed water, and that  
 321 water production includes the development of alternative water  
 322 supplies, including reclaimed water, for appropriate uses. It is  
 323 the intent of the Legislature that utilities develop reclaimed  
 324 water systems, where reclaimed water is the most appropriate  
 325 alternative water supply option, to deliver reclaimed water to  
 326 as many users as possible through the most cost-effective means,  
 327 and to construct reclaimed water system infrastructure to their  
 328 owned or operated properties and facilities where they have  
 329 reclamation capability. It is also the intent of the Legislature  
 330 that the water management districts which levy ad valorem taxes  
 331 for water management purposes should share a percentage of those  
 332 tax revenues with water providers and users, including local

333 governments, water, wastewater, and reuse utilities, municipal,  
 334 industrial, and agricultural water users, and other public and  
 335 private water users, to be used to supplement other funding  
 336 sources in the development of alternative water supplies. The  
 337 Legislature finds that public moneys or services provided to  
 338 private entities for such uses constitute public purposes which  
 339 are in the public interest. In order to further the development  
 340 and use of alternative water supply systems, including reclaimed  
 341 water systems, the Legislature provides the following:

342 (k) By March 1 ~~January 30~~ of each year, as part of the  
 343 consolidated annual report required by s. 373.036(7), each water  
 344 management district shall submit a report on an annual report to  
 345 ~~the Governor, the President of the Senate, and the Speaker of~~  
 346 ~~the House of Representatives which accounts for~~ the disbursement of  
 347 all budgeted amounts pursuant to this subsection. Such report  
 348 shall describe all projects funded and shall account separately  
 349 for moneys provided through grants, matching grants, revolving  
 350 loans, and the use of district lands or facilities.

351 Section 9. Subsection (7) of section 373.199, Florida  
 352 Statutes, is amended to read:

353 373.199 Florida Forever Water Management District Work  
 354 Plan.--

355 (7) By June 1, 2001, each district shall file with the  
 356 President of the Senate, the Speaker of the House of  
 357 Representatives, and the Secretary of Environmental Protection  
 358 the initial 5-year work plan as required under subsection (2).  
 359 By March ~~January~~ 1 of each year thereafter, as part of the  
 360 consolidated annual report required by s. 373.036(7), each

361 district shall ~~file with the President of the Senate, the~~  
 362 ~~Speaker of the House of Representatives, and the Secretary of~~  
 363 ~~Environmental Protection~~ a report on of acquisitions completed  
 364 during the year together with modifications or additions to its  
 365 5-year work plan. Included in the report shall be:

366 (a) A description of land management activity for each  
 367 property or project area owned by the water management district.

368 (b) A list of any lands surplused and the amount of  
 369 compensation received.

370 (c) The progress of funding, staffing, and resource  
 371 management of every project funded pursuant to s. 259.101, s.  
 372 259.105, or s. 373.59 for which the district is responsible.

373  
 374 The secretary shall submit the report referenced in this  
 375 subsection to the Board of Trustees of the Internal Improvement  
 376 Trust Fund together with the Acquisition and Restoration  
 377 Council's project list as required under s. 259.105.

378 Section 10. Section 373.207, Florida Statutes, is amended  
 379 to read:

380 373.207 Abandoned artesian wells.--

381 ~~(1)~~ Each water management district shall develop a work  
 382 plan which identifies the location of all known abandoned  
 383 artesian wells within its jurisdictional boundaries and defines  
 384 the actions which the district must take in order to ensure that  
 385 each such well is plugged on or before January 1, 1992. The work  
 386 plan shall include the following:

387 (1)~~(a)~~ An initial inventory which accounts for all known  
 388 abandoned artesian wells in the district.

389        (2)~~(b)~~ The location and owner of each known abandoned  
 390 well.

391        (3)~~(c)~~ The methodology proposed by the district to  
 392 accomplish the plugging of all known abandoned wells within the  
 393 district on or before January 1, 1992.

394        (4)~~(d)~~ Data relating to costs to be incurred for the  
 395 plugging of all wells, including the per-well cost and personnel  
 396 costs.

397        (5)~~(e)~~ A schedule of priority for the plugging of wells,  
 398 which schedule is established to mitigate damage to the  
 399 groundwater resource due to water quality degradation.

400        ~~(2) Each water management district shall submit an annual  
 401 update of its work plan to the Secretary of Environmental  
 402 Protection by January 1 of each year, until all wells identified  
 403 by the plan are plugged.~~

404        Section 11. Paragraph (b) of subsection (1) of section  
 405 373.414, Florida Statutes, is amended to read:

406        373.414 Additional criteria for activities in surface  
 407 waters and wetlands.--

408        (1) As part of an applicant's demonstration that an  
 409 activity regulated under this part will not be harmful to the  
 410 water resources or will not be inconsistent with the overall  
 411 objectives of the district, the governing board or the  
 412 department shall require the applicant to provide reasonable  
 413 assurance that state water quality standards applicable to  
 414 waters as defined in s. 403.031(13) will not be violated and  
 415 reasonable assurance that such activity in, on, or over surface  
 416 waters or wetlands, as delineated in s. 373.421(1), is not

417 | contrary to the public interest. However, if such an activity  
 418 | significantly degrades or is within an Outstanding Florida  
 419 | Water, as provided by department rule, the applicant must  
 420 | provide reasonable assurance that the proposed activity will be  
 421 | clearly in the public interest.

422 |         (b) If the applicant is unable to otherwise meet the  
 423 | criteria set forth in this subsection, the governing board or  
 424 | the department, in deciding to grant or deny a permit, shall  
 425 | consider measures proposed by or acceptable to the applicant to  
 426 | mitigate adverse effects that may be caused by the regulated  
 427 | activity. Such measures may include, but are not limited to,  
 428 | onsite mitigation, offsite mitigation, offsite regional  
 429 | mitigation, and the purchase of mitigation credits from  
 430 | mitigation banks permitted under s. 373.4136. It shall be the  
 431 | responsibility of the applicant to choose the form of  
 432 | mitigation. The mitigation must offset the adverse effects  
 433 | caused by the regulated activity.

434 |         1. The department or water management districts may accept  
 435 | the donation of money as mitigation only where the donation is  
 436 | specified for use in a duly noticed environmental creation,  
 437 | preservation, enhancement, or restoration project, endorsed by  
 438 | the department or the governing board of the water management  
 439 | district, which offsets the impacts of the activity permitted  
 440 | under this part. However, the provisions of this subsection  
 441 | shall not apply to projects undertaken pursuant to s. 373.4137  
 442 | or chapter 378. Where a permit is required under this part to  
 443 | implement any project endorsed by the department or a water  
 444 | management district, all necessary permits must have been issued



445 prior to the acceptance of any cash donation. After the  
446 effective date of this act, when money is donated to either the  
447 department or a water management district to offset impacts  
448 authorized by a permit under this part, the department or the  
449 water management district shall accept only a donation that  
450 represents the full cost to the department or water management  
451 district of undertaking the project that is intended to mitigate  
452 the adverse impacts. The full cost shall include all direct and  
453 indirect costs, as applicable, such as those for land  
454 acquisition, land restoration or enhancement, perpetual land  
455 management, and general overhead consisting of costs such as  
456 staff time, building, and vehicles. The department or the water  
457 management district may use a multiplier or percentage to add to  
458 other direct or indirect costs to estimate general overhead.  
459 Mitigation credit for such a donation shall be given only to the  
460 extent that the donation covers the full cost to the agency of  
461 undertaking the project that is intended to mitigate the adverse  
462 impacts. However, nothing herein shall be construed to prevent  
463 the department or a water management district from accepting a  
464 donation representing a portion of a larger project, provided  
465 that the donation covers the full cost of that portion and  
466 mitigation credit is given only for that portion. The department  
467 or water management district may deviate from the full cost  
468 requirements of this subparagraph to resolve a proceeding  
469 brought pursuant to chapter 70 or a claim for inverse  
470 condemnation. Nothing in this section shall be construed to  
471 require the owner of a private mitigation bank, permitted under

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472 s. 373.4136, to include the full cost of a mitigation credit in  
473 the price of the credit to a purchaser of said credit.

474 2. The department and each water management district shall  
475 report by March 1 ~~to the Executive Office of the Governor by~~  
476 January 31 of each year, as part of the consolidated annual  
477 report required by s. 373.036(7), all cash donations accepted  
478 under subparagraph 1. during the preceding water management  
479 district fiscal calendar year for wetland mitigation purposes.  
480 The report shall exclude those contributions pursuant to s.  
481 373.4137. The report shall include a description of the endorsed  
482 mitigation projects and, except for projects governed by s.  
483 373.4135(6), shall address, as applicable, success criteria,  
484 project implementation status and timeframe, monitoring, long-  
485 term management, provisions for preservation, and full cost  
486 accounting.

487 3. If the applicant is unable to meet water quality  
488 standards because existing ambient water quality does not meet  
489 standards, the governing board or the department shall consider  
490 mitigation measures proposed by or acceptable to the applicant  
491 that cause net improvement of the water quality in the receiving  
492 body of water for those parameters which do not meet standards.

493 4. If mitigation requirements imposed by a local  
494 government for surface water and wetland impacts of an activity  
495 regulated under this part cannot be reconciled with mitigation  
496 requirements approved under a permit for the same activity  
497 issued under this part, including application of the uniform  
498 wetland mitigation assessment method adopted pursuant to  
499 subsection (18), the mitigation requirements for surface water

500 and wetland impacts shall be controlled by the permit issued  
 501 under this part.

502 Section 12. Paragraph (d) of subsection (4) and  
 503 subsections (13) and (14) of section 373.4592, Florida Statutes,  
 504 are amended to read:

505 373.4592 Everglades improvement and management.--

506 (4) EVERGLADES PROGRAM.--

507 (d) Everglades research and monitoring program.--

508 1. The department and the district shall review and  
 509 evaluate available water quality data for the Everglades  
 510 Protection Area and tributary waters and identify any additional  
 511 information necessary to adequately describe water quality in  
 512 the Everglades Protection Area and tributary waters. The  
 513 department and the district shall also initiate a research and  
 514 monitoring program to generate such additional information  
 515 identified and to evaluate the effectiveness of the BMPs and  
 516 STAs, as they are implemented, in improving water quality and  
 517 maintaining designated and existing beneficial uses of the  
 518 Everglades Protection Area and tributary waters. As part of the  
 519 program, the district shall monitor all discharges into the  
 520 Everglades Protection Area for purposes of determining  
 521 compliance with state water quality standards.

522 2. The research and monitoring program shall evaluate the  
 523 ecological and hydrological needs of the Everglades Protection  
 524 Area, including the minimum flows and levels. Consistent with  
 525 such needs, the program shall also evaluate water quality  
 526 standards for the Everglades Protection Area and for the canals  
 527 of the EAA, so that these canals can be classified in the manner

528 set forth in paragraph (e) and protected as an integral part of  
529 the water management system which includes the STAs of the  
530 Everglades Construction Project and allows landowners in the EAA  
531 to achieve applicable water quality standards compliance by BMPs  
532 and STA treatment to the extent this treatment is available and  
533 effective.

534 3. The research and monitoring program shall include  
535 research seeking to optimize the design and operation of the  
536 STAs, including research to reduce outflow concentrations, and  
537 to identify other treatment and management methods and  
538 regulatory programs that are superior to STAs in achieving the  
539 intent and purposes of this section.

540 4. The research and monitoring program shall be conducted  
541 to allow the department to propose a phosphorus criterion in the  
542 Everglades Protection Area, and to evaluate existing state water  
543 quality standards applicable to the Everglades Protection Area  
544 and existing state water quality standards and classifications  
545 applicable to the EAA canals. In developing the phosphorus  
546 criterion, the department shall also consider the minimum flows  
547 and levels for the Everglades Protection Area and the district's  
548 water supply plans for the Lower East Coast.

549 5. Beginning March 1, 2006, as part of the consolidated  
550 annual report required by s. 373.036(7) January 1, 2000, the  
551 district and the department shall annually issue a peer-reviewed  
552 report regarding the research and monitoring program that  
553 summarizes all data and findings. ~~The department shall provide~~  
554 ~~copies of the report to the Governor, the President of the~~  
555 ~~Senate, and the Speaker of the House of Representatives.~~ The

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556 report shall identify water quality parameters, in addition to  
557 phosphorus, which exceed state water quality standards or are  
558 causing or contributing to adverse impacts in the Everglades  
559 Protection Area.

560 6. The district shall continue research seeking to  
561 optimize the design and operation of STAs and to identify other  
562 treatment and management methods that are superior to STAs in  
563 achieving optimum water quality and water quantity for the  
564 benefit of the Everglades. The district shall optimize the  
565 design and operation of the STAs described in the Everglades  
566 Construction Project prior to expanding their size. Additional  
567 methods to achieve compliance with water quality standards shall  
568 not be limited to more intensive management of the STAs.

569 (13) ANNUAL REPORTS.--Beginning March 1, 2006, as part of  
570 the consolidated annual report required by s. 373.036(7) January  
571 1, 1992, the district shall report on ~~submit to the department,~~  
572 ~~the Governor, the Speaker of the House of Representatives, the~~  
573 ~~Minority Leader of the House of Representatives, the President~~  
574 ~~of the Senate, and the Minority Leader of the Senate annual~~  
575 ~~progress reports regarding~~ implementation of the section. The  
576 annual report will include a summary of the water conditions in  
577 the Everglades Protection Area, the status of the impacted  
578 areas, the status of the construction of the STAs, the  
579 implementation of the BMPs, and actions taken to monitor and  
580 control exotic species. The district must prepare the report in  
581 coordination with federal and state agencies.

582 (14) EVERGLADES FUND.--The South Florida Water Management  
583 District is directed to separately account for all moneys used

584 for the purpose of funding the Everglades Construction Project  
 585 as part of the consolidated annual report required by s.  
 586 373.036(7).

587 Section 13. Subsection (3) of section 373.45926, Florida  
 588 Statutes, is amended to read:

589 373.45926 Everglades Trust Fund; allocation of revenues  
 590 and expenditure of funds for conservation and protection of  
 591 natural resources and abatement of water pollution.--

592 (3) The South Florida Water Management District shall  
 593 furnish, as part of the consolidated annual report required by  
 594 s. 373.036(7) ~~on a quarterly basis~~, a detailed copy of its  
 595 expenditures from the Everglades Trust Fund to the Governor, the  
 596 President of the Senate, and the Speaker of the House of  
 597 Representatives, and shall make copies available to the public.  
 598 The information shall be provided in a format approved by the  
 599 Joint Legislative Committee on Everglades Oversight. At the  
 600 direction of the Joint Legislative Committee on Everglades  
 601 Oversight, an audit may be made from time to time by the Auditor  
 602 General, and such audit shall be within the authority of said  
 603 Auditor General to make.

604 Section 14. Paragraph (g) of subsection (3) of section  
 605 373.4595, Florida Statutes, is amended to read:

606 373.4595 Lake Okeechobee Protection Program.--

607 (3) LAKE OKEECHOBEE PROTECTION PROGRAM.--A protection  
 608 program for Lake Okeechobee that achieves phosphorus load  
 609 reductions for Lake Okeechobee shall be immediately implemented  
 610 as specified in this subsection. The program shall address the  
 611 reduction of phosphorus loading to the lake from both internal

612 and external sources. Phosphorus load reductions shall be  
613 achieved through a phased program of implementation. Initial  
614 implementation actions shall be technology-based, based upon a  
615 consideration of both the availability of appropriate technology  
616 and the cost of such technology, and shall include phosphorus  
617 reduction measures at both the source and the regional level.  
618 The initial phase of phosphorus load reductions shall be based  
619 upon the district's Technical Publication 81-2 and the  
620 district's WOD program, with subsequent phases of phosphorus  
621 load reductions based upon the total maximum daily loads  
622 established in accordance with s. 403.067. In the development  
623 and administration of the Lake Okeechobee Protection Program,  
624 the coordinating agencies shall maximize opportunities provided  
625 by federal cost-sharing programs and opportunities for  
626 partnerships with the private sector.

627 (g) Annual progress report.--Each March ~~January~~ 1,  
628 beginning in 2006 ~~2001~~, the district shall report on ~~submit to~~  
629 ~~the Governor, the President of the Senate, and the Speaker of~~  
630 ~~the House of Representatives annual progress reports regarding~~  
631 implementation of this section as part of the consolidated  
632 annual report required in s. 373.036(7). The annual report shall  
633 include a summary of water quality and habitat conditions in  
634 Lake Okeechobee and the Lake Okeechobee watershed and the status  
635 of the Lake Okeechobee Construction Project. The district shall  
636 prepare the report in cooperation with the other coordinating  
637 agencies.

638 Section 15. Subsection (7) of section 373.470, Florida  
639 Statutes, is amended to read:

640 373.470 Everglades restoration.--

641 (7) ANNUAL REPORT.--To provide enhanced oversight of and  
 642 accountability for the financial commitments established under  
 643 this section and the progress made in the implementation of the  
 644 comprehensive plan, the following information must be prepared  
 645 annually as part of the consolidated annual report required by  
 646 s. 373.036(7):

647 (a) The district, in cooperation with the department,  
 648 shall provide the following information as it relates to  
 649 implementation of the comprehensive plan:

650 1. An identification of funds, by source and amount,  
 651 received by the state and by each local sponsor during the  
 652 fiscal year.

653 2. An itemization of expenditures, by source and amount,  
 654 made by the state and by each local sponsor during the fiscal  
 655 year.

656 3. A description of the purpose for which the funds were  
 657 expended.

658 4. The unencumbered balance of funds remaining in trust  
 659 funds or other accounts designated for implementation of the  
 660 comprehensive plan.

661 5. A schedule of anticipated expenditures for the next  
 662 fiscal year.

663 (b) The department shall prepare a detailed report on all  
 664 funds expended by the state and credited toward the state's  
 665 share of funding for implementation of the comprehensive plan.

666 The report shall include:



667 1. A description of all expenditures, by source and  
 668 amount, from the Conservation and Recreation Lands Trust Fund,  
 669 the Land Acquisition Trust Fund, the Preservation 2000 Trust  
 670 Fund, the Florida Forever Trust Fund, the Save Our Everglades  
 671 Trust Fund, and other named funds or accounts for the  
 672 acquisition or construction of project components or other  
 673 features or facilities that benefit the comprehensive plan.

674 2. A description of the purposes for which the funds were  
 675 expended.

676 3. The unencumbered fiscal-year-end balance that remains  
 677 in each trust fund or account identified in subparagraph 1.

678 (c) The district, in cooperation with the department,  
 679 shall provide a detailed report on progress made in the  
 680 implementation of the comprehensive plan, including the status  
 681 of all project components initiated after the effective date of  
 682 this act or the date of the last report prepared under this  
 683 subsection, whichever is later.

684  
 685 The information required in paragraphs (a), (b), and (c) shall  
 686 be provided as part of the consolidated annual report required  
 687 by s. 373.036(7) annually in a single report to the Governor,  
 688 ~~the President of the Senate, and the Speaker of the House of~~  
 689 ~~Representatives, and copies of the report must be made available~~  
 690 ~~to the public.~~ The initial report is due by November 30, 2000,  
 691 and each annual report thereafter is due by March 1 ~~January 31~~.

692 Section 16. Paragraph (a) of subsection (6) of section  
 693 373.536, Florida Statutes, is amended to read:

694 373.536 District budget and hearing thereon.--

695 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;  
 696 WATER RESOURCE DEVELOPMENT WORK PROGRAM.--

697 (a) Each district must, by the date specified for each  
 698 item, furnish copies of the following documents to the Governor,  
 699 the President of the Senate, the Speaker of the House of  
 700 Representatives, the chairs of all legislative committees and  
 701 subcommittees having substantive or fiscal jurisdiction over the  
 702 districts, as determined by the President of the Senate or the  
 703 Speaker of the House of Representatives as applicable, the  
 704 secretary of the department, and the governing board of each  
 705 county in which the district has jurisdiction or derives any  
 706 funds for the operations of the district:

707 1. The adopted budget, to be furnished within 10 days  
 708 after its adoption.

709 2. A financial audit of its accounts and records, to be  
 710 furnished within 10 days after its acceptance by the governing  
 711 board. The audit must be conducted in accordance with the  
 712 provisions of s. 11.45 and the rules adopted thereunder. In  
 713 addition to the entities named above, the district must provide  
 714 a copy of the audit to the Auditor General within 10 days after  
 715 its acceptance by the governing board.

716 3. A 5-year capital improvements plan, to be included in  
 717 the consolidated annual report required by s. 373.036(7)  
 718 ~~furnished within 45 days after the adoption of the final budget.~~  
 719 The plan must include expected sources of revenue for planned  
 720 improvements and must be prepared in a manner comparable to the  
 721 fixed capital outlay format set forth in s. 216.043.

722 4. A 5-year water resource development work program to be  
723 furnished within 30 ~~45~~ days after the adoption of the final  
724 budget. The program must describe the district's implementation  
725 strategy for the water resource development component of each  
726 approved regional water supply plan developed or revised under  
727 s. 373.0361. The work program must address all the elements of  
728 the water resource development component in the district's  
729 approved regional water supply plans and must identify which  
730 projects in the work program will provide water, explain how  
731 each water resource development project will produce additional  
732 water available for consumptive uses, estimate the quantity of  
733 water to be produced by each project, and provide an assessment  
734 of the contribution of the district's regional water supply  
735 plans in providing sufficient water to meet the water supply  
736 needs of existing and future reasonable-beneficial uses for a 1-  
737 in-10-year drought event. Within 30 ~~45~~ days after its submittal,  
738 the department shall review the proposed work program and submit  
739 its findings, questions, and comments to the district. The  
740 review must include a written evaluation of the program's  
741 consistency with the furtherance of the district's approved  
742 regional water supply plans, and the adequacy of proposed  
743 expenditures. As part of the review, the department shall give  
744 interested parties the opportunity to provide written comments  
745 on each district's proposed work program. Within 45 ~~60~~ days  
746 after receipt of the department's evaluation, the governing  
747 board shall state in writing to the department which changes  
748 recommended in the evaluation it will incorporate into its work  
749 program submitted as part of the March 1 consolidated annual

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750 report required by s. 373.036(7) or specify the reasons for not  
751 incorporating the changes. The department shall include the  
752 district's responses in a final evaluation report and shall  
753 submit a copy of the report to the Governor, the President of  
754 the Senate, and the Speaker of the House of Representatives.

755 Section 17. By February 1, 2006, the Department of  
756 Environmental Protection, after consultation with the five water  
757 management districts, shall recommend to the Governor, the  
758 President of the Senate, and the Speaker of the House of  
759 Representatives any additional changes to or consolidation of  
760 the existing planning and reporting requirements of chapter 373,  
761 Florida Statutes, that it deems appropriate to efficiently and  
762 effectively protect and utilize the state's water resources.

763 Section 18. Section 373.0395, Florida Statutes, is  
764 repealed.

765 Section 19. This act shall take effect July 1, 2005.