

House Bill No. 2071

An act relating to rulemaking authority of water management districts; amending s. 373.118, F.S.; authorizing water management district governing boards to delegate powers and duties pertaining to general permits to their executive directors; providing for execution of such delegated authority; providing for referral of certain denials to the governing board for final action; providing an effective date.

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

Section 1. Section 373.118, Florida Statutes, is amended to read:

373.118 General permits.—

(1) The governing board may adopt rules establishing a general permit system under this chapter for projects, or categories of projects, which have, either singly or cumulatively, a minimal adverse impact on the water resources of the district. Such rules shall specify design or performance criteria which, if applied, would result in compliance with the conditions for issuance of permits established in this chapter and district rules.

(2) A general permit system relating to water use may provide for the granting of permits for the use of water in specified amounts within identified areas of the district. General permits for water use shall be subject to all the provisions of part II except the provisions of s. 373.229.

(3) In lieu of the publication of notice requirements of ss. 373.116, 373.229, and 373.413, the governing board may establish alternative notice requirements for general permits, which requirements take into account the nature and scope of the projects permitted and the effect the proposed activity may have on other persons.

(4) To provide for greater efficiency, the governing board may delegate by rule its powers and duties pertaining to general permits to the executive director. The executive director may execute such delegated authority through designated staff. However, when delegating the authority to take final action on permit applications under part II or part IV or petitions for variances or waivers of permitting requirements under part II or part IV, the governing board shall provide a process for referring any denial of such application or petition to the governing board to take such final action.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 19, 2000.

Filed in Office Secretary of State June 19, 2000.