

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: Environmental Preservation and Conservation Committee

BILL: CS/SB 2346

INTRODUCER: Committee on Environmental Preservation and Conservation and Senator Bennett

SUBJECT: Myakka River Wild and Scenic River Designation

DATE: March 23, 2007 REVISED: _____

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

I. Summary:

The committee substitute amends ss. (7) of s. 258.501, F.S., requiring the Myakka River Management Coordinating Council to provide a report of recommendations to expand the designation of the entire river as a Florida Wild and Scenic River. The report is to be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 1, 2008.

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 passed, by the Florida Legislature, providing permanent preservation, management and administration for 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 forming the Myakka River Management Coordinating Council for the purpose of establishing a management plan for the river. Additionally, the 14-mile segment of the river that flows through the Myakka River State Park, has been designated as an Outstanding Florida Waterway, by the Department of Environmental Protection (department or DEP) as authorized under s. 403.061 (27), F.S.

Myakka River Management Coordinating Council

The Myakka River Management Coordinating Council (council), formed in 1985, is a 29 member council made up of state, county and local agencies and governments, and independent interests. The council, with the DEP, is responsible for developing and maintaining the management plan for the segment of the Myakka River designated as a Wild and Scenic River. The management plan includes but is not limited to:

- Permanent protection and enhancement of ecological, fish and wildlife, and recreational value of the designated segment of the river.
- Continuation of land uses and development of private lands, on the designated segment of the river, 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.
- Restriction of motorized vehicles, both land and water vehicles, where necessary 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 shall also review and make recommendations on all proposals or amendments to existing rule that protects the Myakka River wild and scenic designation. In April 2006, the council recommended the wild and scenic designation for the entire Myakka 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., requiring the Myakka River Management Coordinating Council to develop a report recommending the potential expansion of the Florida Wild and Scenic River designation. During the development of recommendations the council shall:

- Provide a description of the proposed expanded area.
- Hold at least 1 public meeting in the affected area of Manatee County.
- Consider testimony from affected parties or other interests.

The report shall be provided 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:

None.

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 DEP provides oversight and staffing for the council and may incur costs associated with the report development.

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.
