



944872

LEGISLATIVE ACTION

Senate

House

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Floor: 3/AD/2R

04/26/2010 05:05 PM

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Senator Detert moved the following:

**Senate Amendment (with directory and title amendments)**

Between lines 119 and 120

insert:

(7) ~~At 11:59 p.m. on December 31, 1976, the Manasota Watershed Basin of the Ridge and Lower Gulf Coast Water Management District, which is annexed to the Southwest Florida Water Management District by change of its boundaries pursuant to chapter 76-243, Laws of Florida, shall be formed into a subdistrict or basin of the Southwest Florida Water Management District, subject to the same provisions as the other basins in such district. Such subdistrict shall be designated initially as the Manasota Basin. The members of the governing board of the~~



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14 ~~Manasota Watershed Basin of the Ridge and Lower Gulf Coast Water~~  
15 ~~Management District shall become members of the governing board~~  
16 ~~of the Manasota Basin of the Southwest Florida Water Management~~  
17 ~~District.~~ Notwithstanding other provisions in this section,  
18 beginning on July 1, 2010 ~~2001~~, the membership of the Manasota  
19 Basin Board shall be comprised of two members from Manatee  
20 County, ~~and~~ two members from Sarasota County, and a member of  
21 the district governing board designated by the chair of the  
22 district governing board pursuant to subsection (6). ~~Matters~~  
23 ~~relating to tie votes shall be resolved pursuant to subsection~~  
24 ~~(6) by the chair designated by the governing board to vote in~~  
25 ~~ease of a tie vote.~~

26 Section 3. Subsection (5) is added to section 373.171,  
27 Florida Statutes, to read:

28 373.171 Rules.—

29 (5) Cooperative funding programs are not subject to the  
30 rulemaking requirements of chapter 120. However, any portion of  
31 an approved program which affects the substantial interests of a  
32 party is subject to s. 120.569.

33 Section 4. Section 373.228, Florida Statutes, is amended to  
34 read:

35 373.228 Landscape irrigation ~~design~~.—

36 (1) The Legislature finds that multiple areas throughout  
37 the state have been identified by water management districts as  
38 water resource caution areas, which indicates that in the near  
39 future water demand in those areas will exceed the current  
40 available ~~water~~ supply and that conservation is one of the  
41 mechanisms by which future water demand will be met.

42 (2) The Legislature finds that landscape irrigation



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43 comprises a significant portion of water use and that current  
44 typical landscape irrigation systems, and Florida-friendly  
45 landscaping designs, and landscape irrigation restrictions offer  
46 significant potential water conservation benefits.

47 (3) It is the intent of the Legislature to improve  
48 landscape irrigation water use efficiency by ensuring that  
49 landscape irrigation systems meet or exceed minimum design  
50 criteria and that, pursuant to s. 373.609, the landscape  
51 irrigation restrictions of a water management district may be  
52 implemented by ordinance of the applicable local governments.

53 (4) The water management districts shall work with the  
54 Florida Nursery, Growers and Landscape Association, the Florida  
55 Native Plant Society, the Florida Chapter of the American  
56 Society of Landscape Architects, the Florida Irrigation Society,  
57 the Department of Agriculture and Consumer Services, the  
58 Institute of Food and Agricultural Sciences, the Department of  
59 Environmental Protection, the Department of Transportation, the  
60 Florida League of Cities, the Florida Association of Counties,  
61 and the Florida Association of Community Developers to develop  
62 landscape irrigation and Florida-friendly landscaping design  
63 standards for new construction which incorporate a landscape  
64 irrigation system and develop scientifically based model  
65 guidelines for urban, commercial, and residential landscape  
66 irrigation, including drip irrigation, for plants, trees, sod,  
67 and other landscaping. The standards must ~~shall~~ be based on the  
68 irrigation code defined in the Florida Building Code, Plumbing  
69 Volume, Appendix F. Local governments shall use the standards  
70 and guidelines when developing landscape irrigation and Florida-  
71 friendly landscaping ordinances. By January 1, 2011, the



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72 agencies and entities specified in this subsection shall review  
73 the standards and guidelines to determine whether new research  
74 findings require a change or modification of the standards and  
75 guidelines.

76 (5) Notwithstanding s. 373.217, local governments may adopt  
77 ordinances that implement landscape irrigation restrictions set  
78 forth in water management district rules or orders. In  
79 evaluating water use applications from public water suppliers,  
80 water management districts shall consider whether the applicable  
81 local government has adopted ordinances for landscaping and  
82 irrigation systems consistent with the Florida-friendly  
83 landscaping provisions of s. 373.185.

84  
85 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

86 And the directory clause is amended as follows:

87 Delete line 39

88 and insert:

89 Section 2. Subsections (1) through (7) of section

90  
91 ===== T I T L E A M E N D M E N T =====

92 And the title is amended as follows:

93 Before line 15

94 insert:

95 revising provisions relating to the membership of the  
96 Manasota Basin Board; providing for the designation of  
97 a member of the district governing board to serve on  
98 the basin board; amending s. 373.171, F.S.; exempting  
99 cooperative funding programs from certain rulemaking  
100 requirements; amending s. 373.228, F.S.; revising



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101 legislative intent relating to landscape irrigation  
102 restrictions; providing that local governments may  
103 adopt restrictions set forth in district rules or  
104 orders;