

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government - The bill expands the Citrus/Hernando Waterways Restoration Council's duties as the members are responsible for all the waterways in Citrus and Hernando Counties instead of solely managing the Tsala-Apopka Chain of Lakes and the Weeki Wachee River and Springs.

B. EFFECT OF PROPOSED CHANGES:

Present Situation

The Citrus/Hernando Waterways Restoration Council (Council) was created by the legislature in 2003 (HB 221, Section 1, Chapter 2003-287, Laws of Florida) to develop tasks for the enhancement of fish and wildlife habitats in Citrus and Hernando counties. The public, the Fish and Wildlife Conservation Commission, the Southwest Florida Water Management District, as well as other local, regional, and state entities, have expressed concern that the lakes have been slowly filling in and are becoming marshy due to drought, fire suppression and several other factors. It is the Council's duty to recommend proposals to restore portions of the Citrus/Hernando waterways.

The Council is coordinated by representatives of the following agencies: The Florida Fish and Wildlife Conservation Commission, the Department of Environmental Protection and the Southwest Florida Water Management District. The Council consists of 12 voting members with six members appointed by the President of the Senate and six members appointed by the Speaker of the House of Representatives. The President and Speaker have each appointed:

- a waterfront property owner from each county;
- an attorney from each county;
- a member of the Board of Directors of the Chamber of Commerce from each county;
- an environmental engineer from each county;
- an engineer from each county; and
- a person from each county with training in biology or another scientific discipline.

Current law directs the Council members from both counties to form separate task forces to assess and make recommendations on waterways within their respective counties. The Citrus County Task Force is directed to develop plans for restoring the Tsala-Apopka Chain of Lakes, while the Hernando County Task Force must develop plans for restoring the Weeki Wachee River and Springs. A technical advisory group was created to assist the Council and the two county task forces by informing the members on the scientific and technical issues regarding water quality within the area.

The technical advisory group is comprised of the following: one representative each from the Southwest Florida Water Management District, the Department of Environmental Protection, the Department of Transportation, the Fish and Wildlife Conservation Commission, the Coastal Rivers Basin Board, the Withlacoochee River Basin Board, and the United States Army Corps of Engineers. Each member of the technical advisory group was appointed by his or her respective agency; it is a requirement that each member, with the exception of the representatives from the Withlacoochee River Basin Board and the Coastal Rivers Basin Board, have training in biology or another scientific discipline.

The Council's responsibilities include:

- reviewing audits and all data specifically related to lake and river restoration techniques and sport fish population recovery strategies, including data and strategies for shoreline restoration, sand and other sediment control and removal, exotic species management, floating tussock management or removal, navigation, water quality, and fish and wildlife habitat improvement, as they are applicable to the Citrus/Hernando waterways;
- evaluating whether additional studies are needed;
- exploring all possible sources of funding to conduct the restoration activities;
- providing an annual progress report to the Speaker of the House of Representatives and the President of the Senate by November 25 of each year.

Concerns have been expressed by the citizens of both Citrus and Hernando counties that only the waterfront property owners in the eastern part of each county were represented on the Council. The waterfront property owners in the western part of each county want to have a representative appointed to better represent their interests. The majority of Citrus and Hernando water bodies are on the eastern side of each county; however, the Council wants to include a representative from both regions.

Another concern expressed to the Council is that the task forces are assessing only water bodies in the eastern part of the counties. Because only 25% of the water bodies in each county were originally included, there are a significant number of waterfront property owners who do not have a voice on these task forces. The separate task forces are not allowed to report on the other 75% of water bodies in Citrus and Hernando County. The task forces and the people in these two counties want to expand the responsibilities of both task forces to include all water bodies in Citrus and Hernando County.

Effect of Proposed Changes

The bill amends section 1 of Chapter 2003-287, Laws of Florida, to: (1) increase the membership of the Council, (2) expand the focus of each task force, and (3) add a representative from each county's public works department to the technical advisory group. In order to address the concerns of the citizens of the two counties, the bill will increase the membership of the Council from 12 to 14 members, adding two waterfront property owners by requiring one property owner from the east side and one from the west side of each county. The bill expands the focus of each task force to include all waterways in each county. The bill also adds a representative from each county's public works department to the technical advisory group.

C. SECTION DIRECTORY:

Section 1. Amends section 1 of ch. 2003-287, F.S., relating to the Citrus/Hernando Waterways Restoration Council, by revising the membership, duties and powers of the Council, the membership of the two county task forces, and the membership of the technical advisory group.

Section 2. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

There may be a minimal fiscal impact for the Southwest Water Management District relating to the per diem and travel expenses for the two additional members to the Council.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

To the extent that the Council is able to develop an action plan and sources of funding for the restoration of all waterways in Citrus and Hernando Counties, properties around the waterways may benefit in terms of increased market value of their land.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable, because this bill does not appear to: require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

None.