FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/HB 981	**COMPANION BILL:** CS/SB 1066 (Brodeur)
TITLE: Tributaries of St. Johns River	**LINKED BILLS:** None
SPONSOR(S): Duggan	**RELATED BILLS:** None

Committee References

Natural Resources & Disasters	➤	Budget	➤	State Affairs
16 Y, 0 N, As CS		28 Y, 0 N		

SUMMARY

Effect of the Bill:

The bill creates several provisions related to the restoration of the Ocklawaha River. Specifically, the bill:

- Requires the Department of Environmental Protection (DEP) to develop and implement a project plan for the restoration of the Ocklawaha River and provides requirements for such plan.
- Requires the development of an Outdoor Recreation Plan to enhance and expand access to rivers and springs for recreational activities.
- Requires DEP to develop a grant program to implement the Outdoor Recreation Plan.
- Requires the Department of Commerce to develop an economic development program for Marion and Putnam Counties to support projects that encourage job creation, capital investment, and strengthening and diversifying each county's economy.
- Creates the Northeast Florida River and Springs Recreation and Economic Development Advisory Council to make recommendations on projects to be included in the Outdoor Recreation Plan, recommendations on guidelines for the grant program and the economic development program, and recommendations on measures to minimize the impact of the restoration on directly impacted property owners or businesses.
- Creates a full-time contractor or employee position within DEP to lead the implementation of the bill's provisions.

Fiscal or Economic Impact:

The bill will likely have a negative, but indeterminate, fiscal impact on state expenditures.

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ANALYSIS

EFFECT OF THE BILL:

Project Plan for the Restoration of the Ocklawaha River

The bill requires the Department of Environmental Protection (DEP) to develop a project plan by July 1, 2027, for the restoration of the Ocklawaha River (Project Plan), which must be completed by December 31, 2032, subject to state, federal, or other funding. The Project Plan must provide for the restoration, increased resiliency, and recreation benefits of the Ocklawaha River, the St. Johns River, and Silver Springs. Additionally, the Project Plan must:

- Be consistent with the partial restoration plan described in the 2001 Final Environmental Impact Statement prepared by the United States Department of Agriculture Forest Service for DEP's Ocklawaha River Restoration Project, as described in DEP's Joint Application for Environmental Resource Permit and Federal Dredge and Fill Permit, dated November 24, 1997.
- Include engineering and design updates, including topographic and bathymetric surveys, and precise estimates of material to be dredged or excavated.
- Provide recommendations for road and bridge construction that is compatible with the partial restoration plan and ensure continued access for the communities west of the project.

- Include estimates by fiscal year of the cost of implementing the Project Plan and potential sources of funding for such costs. (Section 2)

The bill provides that the Project Plan for the restoration of the Ocklawaha River is an environmental restoration or enhancement project subject to a general permit from DEP and water management districts for environmental restoration or enhancement pursuant to r. 62- 88 330.405, F.A.C., and r. 62-330.485, F.A.C. (Section 2)

Project Lead

The bill requires DEP to hire a full-time contractor or employee by August 31, 2026, to lead the implementation of the bill's provisions. The project lead must have subject matter expertise in conservation and recreation planning. (Section 2)

Outdoor Recreation Plan

The bill requires DEP, in collaboration with the Fish and Wildlife Conservation Commission (FWC), the Northeast Florida River and Springs Recreation and Economic Development Advisory Council, and the local governments of river communities in Clay, Marion, Putnam, and St. Johns Counties, to develop an Outdoor Recreation Plan, which must be implemented by January 1, 2028. The Outdoor Recreation Plan must be made available for public comment before its implementation. (Section 2)

The Outdoor Recreation Plan must identify and implement projects for enhanced and expanded river and springs access for recreational activities, such as fishing, hunting, swimming, wildlife viewing, paddling, and hiking. Such projects must be compatible with the Project Plan and applicable statutes. DEP is required to complete such projects on state-owned lands by December 31, 2035, subject to the provision of state, federal, or other funds. (Section 2)

Grant Program

The bill requires DEP to develop a grant program for the river communities in Clay, Marion, Putnam, and St. Johns Counties to implement the Outdoor Recreation Plan. The grant program must be compatible with the Project Plan and Outdoor Recreation Plan and implemented by January 1, 2028. (Section 2)

Economic Development Program

The bill requires the Department of Commerce (Commerce) to develop guidelines and processes for an economic development program within Marion and Putnam Counties to support projects that encourage job creation, capital investment, and strengthening and diversifying each county's economy by January 1, 2028. Additionally, it must be compatible with the Project Plan and the above-described grant program. (Section 2)

Northeast Florida River and Springs Recreation and Economic Development Advisory Council

The bill creates the Northeast Florida River and Springs Recreation and Economic Development Advisory Council (Council), a 16-member advisory council within DEP. The Council must submit an advisory report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and DEP, by February 1, 2027. The advisory report must contain recommendations regarding other components created by the bill's provisions, such as:

- Recommendations for projects to be included in the Outdoor Recreation Plan, including priorities for state-funded land projects.
- Recommendations to DEP for the creation of guidelines to govern the grant program.
- Recommendations to Commerce for the creation of guidelines to administer the economic development program.
- Recommendations for measures to minimize the impact of the restoration plan on directly affected property owners or businesses. (Section 2)

The bill provides that the DEP project lead will serve as the chair of the Council and provides for the additional makeup of the Council as follows:

- Nine members of the Council appointed by the Governor, which must include:

  - Two representatives of river recreation-related businesses local to Marion or Putnam Counties.
  - Two representatives of outdoor recreation user groups, one of whom represents fishing interests local to Marion or Putnam Counties.
  - A representative from DEP's Office of Greenways and Trails.
  - A representative from FWC's Division of Freshwater Fisheries Management.
  - A representative from the FWC's Imperiled Species Management Section.
  - A representative from Commerce.
  - A representative from an environmental community support organization who has subject matter expertise on springs or rivers.
- Six members of the Council appointed by the respective boards of county commissioners, which must include:
  - Two members appointed by Putnam County, one of whom must oversee parks and recreation for the county.
  - Two members appointed by Marion County, one of whom must oversee parks and recreation for the county.
  - One member appointed by Clay County.
  - One member appointed by St. Johns County.
- The commanding officer of Naval Air Station Jacksonville or his or her designee. (Section 2)

The Council members serve without compensation, but are entitled to reimbursement for per diem and travel expenses. The bill also provides that the members serve four-year terms, except the initial terms are staggered. (Section 2)

Effective Date

The bill takes effect upon becoming a law. (Section 3)

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill will likely have a negative, but indeterminate, fiscal impact on state expenditures associated with the hiring of the project lead within DEP, but it is anticipated DEP can absorb the impact with existing resources. The bill will also likely have a negative, but indeterminate, fiscal impact on state expenditures for Commerce associated with the economic development program.

RELEVANT INFORMATION

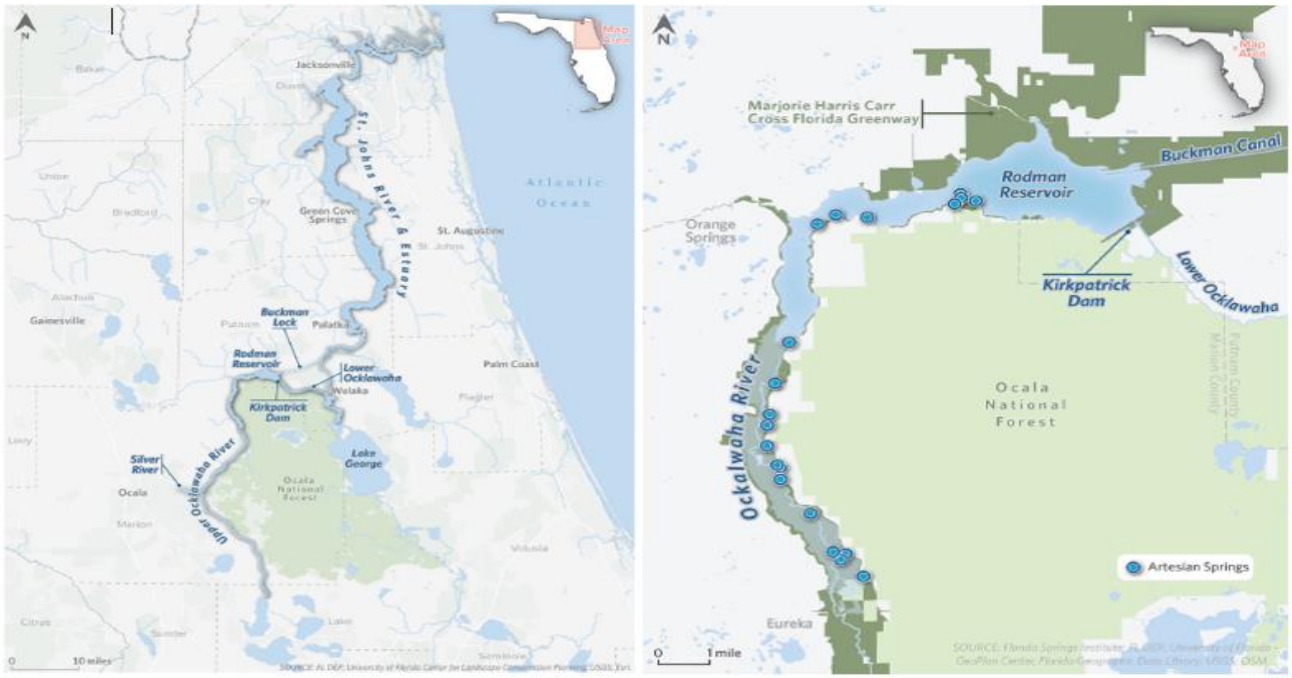
SUBJECT OVERVIEW:

Ocklawaha River

The Ocklawaha River (River), with contributions from Silver Springs and Silver River, is the primary tributary to the St. Johns River.[1] Construction of the Kirkpatrick Dam (Dam), formerly known as the Rodman Dam,[2] and Rodman Reservoir (Reservoir) as part of the Cross Florida Barge Canal[3] altered the River by flooding approximately 7,500

[1] Pew Charitable Trusts, *Ocklawaha River Restoration: Science and Economics Report* (Apr. 2005), https://www.researchgate.net/publication/390798234_Ocklawaha_River_Restoration_Science_and_Economics_Report, at 4.
[2] The Florida Legislature officially renamed the Rodman Dam the George Kirkpatrick Dam in 1998.
[3] The Cross Florida Barge Canal was intended to connect the Gulf of America (formerly Gulf of Mexico) and the Atlantic Ocean through an inland shipping route across Florida. After the project was halted, the abandoned corridor became the Marjorie Harris Carr Cross Florida Greenway. Today, the Greenway stretches more than 70,000 acres across 110 miles of Central Florida. Florida Museum, *Florida Environmental History: The Cross Florida Barge Canal*, https://www.floridamuseum.ufl.edu/earth-systems/blog/florida-environmental-history-the-cross-florida-barge-canal/ (last visited Jan. 16, 2026).

acres, submerging more than 20 freshwater springs, and eliminating roughly 16 miles of the natural river channel.[4] The canal project was halted in 1981, officially deauthorized in 1991, and transferred to the State of Florida by 1992.[5] Today, the Dam and Reservoir remain in place, causing ecological impacts.[6]



[7]

Rodman Reservoir and Kirkpatrick Dam

The Reservoir is an approximately 9,500-acre man-made impoundment of the River that was constructed as part of the former Cross Florida Barge Canal Project.[8] The Reservoir has a drainage basin of 2,800 square miles, with its headwaters in the Green Swamp and Lake Apopka.[9] Access to the Reservoir is controlled by the Buckman Lock, while the Dam controls the Reservoir's level.[10] The 7,200 foot long earthen dam has a four-gate spillway designed to discharge up to 36,000 cubic feet of water per second from the Reservoir.[11] The Reservoir and Dam's spillway support recreational and subsistence fisheries, including Florida bass and black crappie.[12]

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[4] Florida TaxWatch, *A River (No Longer) Runs Through It: Ocklawaha River Restoration* (Feb. 2022), https://floridataxwatch.org/Research/Blog/a-river-no-longer-runs-through-it, at 2.

[5] St. Johns Water Management District (SJWMD), *Environmental Studies Concerning Four Alternatives for Rodman Reservoir and the Lower Ocklawaha River*, 6 (1994), *available at* https://drive.google.com/file/d/13pcShL42Uw4xcEdDSnAAT_CW06ndlrl9/view, at v.

[6] *See Department of Environmental Protection (*DEP), *Joint Application for Environmental Resource Permit and Federal Dredge and Fill Permit* (1997), *available at* https://drive.google.com/file/d/1hb07T_nRkQmZRxrF6XJXg7s5dZxBXS8-/view, at 1-8.

[7] Pew Charitable Trusts, *Ocklawaha River Restoration: Science and Economics Report* (Apr. 2005), https://www.researchgate.net/publication/390798234_Ocklawaha_River_Restoration_Science_and_Economics_Report, at 4,7.

[8] Acquisition and Restoration Council (ARC), Marjorie Harris Carr Cross Florida Greenway State Recreation and Conservation Area Unit Management Plan (2018), https://floridadep.gov/sites/default/files/2018%20Cross%20FL%20Greenway_Final%20ARC%20Draft_CFG%20UMP_20190717.pdf, at 35-38, 212.

[9] *Id.* at 212.

[10] *Id.* at 37.

[11] *Id.* at 211.

[12] *See Id.*; Florida Fish and Wildlife Conservation Commission (FWC), *Rodman Reservoir*, https://myfwc.com/fishing/freshwater/sites-forecasts/ne/rodman-reservoir/ (last visited Jan. 16, 2026); DEP, *Rodman Recreation Area*, https://www.floridastateparks.org/parks-and-trails/rodman-recreation-area (last visited Jan. 16, 2026).

The construction of the Dam and Reservoir has resulted in significant adverse impacts to the River and floodplain, including:

- Chronic inundation of the floodplain and degradation of water quality in the Reservoir and upper river.
- Reduced downstream fish and shellfish productivity.
- Elimination of critical plant and wildlife dispersal corridors due to fragmentation of the River and floodplain habitat.
- Increased exotic and nuisance plant species from stagnant water levels and flow velocities created by the Dam.[13]

In addition, the U.S. Army Corps of Engineers has classified the Dam as a potential high hazard to the downstream area in the event of failure or mis-operation of the Dam or facilities.[14] It has been estimated that the 11,000-acre inundation area contains approximately 538 properties that, if flooded, could result in loss of life and represent a total loss of $57.4 million.[15]

Restoration Plans

Since the 1970s, numerous groups have advocated for removing the Dam and restoring the Reservoir to the River floodplain due to ecological damage to the floodplain and surrounding ecosystems.[16] In 1993, the Florida Legislature directed the Department of Environmental Protection (DEP) to study the environmental and economic efficacy of several alternatives, including:

- Full restoration of the River: Restoring river hydrology and floodplain function to preconstruction conditions through breaching of the Dam, with limited removal or alteration of structures and alteration of topography.
- Partial restoration of the River: Restoring river hydrology and floodplain function to preconstruction conditions through breaching of the Dam, with limited removal or alteration of structures and alteration of topography.
- Total retention of the Reservoir: Retaining the Reservoir at its current size and depth, with active management to enhance fish and wildlife. Removal or alteration of structures and topography would be limited.
- Partial retention of the Reservoir: Reducing the size of the Reservoir to the extent that a part of the River can be restored and a part of the Reservoir can be retained.[17]

In 1997, following a recommendation from the St. Johns River Water Management District, DEP submitted a joint application for a state environmental resource permit and federal dredge and fill permit to implement the partial restoration of the River.[18] Partial restoration was determined to be the most cost-effective alternative for

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[13] DEP, *Joint Application for Environmental Resource Permit and Federal Dredge and Fill Permit* (1997), *available at* https://drive.google.com/file/d/1hb07T_nRkQmZRxrF6XJXg7s5dZxBXS8-/view, at 1-8.

[14] U.S. Army Corps of Engineers (USACE), *National Inventory of Dams: Kirkpatrick Dam and Rodman Reservoir*, https://nid.sec.usace.army.mil/nid/#/dams/system/FL00156/inspections (last visited Jan. 17, 2026). *See generally* Federal Emergency Management Agency, *Fact Sheet 2.3: Mitigation of Dams and Reservoirs* (2022), *available at* https://www.fema.gov/sites/default/files/documents/fema_p-2181-fact-sheet-2-3-dams-and-reservoirs.pdf (providing description of dam hazard potential classifications), at 2-27,2-28.

[15] Pew Charitable Trusts, Ocklawaha River Restoration: Science and Economics Report (Apr. 2005), https://www.researchgate.net/publication/390798234_Ocklawaha_River_Restoration_Science_and_Economics_Report, at 7. *See* URS Corporation, *Emergency Action Plan: Kirkpatrick Dam and Rodman Reservoir,* 27-36 (2005), *available at* https://drive.google.com/file/d/1GAWXaDS7-V_hKUdfQY1AjxW5mwf3bNn4/view, at 27-26.

[16] ARC, Marjorie Harris Carr Cross Florida Greenway State Recreation and Conservation Area Unit Management Plan (2018), https://floridadep.gov/sites/default/files/2018%20Cross%20FL%20Greenway_Final%20ARC%20Draft_CFG%20UMP_20190717.pdf, at 151.

[17] *See* ch. 93-213, s.54, Laws of Fla.; DEP, *Joint Application for Environmental Resource Permit and Federal Dredge and Fill Permit* (1997), *available at* https://drive.google.com/file/d/1hb07T_nRkQmZRxrF6XJXg7s5dZxBXS8-/view, at 1-7.

[18] *See* DEP, Joint Application for Environmental Resource Permit and Federal Dredge and Fill Permit (1997), available at https://drive.google.com/file/d/1hb07T_nRkQmZRxrF6XJXg7s5dZxBXS8-/view.

addressing the overall objectives of the restoration project.[19] The major components of the proposed partial restoration include:

- Drawdown of the Reservoir to be accomplished in three phases.
- Limited construction of channel stabilization and erosion control structures in the River.
- Limited planting of native plant species to provide for erosion control.
- Partial leveling of the exposed barge canal side-cast spoil berms.
- Restoration of the historic River channel flow by filling the barge canal where it intersects the river channel.
- Restoration of the historic Deep Creek channel flow by filling the barge canal where it intersects the creek channel.
- Restoration of the historic Camp Branch floodplain and channel flow by filling the barge canal where it intersects the creek channel.
- Closure and securing of the Buckman Lock.
- Removal of 2,000 feet of the Dam (earthen portion).
- Partial filling and restoration of the spillway tailrace to natural grade.
- Development and implementation of a cultural resources operating plan.[20]

In 2001, the U.S. Department of Agriculture's Forest Service issued an Environmental Impact Statement recommending the partial restoration alternative.[21] To date, no action has been taken to implement that recommendation.

Restoration of the River has the potential to produce a range of benefits, including increased freshwater flow, the return of historic fish communities, and enhanced access for other species that support ecosystem health.[22] Restoration is also expected to restore the flow of approximately 20 nearby springs that could support public use and tourism.[23] Increased flow from the Ocklawaha River to the Lower St. Johns River and estuary would reduce saltwater intrusion, improve water quality, and freshwater food webs, and contribute to eelgrass growth and dispersal in the Lower St. Johns River.[24]

Restoration of the river would also remove structural flood hazards associated with Dam failure.[25] While breaching the Dam would result in the loss of the Reservoir and spillway flows that support existing fisheries, recreational enhancements, such as improved Ocklawaha and Lower St. Johns River access for boat and shore-based anglers, could offset some of the impacts to the fishing community.[26]

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[19] *Id.* at 1-1.
[20] ARC, Marjorie Harris Carr Cross Florida Greenway State Recreation and Conservation Area Unit Management Plan (2018), https://floridadep.gov/sites/default/files/2018%20Cross%20FL%20Greenway_Final%20ARC%20Draft_CFG%20UMP_20190717.pdf, at 152.
[21] United States Department of Agriculture, *Final Environmental Impact Statement for the Occupancy and Use of National Forest Lands and Ocklawaha River Restoration*, (2001).
[22] Pew Charitable Trusts, Ocklawaha River Restoration: Science and Economics Report (Apr. 2005), https://www.researchgate.net/publication/390798234_Ocklawaha_River_Restoration_Science_and_Economics_Report, at 6.
[23] *Id.* at 6-7.
[24] *Id.* at 7.
[25] *See generally* Florida Tax Watch, *A River (No Longer) Runs Through It: Ocklawaha River Restoration*, 7 (2022), *available at* https://floridataxwatch.org/DesktopModules/EasyDNNNews/DocumentDownload.ashx?portalid=210&moduleid=35706&articleid=19140&documentid=1020; Pew Charitable Trusts, Ocklawaha River Restoration: Science and Economics Report (Apr. 2005), https://www.researchgate.net/publication/390798234_Ocklawaha_River_Restoration_Science_and_Economics_Report.
[26] Pew Charitable Trusts, Ocklawaha River Restoration: Science and Economics Report (Apr. 2005), https://www.researchgate.net/publication/390798234_Ocklawaha_River_Restoration_Science_and_Economics_Report, at 6.

General Permits

The statewide Environmental Resource Permitting (ERP) program is the primary tool used by DEP[27] or a water management district (WMD)[28] to regulate activities involving the alteration of surface water flows. This includes new activities in uplands that generate stormwater runoff from upland construction, as well as dredging and filling in wetlands and other surface waters.[29] The ERP program governs the construction, alteration, operation, maintenance, repair, abandonment, and removal of stormwater management systems, dams, impoundments, reservoirs, appurtenant works, and other works such as docks, piers, structures, dredging, and filling located in, on, or over wetlands or other surface waters.[30] There are three types of ERP program permits-general, individual, and conceptional approval.[31]

DEP and WMDs can be granted general permits for the construction, alteration, operation, maintenance, removal and abandonment of projects to implement DEP or WMD environmental restoration or enhancement projects.[32] In order to qualify for this general permit, the project must comply with any one of the following procedures:

- The project is part of a Surface Water Improvement and Management Plan;
- The project is approved by the District Governing Board or the Secretary of DEP after conducting at least one public meeting; or
- The project is wholly or partially funded through the Land Acquisition Trust Fund or through any successor trust fund.

When the activity is conducted by DEP, the department must provide the notice and any processing fee required by rule, to the appropriate WMD. When the activity is conducted by a WMD, the district must provide the notice and any required fee to the appropriate DEP office.[33]

WMDs are also empowered to adopt rules under the general permit system for projects or categories of projects that have minimal adverse impact on the water resources within that WMD. These rules specify design or performance criteria which, if applied, would result in compliance with the conditions for issuance of permits established in Ch. 373, F.S., and WMD rules.[34] Additionally, DEP can adopt rules for general permits for local governments to construct, operate, and maintain public mooring fields, public boat ramps, including associated courtesy docks, and associated parking facilities located in uplands.[35]

Advisory Councils

Advisory councils are advisory bodies created by specific statutory enactment, appointed to function on a continuing basis for the study of problems arising in a specified functional or program area of state government,

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[27] DEP is the state's lead agency for environmental management and stewardship. This includes the protection of air, land, and water resources. *See* DEP, About DEP (Nov. 20, 2025), available at https://floridadep.gov/sec/sec/content/about-dep (last visited Jan. 14, 2026); s. 373.016, F.S.

[28] WMDs are responsible for administering water resources at a regional level. The state is divided into five WMDs, which are the Northwest WMD, the Suwannee River WMD, the St. Johns River WMD, the Southwest Florida WMD, and the South Florida WMD. The core focus of WMDs is on water supply, water quality, flood protection and floodplain management, and natural systems. *See* DEP, *Water Management Districts*, https://floridadep.gov/owper/water-policy/content/water-management-districts (last visited Jan. 14, 2026); ss. 373.069, F.S. and 373.535(1)(a)2., F.S.

[29] DEP, Environmental Resource Permitting Coordination, Assistance, Portals (Jun. 9, 2023), *available at* https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/environmental-resource-permitting (last visited Jan. 14, 2026).

[30] R. 62-330.010(2), F.A.C

[31] R. 62-330.020, F.A.C.

[32] R. 62-330.485, F.A.C.

[33] *Id.*

[34] S. 373.118(1), F.S.

[35] S. 373.118(4), F.S.

and provide recommendations and policy alternatives.[36] Advisory bodies created as an adjunct to an executive agency must be established, evaluated, or maintained in accordance with the following provisions:[37]

- They may be created only when it is found to be necessary and beneficial to the furtherance of a public purpose.
- They must be terminated by the Legislature when they are no longer necessary and beneficial to further a public purpose. The executive agency to which the advisory body is made an adjunct must advise the Legislature at the time the advisory body is no longer essential to further a public purpose.
- The Legislature and the public must be kept informed of the numbers, purposes, memberships, activities, and expenses of advisory bodies.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Natural Resources & Disasters Subcommittee	16 Y, 0 N, As CS	1/20/2026	Skinner	Weiss
THE CHANGES ADOPTED BY THE COMMITTEE:	• Added the commanding officer of Naval Air Station Jacksonville, or his or her designee, to the Council, increasing its membership from 15 to 16 members.			
Budget Committee	28 Y, 0 N	1/27/2026	Pridgeon	Perez
State Affairs Committee			Williamson	Weiss

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

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[36] S. 20.03(7), F.S.
[37] S. 20.052, F.S.