

The Florida Senate
PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Community Affairs Committee

BILL: CS/CS/SB 2346

INTRODUCER: Community Affairs Committee, Environmental Preservation and Conservation Committee, and Senator Bennett

SUBJECT: Myakka River Wild and Scenic River Designation

DATE: April 24, 2007

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bascom	Kiger	EP	Fav/CS
2.	Molloy	Yeatman	CA	Fav/CS
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The committee substitute (bill) requires that Myakka River Management Coordinating Council prepare a report to be submitted to the Legislature and the Governor on the potential expansion of the Florida Wild and Scenic River designation to the entire Myakka River.

The bill amends subsection (7) of section 258.501, Florida Statutes.

II. Present Situation:

Myakka River

The Myakka River, extending from its headwaters and watershed in southeastern Manatee County through Sarasota County and emptying into Charlotte Harbor, is a rich, diverse and important ecosystem providing freshwater habitat for many species. In 1985, the Myakka River Wild and Scenic Designation and Preservation Act was enacted by the Florida Legislature to provide for the permanent preservation, management and administration of a 34-mile segment of the river that lies within Sarasota County. As part of the act, the former Department of Natural Resources was tasked with creating the Myakka River Management Coordinating Council to provide interagency and intergovernmental coordination in the management of the river. Under the authority created in s. 403.061(27), F.S., the Department of Environmental Protection (department) designated a 14-mile segment of the river that flows through the Myakka River State Park as an Outstanding Florida Waterway.

Myakka River Management Coordinating Council

The Myakka River Management Coordinating Council (council), formed in 1985, is a 29-member council consisting of state, county and local agencies and government representatives and independent interests. The council, along with the department, is responsible for developing and maintaining the management plan for the segment of the Myakka River designated as a Florida Wild and Scenic River, which includes but is not limited to:

- The permanent protection and enhancement of the ecological, fish and wildlife, and recreational value of the designated segment of the river.
- The continuation of land uses and development of private lands that existed on January 1, 1986.
- Periodic studies to determine the quality of recreational and other public uses.
- Regulation and control of public access to enhance and protect the resource value of the designated segment of the river.
- Restricting the use of motorized vehicles, both land and water vehicles, to protect the resource value of the designated segment of the river.
- Monitoring existing water quality.
- Review and regulation of all activities conducted or proposed to be conducted within the river area that will or may have an adverse impact on any resource value of the designated segment of the river.

The council must also review and make recommendations on proposals or amendments to existing rules that protect the Myakka River's wild and scenic designation. In April 2006, the council recommended the wild and scenic designation for the entire river, but has not provided the non-binding written recommendation to the Southwest Florida Water Management District, as required under s. 258.501, F.S.

III. Effect of Proposed Changes:

Section 1. Amends subsection (7) of section 258.501, F.S., to require that the Myakka River Management Coordinating Council develop a report on the potential expansion of the Florida Wild and Scenic River designation to the entire Myakka River. At a minimum, the report must include a description of the Myakka River area that may be covered by the expanded designation, and must include the recommendations or concerns of affected parties or other interests. During the development of the report, the council shall hold at least one public hearing in Manatee, Sarasota, and Charlotte counties.

The report must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representative no later than January 1, 2008.

Section 2. Provides an effective date.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

This bill does not require cities and counties to expend funds or limit their authority to raise revenues or receive state-shared revenues as specified by s. 18, Art. VII, State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The department provides oversight and staffing for the council and may incur costs associated with the development of report.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Summary of Amendments:

None.

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
