

By the Committees on Rules; and Community Affairs; and Senator Brodeur

595-02961-22

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1 A bill to be entitled
2 An act relating to inventories of critical wetlands;
3 amending s. 373.036, F.S.; requiring each water
4 management district governing board, in cooperation
5 with local governments, to develop a list of critical
6 wetlands for acquisition using funds from the Land
7 Acquisition Trust Fund; requiring the governing boards
8 to consider certain criteria when including wetlands
9 on the list and to notify owners of property
10 contemplated to be included on the list; requiring
11 owners who wish to have their property removed from
12 the list to submit a certified letter requesting
13 removal; providing requirements for any such request;
14 requiring a governing board to approve such removal if
15 the request meets those requirements; providing the
16 timeframe for approval of requests; revising minimum
17 requirements for annual strategic plans; providing an
18 effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Present paragraph (e) of subsection (2) of
23 section 373.036, Florida Statutes, is redesignated as paragraph
24 (f), a new paragraph (e) is added to that subsection, and
25 present paragraph (e) of that subsection and paragraph (b) of
26 subsection (7) of that section are amended, to read:

27 373.036 Florida water plan; district water management
28 plans.—

29 (2) DISTRICT WATER MANAGEMENT PLANS.—

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30 (e) As part of the district water management plan, each
31 governing board, in cooperation with local governments, shall
32 develop a list of critical wetlands to be acquired using funds
33 from the Land Acquisition Trust Fund.

34 1. The governing boards shall consider all of the following
35 criteria in designating a wetland for inclusion on the list:

36 a. The ecological value of the wetland, as determined by
37 the physical and biological components of the environmental
38 system.

39 b. The effect of the wetland on water quality and flood
40 mitigation.

41 c. The ecosystem restoration value of the wetland.

42 d. The inherent susceptibility of the wetland to
43 development due to its geographical location or natural
44 aesthetics.

45 2. Before adopting or amending its list of critical
46 wetlands, each governing board must notify the owner of any
47 property that the district contemplates including on the list.
48 At any time, an owner who wishes to have his or her property
49 removed from the list must submit by certified mail to the
50 district a letter requesting such removal. The letter must
51 indicate that the owner wishes for his or her property to be
52 removed from the list and must sufficiently identify such
53 property to the governing board. The governing board shall
54 approve a removal request that meets the requirements of this
55 subparagraph at its next regularly scheduled meeting.

56 (f)~~(e)~~ At its option, a governing board may substitute an
57 annual strategic plan for the requirement to develop a district
58 water management plan and the district water management plan

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59 annual report required by subparagraph (7) (b)1., provided that
60 nothing herein affects any other provision or requirement of law
61 concerning the completion of the regional water supply plan and
62 the strategic plan meets the following minimum requirements:

63 1. The strategic plan establishes the water management
64 district's strategic priorities for at least a future 5-year
65 period.

66 2. The strategic plan identifies the goals, strategies,
67 success indicators, funding sources, deliverables, and
68 milestones to accomplish the strategic priorities.

69 3. The strategic plan development process includes at least
70 one publicly noticed meeting to allow public participation in
71 its development.

72 4. The strategic plan includes separately, as an addendum,
73 an annual work plan report on the implementation of the
74 strategic plan for the previous fiscal year, addressing success
75 indicators, deliverables, and milestones.

76 5. The strategic plan includes a list of critical wetlands
77 to be acquired using funds from the Land Acquisition Trust Fund,
78 pursuant to paragraph (e).

79 (7) CONSOLIDATED WATER MANAGEMENT DISTRICT ANNUAL REPORT.-

80 (b) The consolidated annual report shall contain the
81 following elements, as appropriate to that water management
82 district:

83 1. A district water management plan annual report or the
84 annual work plan report allowed in subparagraph (2) (f) 4.

85 ~~(2) (e) 4.~~

86 2. The department-approved minimum flows and minimum water
87 levels annual priority list and schedule required by s.

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88 373.042(3).

89 3. The annual 5-year capital improvements plan required by
90 s. 373.536(6)(a)3.

91 4. The alternative water supplies annual report required by
92 s. 373.707(8)(n).

93 5. The final annual 5-year water resource development work
94 program required by s. 373.536(6)(a)4.

95 6. The Florida Forever Water Management District Work Plan
96 annual report required by s. 373.199(7).

97 7. The mitigation donation annual report required by s.
98 373.414(1)(b)2.

99 8. Information on all projects related to water quality or
100 water quantity as part of a 5-year work program, including:

101 a. A list of all specific projects identified to implement
102 a basin management action plan, including any projects to
103 connect onsite sewage treatment and disposal systems to central
104 sewerage systems and convert onsite sewage treatment and
105 disposal systems to enhanced nutrient-reducing onsite sewage
106 treatment and disposal systems, or a recovery or prevention
107 strategy;

108 b. A priority ranking for each listed project for which
109 state funding through the water resources development work
110 program is requested, which must be made available to the public
111 for comment at least 30 days before submission of the
112 consolidated annual report;

113 c. The estimated cost for each listed project;

114 d. The estimated completion date for each listed project;

115 e. The source and amount of financial assistance to be made
116 available by the department, a water management district, or

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117 other entity for each listed project; and

118 f. A quantitative estimate of each listed project's benefit
119 to the watershed, water body, or water segment in which it is
120 located.

121 9. A grade for each watershed, water body, or water segment
122 in which a project listed under subparagraph 8. is located
123 representing the level of impairment and violations of adopted
124 minimum flow or minimum water levels. The grading system must
125 reflect the severity of the impairment of the watershed, water
126 body, or water segment.

127 Section 2. This act shall take effect July 1, 2022.