

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Environmental Preservation and Conservation Committee

BILL: SB 1430

INTRODUCER: Senator Detert

SUBJECT: Basins

DATE: January 25, 2012 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hinton	Yeatman	EP	Favorable
2.	_____	_____	AG	_____
3.	_____	_____	BC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill removes statutory language establishing the Manasota Basin within the Southwest Florida Water Management District (WMD) and the Oklawaha River and Greater St. Johns River Basins situated within the St. Johns River WMD. This will abolish all three basins.

At the present time, the Oklawaha River Basin and the Greater St. Johns River Basin have been absorbed into the St. Johns River WMD and are no longer referred to as the Oklawaha River Basin or the Greater St. Johns River Basin. The basin board for the Manasota Watershed Basin has been dissolved.

This bill repeals subsections 373.0693(7) and (8) of the Florida Statutes.

II. Present Situation:

The Department of Environmental Preservation (DEP) manages the quality and quantity of water in Florida through its relationship with the state's WMDs, which are tasked with the preservation and management of Florida's water resources. The WMDs include the Northwest Florida Water Management District, Suwannee River Water Management District, St. Johns River Water Management District, South Florida Water Management District and the Southwest Florida Water Management District.

Chapter 373, F.S., charges the WMDs with managing regional water supplies, water quality, flood protection, and the protection of natural systems. The Legislature has directed the WMDs to engage in plan development and implementation, regulation, land acquisition, financial and technical assistance, water resource restoration, water resource development, and other activities

to achieve the statutory water management objectives. By statute, each WMD is overseen by a governing board appointed by the Governor and confirmed by the Senate.

Basin Boards

Florida has 52 large watersheds. In order to make environmental management easier, more effective and more uniform across programs, the DEP has grouped these watersheds into 29 groups of basins.

Section 373.0693, F.S., provides that any areas within a WMD may be designated by the WMD governing board as subdistricts or basins by resolution, with the exception of basins within the St. Johns River WMD, which are approved by the Legislature. Each basin has a board composed of not less than three members, but must include one representative from each of the counties included in the basin. Members serve for a period of 3 years or until a successor is appointed, but usually not more than 180 days after the end of the term. Each basin board chooses a vice chair and a secretary to serve for a period of 1 year. The basin board chair is typically a member of the WMD governing board of the district residing in the basin. If no member resides in the basin, a member of the governing board is designated as chair by the chair of the WMD board. Members of basin boards are appointed by the Governor and subject to confirmation by the Senate. Refusal or failure of the Senate to confirm an appointment creates a vacancy in the office.

Statutory duties of basin boards, pursuant to s. 373.0695, F.S., include:

- The preparation of engineering plans for development of the water resources of the basin and the conduct of public hearings on such plans.
- The development and preparation of an overall basin plan of secondary water control facilities for the guidance of subdrainage districts and private land owners in the development of their respective systems of water control, which will be connected to the primary works of the basin to complement the engineering plan of primary works for the basin.
- The preparation of the annual budget for the basin and the submission of such budget to the WMD governing board for inclusion in the WMD budget.
- The consideration and prior approval of final construction plans of the WMD for works to be constructed in the basin.
- The administration of the affairs of the basin.
- Planning for and, upon request by a county, municipality, private utility, or regional water supply authority, providing water supply and transmission facilities for the purpose of assisting such counties, municipalities, private utilities, or regional water supply authorities within or serving the basin.

Section 373.0693(7), F.S., provides that at 11:59 p.m. on December 31, 1976, the Manasota Watershed Basin of the Ridge and Lower Gulf Coast WMD, which is annexed to the Southwest Florida WMD by change of its boundaries pursuant to chapter 76-243, Laws of Florida, must be formed into a subdistrict or basin of the Southwest Florida WMD, subject to the same provisions as the other basins in the WMD. This subdistrict is designated as the Manasota Basin. Beginning on July 1, 2001, the basin board must be comprised of two members from Manatee County and two members from Sarasota County.

Section 373.0693(8)(a), F.S., provides that at 11:59 p.m. on June 30, 1988, the Oklawaha River Basin will cease to be a subdistrict or basin in the St. Johns River WMD. However, this area will continue to be part of the St. Johns River WMD.

Section 373.0693(8)(b), F.S., provides that the area of the St. Johns River Water Management District known as the Greater St. Johns River Basin and the Greater St. Johns River Basin will cease to be a subdistrict or basin of the St. Johns River WMD and this basin will cease to exist. However, this area will continue to be part of the St. Johns River WMD.

Section 373.0693(8)(c), F.S., provides that as of 11:59 p.m. on June 30, 1988, assets and liabilities of the former Oklawaha River and Greater St. Johns River Basins will be assets and liabilities of the St. Johns River WMD. Any contracts, plans, orders, or agreements will continue to be in effect, but may be modified or repealed by the St. Johns River WMD in accordance with law.

III. Effect of Proposed Changes:

Section 1 repeals subsections (7) and (8) of s. 373.0693, F.S., which includes repealing the Manasota, Oklawaha River, and Greater St. Johns River Basins, none of which have governing boards.

Section 2 provides that the act will take effect July 1, 2012.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None

C. Government Sector Impact:

None

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.