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LEGISLATIVE ACTION

Senate

House

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Senator Albritton moved the following:

Senate Amendment (with title amendment)

Delete lines 194 - 351

and insert:

and approval. Notwithstanding the requirements of this paragraph, the release of state funds for the Everglades Agricultural Area reservoir project, the Lake Okeechobee Watershed project, the C-43 West Basin Reservoir Storage project, and the Indian River Lagoon-South project is authorized.

Section 3. Effective upon becoming a law, paragraph (a) of



533620

12 subsection (7) of section 373.036, Florida Statutes, is amended
13 to read:

14 373.036 Florida water plan; district water management
15 plans.—

16 (7) CONSOLIDATED WATER MANAGEMENT DISTRICT ANNUAL REPORT.—

17 (a) By March 1, annually, each water management district
18 shall prepare and submit to the Office of Economic and
19 Demographic Research, the department, the Governor, the
20 President of the Senate, and the Speaker of the House of
21 Representatives a consolidated water management district annual
22 report on the management of water resources. In addition, copies
23 must be provided by the water management districts to the chairs
24 of all legislative committees having substantive or fiscal
25 jurisdiction over the districts and the governing board of each
26 county in the district having jurisdiction or deriving any funds
27 for operations of the district. Copies of the consolidated
28 annual report must be made available to the public, either in
29 printed or electronic format. Any modifications to the annual
30 work plan shall be submitted to the secretary for review and
31 approval.

32 Section 4. Effective upon becoming a law, subsection (7) of
33 section 373.1501, Florida Statutes, is amended, subsections (10)
34 and (11) are added to that section, and subsection (4) of that
35 section is reenacted, to read:

36 373.1501 South Florida Water Management District as local
37 sponsor.—

38 (4) The district is authorized to act as local sponsor of
39 the project for those project features within the district as
40 provided in this subsection and subject to the oversight of the



533620

41 department as further provided in s. 373.026. The district shall
42 exercise the authority of the state to allocate quantities of
43 water within its jurisdiction, including the water supply in
44 relation to the project, and be responsible for allocating water
45 and assigning priorities among the other water uses served by
46 the project pursuant to state law. The district may:

47 (a) Act as local sponsor for all project features
48 previously authorized by Congress.

49 (b) Continue data gathering, analysis, research, and design
50 of project components, participate in preconstruction
51 engineering and design documents for project components, and
52 further refine the Comprehensive Plan of the restudy as a guide
53 and framework for identifying other project components.

54 (c) Construct pilot projects that will assist in
55 determining the feasibility of technology included in the
56 Comprehensive Plan of the restudy.

57 (d) Act as local sponsor for project components.

58 (7) When developing or implementing water control plans or
59 regulation schedules required for the operation of the project,
60 the district shall provide recommendations to the United States
61 Army Corps of Engineers which are consistent with all district
62 programs and plans. The district shall certify to the President
63 of the Senate and the Speaker of the House of Representatives,
64 with a copy to the department, that its recommendations made
65 pursuant to this subsection comply with all district programs
66 and plans.

67 (10) The Legislature finds that the Lake Okeechobee
68 Regulation Schedule and any operating manual must balance the
69 different interests across the system, including, but not



533620

70 limited to, safeguarding the water supply to society and the
71 environment, reducing high-volume discharges to coastal
72 estuaries, and providing for flood control.

73 (11) Water shortages within the Lake Okeechobee Region must
74 be managed in accordance with Chapters 40E-21 and 40E-22,
75 Florida Administrative Code, in effect as of January 1, 2022, as
76 such region is set forth therein.

77 Section 5. Effective upon becoming a law, section 373.4141,
78 Florida Statutes, is amended to read:

79 373.4141 Permits; processing.—

80 (1) GENERAL PROCESSING; TIME LIMITATIONS.—

81 (a) Within 30 days after receipt of an application for a
82 permit under this part, the department or the water management
83 district shall review the application and shall request
84 submittal of all additional information the department or the
85 water management district is permitted by law to require. If the
86 applicant believes any request for additional information is not
87 authorized by law or rule, the applicant may request a hearing
88 pursuant to s. 120.57. Within 30 days after receipt of such
89 additional information, the department or water management
90 district shall review it and may request only that information
91 needed to clarify such additional information or to answer new
92 questions raised by or directly related to such additional
93 information. If the applicant believes the request of the
94 department or water management district for such additional
95 information is not authorized by law or rule, the department or
96 water management district, at the applicant's request, must
97 ~~shall~~ proceed to process the permit application.

98 (b) (2) A permit must ~~shall~~ be approved, denied, or subject



533620

99 to a notice of proposed agency action within 60 days after
100 receipt of the original application, the last item of timely
101 requested additional material, or the applicant's written
102 request to begin processing the permit application.

103 (c)(3) Processing of applications for permits for
104 affordable housing projects must ~~shall~~ be expedited to a greater
105 degree than other projects.

106 (d)(4) A state agency or an agency of the state may not
107 require as a condition of approval for a permit or as an item to
108 complete a pending permit application that an applicant obtain a
109 permit or approval from any other local, state, or federal
110 agency without explicit statutory authority to require such
111 permit or approval.

112 (2) AGREEMENTS TO PROCESS PERMITS.—

113 (a) The department may enter into an agreement or a
114 contract with a public entity, which includes a utility
115 regulated under chapter 366, to expedite the evaluation of
116 environmental resource permits or section 404 permits related to
117 a project or an activity that serves a public purpose. Any
118 agreement or contract entered into pursuant to this subsection
119 must be effective for at least 3 years.

120 (b) The department must ensure that any agreement or
121 contract entered into by the department does not affect
122 impartial decisionmaking, either substantively or procedurally.
123 The department must use the same procedures for decisions that
124 would otherwise be required for the evaluation of permits for
125 similar projects or activities not carried out under an
126 agreement or contract authorized under this subsection.

127 (c) The department must make all active agreements or



533620

128 contracts entered into under this subsection available on its
129 website.

130 (d) The department may receive funds pursuant to an
131 agreement or contract entered into under this subsection. Any
132 funds received pursuant to this subsection must be deposited
133 into the Grants and Donations Trust Fund and used in accordance
134 with the agreement or contract.

135
136 ===== T I T L E A M E N D M E N T =====

137 And the title is amended as follows:

138 Delete lines 13 - 35

139 and insert:

140 the act; authorizing the release of state funds for
141 specified water projects; amending s. 373.036, F.S.;
142 requiring modifications to water management district
143 annual work plans to be submitted to the Secretary of
144 Environmental Protection for review and approval;
145 amending s. 373.1501, F.S.; requiring the South
146 Florida Water Management District to make a specified
147 certification to the Legislature regarding its
148 recommendations to the United States Army Corps of
149 Engineers; providing legislative findings; requiring
150 water shortages within the Lake Okeechobee Region to
151 be managed in accordance with certain provisions;
152 amending s. 373.4141, F.S.; authorizing the Department
153 of Environmental Protection to enter into agreements
154 or contracts with certain entities to expedite the
155 evaluation of certain environmental permits; providing
156 requirements for such agreements or contracts;



533620

157 authorizing the department to receive funds received
158 pursuant to such an agreement or contract; requiring
159 such funds to be deposited into the Grants and
160 Donations Trust Fund; amending s. 570.71,