



1 prohibiting certain specified land uses within  
2 the springsheds and primary protection zones;  
3 requiring that the water management districts  
4 protect the historic flow of the water in  
5 certain specified springs; providing an  
6 effective date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
10 Section 1. Part IV of chapter 369, Florida Statutes,  
11 consisting of sections 369.401, 369.403, 369.405, 369.407,  
12 369.409, 369.411, and 369.413, is created to read:

13 369.401 Short title.--This part may be cited as the  
14 "Florida Springs Protection Act."

15 369.403 Legislative intent.--

16 (1) The Legislature recognizes that the springs in  
17 this state are a precious and fragile natural resource that  
18 must be protected. Florida's springs provide recreational  
19 opportunities for swimmers, canoeists, wildlife watchers, and  
20 cave divers. Because of these recreational opportunities and  
21 accompanying tourism, many of the state's springs provide  
22 great financial benefits to local economies. In addition,  
23 springs provide critical habitat for numerous endangered or  
24 threatened species of plants and animals and serve as  
25 indicators of the quality of groundwater resources in general.

26 (2) The Legislature recognizes that a spring is only  
27 as healthy as its springshed. The groundwater that supplies  
28 springs is recharged by seepage from the surface and through  
29 direct conduits such as sinkholes. As a result, the health of  
30 spring systems is directly influenced by activities and land  
31 uses within the springshed.

1           (3) The Legislature recognizes that several of the  
2 springs in this state have experienced a decrease in spring  
3 flow from historic levels. The Department of Environmental  
4 Protection has determined through bioassessments that numerous  
5 springs, including Crystal Springs, DeLeon Springs, Fanning  
6 Springs, Lithia Springs, Manatee Springs, Rainbow Springs,  
7 Silver Springs, Wakulla Springs, Weeki Wachee Springs, and  
8 Wekiwa Springs, have elevated nutrient concentrations.  
9 Elevated nutrient concentrations may result from nitrogen  
10 loading in the springshed and can lead to an increase in the  
11 growth of nuisance plants and algae, which changes the  
12 aesthetic qualities and natural ecology of the springs and  
13 decreases the clarity of spring water.

14           (4) The Legislature recognizes that standards in this  
15 state for regulating nutrient concentrations in groundwater  
16 are based on criteria designed to protect human health and  
17 therefore are insufficient to protect the biological and  
18 ecological integrity of the state's springs.

19           (5) The Legislature recognizes that springsheds and  
20 areas of high vulnerability within springsheds are not clearly  
21 delineated and that in order to adequately protect springs,  
22 the springsheds must be delineated and characterized using the  
23 best available data.

24           (6) The Legislature recognizes that because  
25 springsheds cross local government jurisdictional boundaries,  
26 a coordinated, statewide spring-protection plan is required.

27           (7) It is the intent of the Legislature that each  
28 local government having one or more springsheds within its  
29 jurisdiction emphasize the importance of this state resource  
30 in the local government's planning and regulation efforts.

31

1           (8) It is the intent of the Legislature that future  
2 amendments to comprehensive plans adopted by a local  
3 government, the jurisdiction of which is within the  
4 springsheds of Wakulla Springs, Ichetucknee Springs, Rainbow  
5 Springs, or Volusia Blue Springs, include land development  
6 regulations that protect the water quantity and quality of  
7 those springs. It is the intent of the Legislature that state  
8 agencies and the water management districts work together with  
9 local governments to provide the data necessary to delineate  
10 springsheds and primary protection zones and to develop  
11 adequate comprehensive plans and land development regulations  
12 to protect the springs of this state.

13           369.405 Definitions.--As used in this part, the term:

14           (1) "Department" means the Department of Environmental  
15 Protection, which includes the Florida Geological Survey.

16           (2) "Karst features" means physical features in  
17 limestone, such as sinkholes, depressions, and solution tubes,  
18 which act as conduits in reducing the travel time of water  
19 through limestone as compared to soil or limestone that lacks  
20 karst features.

21           (3) "Local comprehensive plan" means a comprehensive  
22 plan adopted pursuant to ss. 163.3164-163.3215.

23           (4) "Local government" means a local government the  
24 jurisdictional boundaries of which include Wakulla Springs,  
25 Ichetucknee Springs, Rainbow Springs, or Volusia Blue Springs,  
26 or any part of a delineated springshed and primary protection  
27 zone for Wakulla Springs, Ichetucknee Springs, Rainbow  
28 Springs, or Volusia Blue Springs as established under s.  
29 369.407.

30           (5) "Primary protection zone" means the geographic  
31 area within a springshed delineated by a water management

1 district under s. 369.407 which, because of its proximity to a  
2 spring, its karst features, or both, contributes most directly  
3 to the water quantity and quality of the spring.

4 (6) "Spring" means a point where groundwater is  
5 discharged onto the earth's surface, including under any  
6 surface water of the state, excluding seeps. The term includes  
7 a spring run.

8 (7) "Spring run" means a body of flowing water that  
9 originates from a spring or whose primary source of water is  
10 from a spring or springs under average rainfall conditions.

11 (8) "Springshed" means those areas within the  
12 groundwater and surface water basins which contribute to the  
13 discharge of a spring.

14 (9) "Travel time" means the time required for  
15 groundwater to travel horizontally, vertically, or in a  
16 combination thereof to the point at which it is discharged  
17 from the ground and contributes to the flow of a spring or  
18 spring run.

19 369.407 Delineation of springsheds and primary  
20 protection zones.--

21 (1) Each jurisdictional water management district, in  
22 cooperation with the Florida Geological Survey and other  
23 authorities, shall delineate springsheds and primary  
24 protection zones for Wakulla Springs, Ichetucknee Springs,  
25 Rainbow Springs, or Volusia Blue Springs, as applicable, using  
26 the best available data from the water management district,  
27 the Florida Geological Survey, and other credible sources. The  
28 delineation of primary protection zones shall be based on a  
29 consideration of the following:

30 (a) Proximity of the primary protection zone to the  
31 spring;

1           (b) Travel time;  
2           (c) Proximity of the primary protection zone to karst  
3 features;  
4           (d) Other hydrogeologic characteristics of the  
5 delineated springshed such as the nature and extent of  
6 confining units within the groundwater flow system and the  
7 location of areas identified as recharge areas;  
8           (e) Areas that contribute surface water drainage or  
9 overland flow to the spring and its surrounding area;  
10          (f) Data from the Florida Aquifer Vulnerability  
11 Analysis; and  
12          (g) Other objective and credible data.  
13          (2) The delineation of springsheds and primary  
14 protection zones shall be completed by July 1, 2008.  
15          (3) Each jurisdictional water management district  
16 shall adopt by rule, pursuant to ss. 120.536(1) and 120.54,  
17 maps that delineate the springsheds and primary protection  
18 zones for Wakulla Springs, Ichetucknee Springs, Rainbow  
19 Springs, and Volusia Springs, as applicable.  
20          369.409 Review and amendment of local comprehensive  
21 plans to protect spring water quantity and quality.--  
22          (1) Within 1 year after a water management district  
23 adopts, by final rule, a delineation of a springshed and  
24 primary protection zone as required under s. 369.407, each  
25 local government shall, as part of its evaluation and  
26 appraisal report required under s. 163.3191, review its local  
27 comprehensive plan and recommend amendments to the  
28 comprehensive plan to ensure that the plan contains goals,  
29 objectives, and policies that result in the protection of the  
30 quantity and quality of water discharged from Wakulla Springs,  
31

1 Ichetucknee Springs, Rainbow Springs, or Volusia Blue Springs,  
2 as applicable.

3 (2) After considering the recommendations in the  
4 evaluation and appraisal report, each local government shall  
5 adopt measures to ensure that the cumulative effects of  
6 development within its jurisdiction do not affect the quantity  
7 or quality of groundwater recharge within the delineated  
8 springshed and primary protection zone to such a degree that  
9 spring nutrient concentrations exceed the level of such  
10 concentrations on July 1, 2007.

11 369.411 Establishment and implementation of total  
12 maximum daily loads of nutrients for Wakulla, Ichetucknee,  
13 Rainbow, and Volusia Blue Springs.--

14 (1) For purposes of implementing s. 369.409, by July  
15 1, 2010, the department shall, pursuant to s. 403.067,  
16 establish and implement total maximum daily loads of nutrients  
17 for Wakulla, Ichetucknee, Rainbow, and Volusia Blue Springs.

18 (2) In establishing and implementing the total maximum  
19 daily loads of nutrients for the springs, the department, or  
20 the department in conjunction with the appropriate water  
21 management district, shall develop a watershed or basin  
22 management plan, as specified in s. 403.067(7), which  
23 addresses the protection of springshed water quantity and  
24 quality.

25 (3) The establishment and implementation of total  
26 maximum daily loads of nonagricultural, nonpoint pollutant  
27 sources of nutrients shall include the reasonable and  
28 equitable allocation of the total maximum daily loads to each  
29 local government authorized to control activities affecting  
30 the quality or quantity of water in the spring.

31

1           (4) The total maximum daily loads of nutrients shall  
2 be established at levels that:

3           (a) Protect, maintain, or, if necessary, restore the  
4 clarity of the spring water;

5           (b) Prevent the growth of nuisance plants and algae;  
6 and

7           (c) Protect, maintain, or, if necessary, restore the  
8 habitat and biodiversity of the ecosystems of the spring,  
9 including the abundance and diversity of plants,  
10 macroinvertebrates, and vertebrates.

11           369.413 Prohibited land uses within delineated  
12 springsheds and primary protection zones.--The following land  
13 uses are prohibited within delineated springsheds and primary  
14 protection zones:

15           (1) New municipal and industrial wastewater disposal  
16 systems;

17           (2) New landfills;

18           (3) New conventional septic systems, except that  
19 nitrogen-removal systems are permitted;

20           (4) New rapid-infiltration basins;

21           (5) New facilities for the transfer, storage, or  
22 disposal of hazardous waste;

23           (6) New dairy waste discharge;

24           (7) New limerock mines; and

25           (8) Land application of wastewater and septic tank  
26 residuals.

27  
28 Each jurisdictional water management district shall require  
29 and enforce water conservation technology and methods and  
30 shall protect the historic flow of Wakulla Springs,  
31

1 Ichetucknee Springs, Rainbow Springs, or Volusia Blue Springs,  
2 as applicable.

3 Section 2. This act shall take effect July 1, 2007.

4  
5 \*\*\*\*\*

6 SENATE SUMMARY

7 Creates the Florida Springs Protection Act. Requires the  
8 water management districts having jurisdiction over  
9 Wakulla Springs, Ichetucknee Springs, Rainbow Springs,  
10 and Volusia Blue Springs to delineate springsheds and  
11 primary protection zones for those springs by July 1,  
12 2008. Requires the water management districts to adopt by  
13 rule maps of the springsheds and primary protection  
14 zones. Requires each local government having jurisdiction  
15 over an area within a springshed or primary protection  
16 zone to review its local comprehensive plan and adopt  
17 measures ensuring that spring nutrient concentrations do  
18 not increase above current levels. Requires the  
19 Department of Environmental Protection to establish and  
20 implement total maximum daily loads for each of the  
21 springs. Prohibits certain land uses within the  
22 springsheds and primary protection zones. Requires that  
23 the water management districts protect the historic flow  
24 of the water in Wakulla Springs, Ichetucknee Springs,  
25 Rainbow Springs, and Volusia Blue Springs.  
26  
27  
28  
29  
30  
31