

Committee Substitute for Senate Bill No. 2260

An act relating to water policy; repealing s. 373.0693(11), F.S.; deleting a provision requiring legislative approval to abolish or combine basins existing within the Southwest Florida Water Management District; amending s. 373.2295, F.S.; redefining the term “interdistrict transfer and use”; validating and providing continued effect of agreements between water management districts which were entered into before the effective date of the act; amending s. 373.451, F.S.; revising legislative intent with respect to the Surface Water Improvement and Management Act; deleting requirement that state and local funds be provided for certain purposes; amending s. 373.453, F.S.; revising criteria to be applied in determining the priority of water bodies under surface water improvement and management plans and programs; providing for periodic lists of water bodies of regional or statewide significance; authorizing participation by additional persons in the development of plans and programs; deleting certain reporting requirements; requiring identification of potential funding sources for the plans and programs; requiring review of plans developed by water management districts by various state agencies within a specified time; deleting the requirement that state agencies be on certain advisory committees; authorizing water management districts to enter into contracts with governmental agencies regarding the development and implementation of water improvement and management programs; amending s. 373.459, F.S.; providing for appropriation of funds for surface water improvement and management activities by water management districts; providing for release of funds by the Department of Environmental Protection; repealing s. 373.455, F.S., relating to review of surface water improvement and management plans; repealing s. 373.456, F.S., relating to approval of surface water improvement and management plans; repealing s. 373.457, F.S., relating to implementation of surface water improvement and management plans and programs; amending ss. 259.101, 373.4136, 403.067, and 403.1835, F.S.; amending s. 403.1837, F.S.; repealing provisions limiting the bonding authority of the Florida Water Pollution Control Financing Corporation; deleting cross-references; amending s. 373.069, F.S.; revising boundaries of the St. Johns River and Southwest Florida Water Management Districts; amending s. 373.079, F.S.; revising procedures relating to the hiring of legal staff in the water management districts; amending s. 373.0691, F.S.; providing for the transfer of land and other incidentals from the St. Johns River Water Management District to the Southwest Florida Water Management District; providing effective dates.

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

Section 1. Subsection (11) of section 373.0693, Florida Statutes, is amended to read:

373.0693 Basins; basin boards.—

(11)(a) ~~Basins existing within the Southwest Florida Water Management District, as described in rule 40D-0.061, Florida Administrative Code, may not be abolished or combined without the approval of the Legislature, except that the entire area lying to the East of the Hillsborough County line and presently located within the Hillsborough Basin is hereby annexed into the Peace River Basin. Within the Southwest Florida Water Management District, the entire area lying to the East of the Hillsborough County line and presently located within the Alafia Basin is hereby annexed into the Peace River Basin.~~

(b) ~~Assets or liabilities of the basin located in those areas transferred from the Hillsborough and Alafia Basins into the Peace River Basin pursuant to this section, including funds held in trust, shall be transferred to the Peace River Basin.~~

Section 2. Subsection (1) of section 373.2295, Florida Statutes, is amended to read:

373.2295 Interdistrict transfers of groundwater.—

(1) As used in this section, the term “interdistrict transfer and use” means a consumptive water use that ~~which~~ involves the withdrawal of groundwater from a point within one water management district for use outside the boundaries of that district, but does not include a withdrawal and use within the same county. In case of withdrawal of groundwater from a point within one water management district for use outside the boundaries of that district but within the same county, the provisions of subsections (4), (11), and (13) shall apply, and the district considering a permit application for such a consumptive use shall apply the applicable provisions of this chapter, and its rules, to the withdrawal and use.

Section 3. Any agreements between water management districts entered into before the effective date of this act pursuant to section 373.046, Florida Statutes, authorizing the issuance of permits for the interdistrict withdrawal and use of water within a county are validated and shall continue in effect until otherwise rescinded.

Section 4. Subsections (5), (7), and (8) of section 373.451, Florida Statutes, are amended to read:

373.451 Short title; legislative findings and intent.—

(5) The Legislature finds that many surface water problems can be and have been corrected and prevented through plans and programs for surface water improvement and management that are developed ~~planned, designed,~~ and implemented by the water management districts, the department, and local governments.

(7) It is also the intent of the Legislature that the department, the water management districts, and others ~~shall conduct or coordinate statewide research by the water management districts or others~~ to provide a better

scientific understanding of the causes and effects of surface water pollution and of the destruction of natural systems in order to improve and manage surface waters and associated natural systems.

~~(8) The state, through the department, shall provide funds to assist with the implementation of the district plans and programs under this act. However, to achieve the goals of this act, cooperation and funding is necessary from the state, the water management districts, and local governments.~~

Section 5. Section 373.453, Florida Statutes, is amended to read:

373.453 Surface water improvement and management plans and programs.—

(1)(a) Each water management district, in cooperation with the department, the Department of Agriculture and Consumer Services, the Department of Community Affairs, the Fish and Wildlife Conservation Commission, and local governments, and others, shall ~~prepare and maintain~~ a list that prioritizes which shall prioritize water bodies of regional or statewide significance within the each water management district. The list shall be reviewed and updated every 5 ~~3~~ years. ~~The list shall be based on criteria adopted by rule of the department and shall assign priorities to the water bodies based on their need for protection and restoration.~~

(b) ~~Criteria to be used in developing the lists developed by the department shall include, but need not be limited to, consideration of violations of water quality standards occurring in the water body, the amounts of nutrients entering the water body and the water body's trophic state, water bodies on the department's list of impaired waters, water bodies with established total maximum daily loads, the existence of or need for a continuous aquatic weed control program in the water body, the biological condition of the water body, reduced fish and wildlife values, and threats to agricultural and urban water supplies, threats to and public recreational opportunities, the management of the water body through federal, state, or local water quality programs or plans, and public input.~~

(c) In maintaining ~~developing~~ their respective priority water body lists, water management districts shall give consideration to the following priority areas:

1. The South Florida Water Management District shall give priority to the restoration needs of Lake Okeechobee, Biscayne Bay, the Lake Worth Lagoon, and the Indian River Lagoon system and their tributaries.

2. The Southwest Florida Water Management District shall give priority to the restoration needs of Tampa Bay and its tributaries.

3. The St. Johns River Water Management District shall give priority to the restoration needs of Lake Apopka, the Lower St. Johns River, and the Indian River Lagoon system and their tributaries.

(2) Unless otherwise provided by law ~~Once the priority lists are approved by the department~~, the water management districts, in cooperation with

~~state agencies, the department, the Fish and Wildlife Conservation Commission, the Department of Community Affairs, the Department of Agriculture and Consumer Services, and local governments, and others, may shall develop surface water improvement and management plans and programs for the water bodies identified based on the priority lists. The department shall establish a uniform format for such plans and a schedule for reviewing and updating the plans. These Plans developed pursuant to this subsection shall include, but not be limited to:~~

(a) A description of the water body system, its historical and current uses, its hydrology, and ~~a history of the conditions~~ that which have led to the need for restoration or protection;

(b) An identification of all governmental units that have jurisdiction over the water body and its drainage basin within the approved surface water improvement and management plan area, including local, regional, state, and federal units;

(c) A description of land uses within the drainage basin of the priority water body within the approved surface water improvement and management plan area and those of important tributaries, ~~point and nonpoint sources of pollution, and permitted discharge activities;~~

(d) Identification ~~A list of the owners of point and nonpoint sources of water pollution that are discharged into the each water body and its important tributaries tributary thereto and that adversely affect the public interest, including separate lists of those sources that are:~~

- ~~1. Operating without a permit;~~
- ~~2. Operating with a temporary operating permit; and~~
- ~~3. Presently violating effluent limits or water quality standards.~~

~~The plan shall also include recommendations and schedules for bringing all sources into compliance with state standards when not contrary to the public interest. This paragraph does not authorize any existing or future violation of any applicable statute, regulation, or permit requirement, and does not diminish the authority of the department or the water management district;~~

(e) A description of strategies and a schedule for related management actions ~~potential strategies~~ for restoring or protecting the water body to Class III or better, including those needed to help achieve state-adopted total maximum daily loads for the water body;

(f) ~~A listing of studies that are being or have been prepared for the water body;~~

(g) ~~A description of the research and feasibility studies which will be performed to determine the particular strategy or strategies to restore or protect the water body;~~

~~(f)(h)~~ A description of the management actions measures needed to manage and maintain the water body once it has been restored and to prevent future degradation; and

~~(i)~~ A schedule for restoration and protection of the water body; and

~~(g)(j)~~ An estimate of the funding needed to carry out the restoration or protection strategies and a listing of available and potential funding sources and amounts.

~~(3)~~ Each water management district shall be responsible for planning and coordinating restoration or protection strategies for the priority water bodies within the district which have been approved by the department as water bodies of regional and statewide significance in need of protection or restoration. The governing board of the appropriate water management district shall hold at least one public hearing and public workshop ~~workshops~~ in the vicinity of a priority the water body for which a plan is being developed to obtain under consideration as may be necessary for obtaining public input prior to finalizing the surface water improvement and management plan plans for the water body bodies on the priority list. The water management district shall then forward a copy of the plan plans to the department, the Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services, and to appropriate local governmental units for their review and comment within 45 calendar days after the date the plan is forwarded to them. The department shall specifically comment on the likelihood that implementing the plan will significantly improve or protect water quality and associated natural systems. At the end of the 45-day review period, the water management district may proceed to approve the plan, whether or not comments have been submitted.

~~(4)~~ Plans shall be updated as necessary to ensure that they effectively address the restoration and protection needs of the priority water bodies and that they reflect current scientific understandings and budgetary adjustments. If a district determines that modifications of or additions to a plan are necessary, such modifications or additions shall be subject to the review process established in this section. Each September 1, the water management districts shall submit a funding proposal for the next state fiscal year to the department for its review and approval. The proposal shall specify the activities that need state funding and the amounts of funding, and shall describe the specific restoration or protection activities proposed. The department shall review water management district funding proposals and shall consider them in making its annual budget request.

~~(5)~~ The governing board of each water management district is encouraged to appoint advisory committees as necessary to assist in formulating and evaluating strategies for water body protection and restoration activities and to increase public awareness and intergovernmental cooperation. Such committees should include representatives of the Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services, appropriate local governments, state and federal agencies, existing advisory councils for the priority ~~subject~~ water body, and representatives of the public who use the water body.

(6) The water management districts may contract with appropriate state, local, and regional agencies and others to perform various tasks associated with the development and implementation of the surface water improvement and management plans and programs.

Section 6. Section 373.459, Florida Statutes, is amended to read:

373.459 Funds for surface water improvement and management.—

(1) Legislative appropriations provided to the water management districts for surface water improvement and management activities shall be available for detailed planning and plan and program implementation.

~~(2)(1)~~ The Ecosystem Management and Restoration Trust Fund shall be used for the deposit of funds appropriated by the Legislature for the purposes of ss. 373.451-373.4595. The department shall administer all funds appropriated to or received for surface water improvement and management activities. Expenditure of the moneys shall be limited to the costs of detailed planning for and plan and program implementation of programs prepared for priority surface water bodies waters. Moneys from the fund shall not be expended for planning for, or construction or expansion of, treatment facilities for domestic or industrial waste disposal.

~~(3)(2)~~ ~~The secretary of the department shall authorize the release of money from the fund in accordance with the provisions of s. 373.501(2) and procedures in s. 373.59(4) and (5) within 30 days after receipt of a request adopted by the governing board of a water management district or by the executive director when authority has been delegated by the governing board, certifying that the money is needed for detailed planning for or implementation of plans approved pursuant to ss. 373.453, 373.455, and 373.456. A water management district may not receive more than 50 percent of the moneys appropriated to the fund for the purposes of ss. 373.451-373.4595 in any fiscal year unless otherwise provided for by law. Each year after funds are appropriated, each water management district shall receive the amount requested pursuant to s. 373.453(4) or 10 percent of the money appropriated for the purposes of ss. 373.451-373.4595, whichever is less. The department shall allocate the remaining money in the appropriation for such purposes annually, based upon the specific needs of the districts. The department, at its discretion, may include any funds allocated to a district for such purposes in previous years which remain unencumbered by the district on July 1, to the amount of money to be distributed based upon specific needs of the districts.~~

~~(3)~~ ~~The amount of money that may be released to a water management district from the fund for approved plans, or continuations of approved plans, to improve and manage the surface waters described in ss. 373.451-373.4595 is limited to not more than 60 percent of the amount of money necessary for the approved plans of the South Florida Water Management District, the Southwest Florida Water Management District, and the St. Johns River Water Management District, and not more than 80 percent of the amount of money necessary for the approved plans of the Northwest Florida Water Management District and the Suwannee River Water Man-~~

~~agement District. The remaining funds necessary for the approved plans shall be provided by the district.~~

(4) Moneys in the fund which are not needed to meet current obligations incurred under this section shall be transferred to the State Board of Administration, to the credit of the trust fund, to be invested in the manner provided by law. Interest received on such investments shall be credited to the trust fund.

Section 7. Sections 373.455, 373.456, and 373.457, Florida Statutes, are repealed.

Section 8. Paragraph (b) of subsection (3) of section 259.101, Florida Statutes, is amended to read:

259.101 Florida Preservation 2000 Act.—

(3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs of issuance, the costs of funding reserve accounts, and other costs with respect to the bonds, the proceeds of bonds issued pursuant to this act shall be deposited into the Florida Preservation 2000 Trust Fund created by s. 375.045. In fiscal year 2000-2001, for each Florida Preservation 2000 program described in paragraphs (a)-(g), that portion of each program's total remaining cash balance which, as of June 30, 2000, is in excess of that program's total remaining appropriation balances shall be redistributed by the department and deposited into the Save Our Everglades Trust Fund for land acquisition. For purposes of calculating the total remaining cash balances for this redistribution, the Florida Preservation 2000 Series 2000 bond proceeds, including interest thereon, and the fiscal year 1999-2000 General Appropriations Act amounts shall be deducted from the remaining cash and appropriation balances, respectively. The remaining proceeds shall be distributed by the Department of Environmental Protection in the following manner:

(b) Thirty percent to the Department of Environmental Protection for the purchase of water management lands pursuant to s. 373.59, to be distributed among the water management districts as provided in that section. Funds received by each district may also be used for acquisition of lands necessary to implement surface water improvement and management plans ~~approved in accordance with s. 373.456~~ or for acquisition of lands necessary to implement the Everglades Construction Project authorized by s. 373.4592.

Local governments may use federal grants or loans, private donations, or environmental mitigation funds, including environmental mitigation funds required pursuant to s. 338.250, for any part or all of any local match required for the purposes described in this subsection. Bond proceeds allocated pursuant to paragraph (c) may be used to purchase lands on the priority lists developed pursuant to s. 259.035. Title to lands purchased pursuant to paragraphs (a), (d), (e), (f), and (g) shall be vested in the Board of Trustees of the Internal Improvement Trust Fund. Title to lands purchased pursuant to paragraph (c) may be vested in the Board of Trustees of

the Internal Improvement Trust Fund. The board of trustees shall hold title to land protection agreements and conservation easements that were or will be acquired pursuant to s. 380.0677, and the Southwest Florida Water Management District and the St. Johns River Water Management District shall monitor such agreements and easements within their respective districts until the state assumes this responsibility.

Section 9. Paragraph (a) of subsection (6) of section 373.4136, Florida Statutes, is amended to read:

373.4136 Establishment and operation of mitigation banks.—

(6) MITIGATION SERVICE AREA.—The department or water management district shall establish a mitigation service area for each mitigation bank permit. The department or water management district shall notify and consider comments received on the proposed mitigation service area from each local government within the proposed mitigation service area. Except as provided herein, mitigation credits may be withdrawn and used only to offset adverse impacts in the mitigation service area. The boundaries of the mitigation service area shall depend upon the geographic area where the mitigation bank could reasonably be expected to offset adverse impacts. Mitigation service areas may overlap, and mitigation service areas for two or more mitigation banks may be approved for a regional watershed.

(a) In determining the boundaries of the mitigation service area, the department or the water management district shall consider the characteristics, size, and location of the mitigation bank and, at a minimum, the extent to which the mitigation bank:

1. Contributes to a regional integrated ecological network;
2. Will significantly enhance the water quality or restoration of an offsite receiving water body that is designated as an Outstanding Florida Water, a Wild and Scenic River, an aquatic preserve, a water body designated in a plan approved ~~adopted~~ pursuant to s. ~~373.456~~ of the Surface Water Improvement and Management Act, or a nationally designated estuarine preserve;
3. Will provide for the long-term viability of endangered or threatened species or species of special concern;
4. Is consistent with the objectives of a regional management plan adopted or endorsed by the department or water management districts; and
5. Can reasonably be expected to offset specific types of wetland impacts within a specific geographic area. A mitigation bank need not be able to offset all expected impacts within its service area.

Section 10. Paragraph (b) of subsection (3) and paragraph (a) of subsection (7) of section 403.067, Florida Statutes, are amended to read:

403.067 Establishment and implementation of total maximum daily loads.—

(3) ASSESSMENT.—

(b) The department shall adopt by rule a methodology for determining those waters which are impaired. The rule shall provide for consideration as to whether water quality standards codified in chapter 62-302, Florida Administrative Code, are being exceeded, based on objective and credible data, studies and reports, including surface water improvement and management plans approved by water management districts ~~under s. 373.456~~ and pollutant load reduction goals developed according to department rule. Such rule also shall set forth:

1. Water quality sample collection and analysis requirements, accounting for ambient background conditions, seasonal and other natural variations;

2. Approved methodologies;

3. Quality assurance and quality control protocols;

4. Data modeling; and

5. Other appropriate water quality assessment measures.

(7) IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

(a) The department shall be the lead agency in coordinating the implementation of the total maximum daily loads through water quality protection programs. Application of a total maximum daily load by a water management district shall be consistent with this section and shall not require the issuance of an order or a separate action pursuant to s. 120.536(1) or s. 120.54 for adoption of the calculation and allocation previously established by the department. Such programs may include, but are not limited to:

1. Permitting and other existing regulatory programs;

2. Nonregulatory and incentive-based programs, including best management practices, cost sharing, waste minimization, pollution prevention, and public education;

3. Other water quality management and restoration activities, for example surface water improvement and management plans approved by water management districts ~~under s. 373.456~~ or watershed or basin management plans developed pursuant to this subsection;

4. Pollutant trading or other equitable economically based agreements;

5. Public works including capital facilities; or

6. Land acquisition.

Section 11. Subsection (7) of section 403.1835, Florida Statutes, is amended to read:

403.1835 Water pollution control financial assistance.—

(7) Eligible projects must be given priority according to the extent each project is intended to remove, mitigate, or prevent adverse effects on surface or ground water quality and public health. The relative costs of achieving environmental and public health benefits must be taken into consideration during the department's assignment of project priorities. The department shall adopt a priority system by rule. In developing the priority system, the department shall give priority to projects that:

- (a) Eliminate public health hazards;
- (b) Enable compliance with laws requiring the elimination of discharges to specific water bodies;
- (c) Assist in the implementation of total maximum daily loads adopted under s. 403.067;
- (d) Enable compliance with other pollution control requirements, including, but not limited to, toxics control, wastewater residuals management, and reduction of nutrients and bacteria;
- (e) Assist in the implementation of surface water improvement and management plans ~~approved under s. 373.456~~ and pollutant load reduction goals developed under state water policy;
- (f) Promote reclaimed water reuse;
- (g) Eliminate failing onsite sewage treatment and disposal systems or those that are causing environmental damage; or
- (h) Reduce pollutants to and otherwise promote the restoration of Florida's surface and ground waters.

Section 12. Paragraphs (c) and (d) of subsection (2) of section 373.069, Florida Statutes, are amended to read:

373.069 Creation of water management districts.—

(2) Notwithstanding the provisions of any other special or general act to the contrary, the boundaries of the respective districts named in subsection (1) shall include the areas within the following boundaries:

(c) St. Johns River Water Management District.—Begin at the intersection of the south boundary of Indian River County with the Atlantic Ocean; thence west along the Indian River-St. Lucie County line to the intersection of the west boundary of St. Lucie County; thence south along the Okeechobee-St. Lucie County line to the southeast corner of Section 1, Township 34 South, Range 36 East; thence west along the section line to the northwest corner of Section 10, Township 34 South, Range 36 East; thence south along the section line to the southeast corner of Section 9, Township 34 South, Range 36 East; thence west along the section line to the northwest corner of Section 18, Township 34 South, Range 36 East; thence south along the range line between Ranges 35 and 36 East to the southeast corner of Section 12, Township 34 South, Range 35 East; thence west along the section line to the northwest corner of Section 13, Township 34 South, Range 35 East;

thence south along the section line to the southeast corner of Section 35, Township 34 South, Range 35 East; thence west along the township line between Townships 34 and 35 south to the southwest corner of Section 35, Township 34 South, Range 34 East; thence north along the section line to the Okeechobee-Osceola County line; thence west along the Okeechobee-Osceola County line to the southwest corner of Section 34, Township 32 South, Range 33 East; thence north along the section line to the northwest corner of Section 3, Township 31 South, Range 33 East; thence east along the township line between Townships 30 and 31 South to the southeast corner of Section 36, Township 30 South, Range 33 East; thence north along the range line between Ranges 33 and 34 East to the northeast corner of Section 1, Township 30 South, Range 33 East; thence west along the township line between Townships 29 and 30 south to the southwest corner of Section 31, Township 29 South, Range 33 East; thence north along the range line between Ranges 32 and 33 East to the northwest corner of Section 6, Township 28 South, Range 33 East; thence east along the township line between Townships 27 and 28 south to the southeast corner of Section 36, Township 27 South, Range 32 East; thence north along the range line between Ranges 32 and 33 East to the northeast corner of Section 1, Township 26 South, Range 32 East; thence west along the township line between Townships 25 and 26 South to the southwest corner of Section 33, Township 25 South, Range 32 East; thence north along the section line to the Orange-Osceola County line; thence westerly along the Orange-Osceola County line to the Southwest corner of Section 31, Township 24 South, Range 32 East; thence north along the range line to the intersection with the northerly right-of-way line of State Road 528, also known as the Bee Line Expressway; thence westerly along the northerly right-of-way line of State Road 528 to the intersection with the northerly right-of-way line of State Road 528A; thence westerly along the northerly right-of-way line of State Road 528A to the westerly right-of-way line of U.S. Highway 441; thence northerly along the right-of-way line to the section line between sections 22 and 27 of Township 22 South, Range 29 East; thence west along the section lines to the Northeast corner of Section 25, Township 22 South, Range 28 East; thence south along the range line between Ranges 28 and 29 East to the Southeast corner of Section 36, Township 22 South, Range 28 East; thence west along the township line between Townships 22 and 23 South to the Northeast corner of Section 2, Township 23 South, Range 27 East; thence south to the Southeast corner of Section 11, Township 23 South, Range 27 East; thence west along the section lines to the Southwest corner of Section 7, Township 23 South, Range 27 East, also being the Lake-Orange County line; thence south along the range line between Ranges 26 and 27 East to the southwest corner of Section 18, Township 26 South, Range 27 East; thence east along the section line to the northeast corner of Section 19, township 26 South, Range 27 East; thence south along the section line to the southwest corner of Section 32, Township 26 South, Range 27 East; thence east along the township line between Townships 26 and 27 South to the northeast corner of Section 5, Township 27 South, Range 27 East; thence south along the section lines to the southerly right of way line of State Road 600; thence westerly along the southerly right of way line of said State Road No. 600 to the west boundary of Section 27, Township 27 South, Range 26 East; thence north along the section lines to the northeast corner of Section 16, Township

25 South, Range 26 East; thence west along the section line to the southwest corner of Section 9, Township 25 South, Range 26 East; thence north along the section lines to the Lake-Polk County line; thence west along the county line to the southwest corner of Section 32, Township 24 South, Range 26 East; thence into Lake County, north along the section lines to the northeast corner of Section 30, Township 24 South, Range 26 East; thence west along the section lines to the northeast corner of Section 28, Township 24 South, Range 25 East; thence north along the section lines to the northeast corner of Section 16, Township 24 South, Range 25 East; thence west along the section line to the northwest corner of Section 16, Township 24 South, Range 25 East; thence north along the section line to the northeast corner of Section 8, Township 24 South, Range 25 East; thence west along the section lines to the range line between Ranges 24 and 25; thence north along the range line to the northeast corner of Section 1, Township 23 South, Range 24 East, also being on the township line between Townships 22 and 23 South; thence west along the township line to the northwest corner of Section 6, Township 23 South, Range 24 East, also being on the Sumter-Lake County line; thence north along the Sumter-Lake County line, also being the range line between Ranges 23 and 24 East, to the northeast corner of Section 1, Township 18 South, Range 23 East, and the Marion County line; thence west along the Sumter-Marion County line, also being the township line between Townships 17 and 18 South, to the westerly right-of-way line of Interstate Highway 75; thence northerly along the westerly right-of-way line of Interstate Highway 75 to the Alachua-Marion County line, said line also being the township line between Townships 11 and 12 South; thence west along the Alachua-Marion County line to the northwest corner of Section 3, Township 12 South, Range 19 East, and the Levy County line; thence westerly along the Levy-Alachua County line, also being the township line between Townships 11 and 12 South, to the southeast corner of Section 36, Township 11 South, Range 18 East; thence north along the range line between Ranges 18 and 19 East to the northwest corner of Section 19, Township 9 South, Range 19 East; thence east along the section line to the southeast corner of Section 13, Township 9 South, Range 19 East; thence north along the range line between Ranges 19 and 20 East to the northwest corner of Section 6, Township 9 South, Range 20 East; thence easterly along the township line between Townships 8 and 9 South to the southeast corner of Section 36, Township 8 South, Range 20 East; thence north along the range line between Ranges 20 and 21 East to the northwest corner of Section 18, Township 8 South, Range 21 East; thence east along the section line to the northeast corner of Section 15, Township 8 South, Range 21 East; thence south along the section line to the southwest corner of Section 23, Township 8 South, Range 21 East; thence east along the section line to the northeast corner of Section 26, Township 8 South, Range 21 East; thence south along the section line to the southwest corner of the north $\frac{1}{2}$ of Section 25, Township 8 South, Range 21 East; thence east to the northeast corner of the south $\frac{1}{2}$ of Section 25, Township 8 South, Range 21 East; thence south along the range line between Ranges 21 and 22 East to the southwest corner of Section 30, Township 8 South, Range 22 East; thence east along the section line to the northeast corner of Section 32, Township 8 South, Range 22 East; thence south along the section line to the southwest corner of Section 16, Township 9 South, Range 22 East; thence eastward along the section line to the

southeast corner of the west $\frac{1}{8}$ of Section 18, Township 9 South, Range 23 East; thence northward to the northeast corner of the west $\frac{1}{8}$ of Section 18, Township 9 South, Range 23 East; thence west to the southwest corner of Section 7, Township 9 South, Range 23 East; thence northward along the Bradford-Clay County line to the northeast corner of Section 36, Township 8 South, Range 22 East; thence west along the section line to the southwest corner of the east $\frac{1}{2}$ of Section 25, Township 8 South, Range 22 East; thence north to the northeast corner of the west $\frac{1}{2}$ of Section 24, Township 8 South, Range 22 East; thence west along the section line to the southwest corner of Section 13, Township 8 South, Range 22 East; thence north along the section line to the northwest corner of Section 25, Township 7 South, Range 22 East; thence east along the section line to the Bradford-Clay County line; thence north along the Bradford-Clay County line to the intersection of the south boundary of Baker County; thence west along the Baker-Bradford County line to the intersection of the east boundary of Union County; thence west along the Baker-Union County line to the southwest corner of Section 18, Township 4 South, Range 20 East; thence north along the range line between Ranges 19 and 20 East to the northeast corner of Section 1, Township 3 South, Range 19 East; thence west along the township line between Townships 2 and 3 South to the Baker-Columbia County line; thence north along the Baker-Columbia County line to the north boundary line of the State of Florida; thence easterly along the Florida-Georgia line to the Atlantic Ocean; thence southerly along the Atlantic Ocean, including the waters of said ocean within the jurisdiction of the State of Florida to the point of beginning.

(d) Southwest Florida Water Management District.—Begin at the intersection of the north boundary of Lee County with the Gulf of Mexico; thence eastward along the Lee-Charlotte County line to the Southeast corner of Section 33, Township 42 South, Range 24 East; thence North into Charlotte County, along the section lines to the Northeast corner of Section 4, Township 42 South, Range 24 East; thence East along the township line between Townships 41 and 42 South to the Southeast corner of Section 36, Township 41 South, Range 25 East; thence north along the section line to the northwest corner of Section 6, Township 41 South, Range 26 East; thence east along the section line to the southeast corner of Section 36, Township 40 South, Range 26 East; thence North along the range line between Ranges 26 and 27 to the Northeast corner of Section 1, Township 40 South, Range 26 East, and the Charlotte-Desoto County line; thence east along the Charlotte-Desoto County line to the southeast corner of Section 36, Township 39 South, Range 27 East; thence north along the DeSoto-Highlands County line to the intersection of the South boundary of Hardee County; thence north along the Hardee-Highlands County line to the southwest corner of Township 35 South, Range 28 East; thence east along the north boundary of Township 36 South to the northeast corner of Section 1, Township 36 South, Range 28 East; thence south along the range line to the southeast corner of Section 12, Township 37 South, Range 28 East; thence east along the section line to the northeast corner of Section 15, Township 37 South, Range 29 East; thence south along the section line to the southeast corner of Section 34, Township 37 South, Range 29 East; thence east along the township line to the northeast corner of Section 1, Township 38 South, Range 29 East; thence south along the range line to the southeast corner of Section 1,

Township 39 South, Range 29 East; thence east along the section line to the northwest corner of Section 11, Township 39 South, Range 30 East; thence north along the section line to the southwest corner of Section 35, Township 38 South, Range 30 East; thence east along the township line to the southeast corner of the west $\frac{1}{4}$ of Section 35, Township 38 South, Range 30 East; thence north along the $\frac{1}{4}$ -section line of Sections 35, 26, and 23, Township 38 South, Range 30 East to the northeast corner of the west $\frac{1}{4}$ section of Section 23, Township 38 South, Range 30 East; thence west along the section line to the northwest corner of Section 23, Township 38 South, Range 30 East; thence north along the section line to the northwest corner of Section 2, Township 37 South, Range 30 East; thence west along the township line to the southwest corner of Section 34, Township 36 South, Range 30 East; thence north along the section line to the northwest corner of Section 3, Township 36 South, Range 30 East; thence west along the township line to the southwest corner of Section 31, Township 35 South, Range 30 East; thence north along the range line between Ranges 29 and 30 East, through Townships 35, 34, and 33 South, to the northeast corner of Township 33 South, Range 29 East, being on the Highlands-Polk County line; thence west along the Highlands-Polk County line to the southeast corner of Township 32 South, Range 28 East; thence north along the range line between Ranges 28 and 29 East, in Townships 32 and 31 South, to the northeast corner of Section 12 in Township 31 South, Range 28 East; thence east along the section line to the northeast corner of Section 7, Township 31 South, Range 29 East; thence north along the section line to the northwest corner of Section 17, Township 30 South, Range 29 East; thence east along the section line to the northeast corner of the west $\frac{1}{2}$ of Section 17, Township 30 South, Range 29 East; thence north along the $\frac{1}{2}$ -section line to the northeast corner of the west $\frac{1}{2}$ of Section 5, Township 30 South, Range 29 East; thence west along the section line to the southwest corner of Section 32, Township 29 South, Range 29 East; thence north along the section line to the northeast corner of Section 19 in Township 29 South, Range 29 East; thence west along the north boundaries of Section 19, Township 29 South, Range 29 East, and Sections 24, 23, 22, 21, and 20, Township 29 South, Range 28 East, to the northwest corner of said Section 20; thence north along the section line to the intersection of said section line with the west shore line of Lake Pierce in Township 29 South, Range 28 East; thence following the west shore of Lake Pierce to its intersection again with the west section line of Section 5, Township 29 South, Range 28 East; thence north along the section line to the northwest corner of Section 5, Township 29 South, Range 28 East; thence east along the township line to the southwest corner of Section 33, Township 28 South, Range 28 East; thence north along the section line to the northwest corner of the southwest $\frac{1}{4}$ of the southwest $\frac{1}{4}$ of Section 28, Township 28 South, Range 28 East; thence east along the $\frac{1}{4}$ -section line to the intersection of said $\frac{1}{4}$ -section line with Lake Pierce; thence follow the shore line northeasterly to its intersection with the $\frac{1}{2}$ -section line of Section 28, Township 28 South, Range 28 East; thence north on the $\frac{1}{2}$ -section line to the northwest corner of the southeast $\frac{1}{4}$ of Section 28, Township 28 South, Range 28 East; thence east to the northeast corner of the southeast $\frac{1}{4}$ of Section 28, Township 28 South, Range 28 East; thence south along the section line to the northwest corner of Section 3, Township 29 South, Range 28 East; thence east along the section line to the northeast corner of Section

3, Township 29 South, Range 28 East; thence north along the section line to the northwest corner of Section 23, Township 28 South, Range 28 East; thence west along the section line to the southwest corner of Section 16, Township 28 South, Range 28 East; thence north along the section line to the northwest corner of Section 16, Township 28 South, Range 28 East; thence west along the section line to the southwest corner of Section 8, Township 28 South, Range 28 East; thence north along the section line to the northwest corner of Section 5, Township 28 South, Range 28 East; thence west along the township line to the intersection of said township line with Lake Marion; thence following the south shore line of Lake Marion to its intersection again with said township line; thence west along the township line to the southeast corner of Section 36, Township 37 South, Range 27 East; thence north along the range line between Ranges 27 and 28 East to the intersection of said range line with Lake Marion; thence following the west shore of Lake Marion to its intersection again with the range line between Ranges 27 and 28 East; thence north along said range line, in Townships 27 and 26 South, to the northeast corner of Township 26 South, Range 27 East, being on the Polk-Osceola County line; thence west along the Polk-Osceola County line to the northwest corner of Township 26 South, Range 27 East; thence south along the range line between Ranges 26 and 27 East to the southwest corner of Section 18 in Township 26 South, Range 27 East; thence east along the section line to the southeast corner of said Section 18; thence south along the section lines to the southwest corner of Section 32 in Township 26 South, Range 27 East; thence east along the section line to the southeast corner of said Section 32; thence south along the section lines to the southerly right-of-way line of State Road 600 (U.S. Route 17 and 92) in Township 27 South, Range 27 East; thence westerly along the southerly right-of-way line of said State Road No. 600 to the West boundary of Section 27, Township 27 South, Range 26 East; thence north along the section line to the northeast corner of Section 16, Township 25 South, Range 26 East; thence west along the section line to the southwest corner of Section 9, Township 25 South, Range 26 East; thence north along the section line to the Lake-Polk County line; thence west along the county line to the southwest corner of Section 32, Township 24 South, Range 26 East; thence into Lake County, north along the section lines to the northeast corner of Section 30, Township 24 South, Range 26 East; thence west along the section lines to the northeast corner of Section 28, Township 24 South, Range 25 East; thence north along the section lines to the northeast corner of Section 16, Township 24 South, Range 25 East; thence west along the section line to the northwest corner of Section 16, Township 24 South, Range 25 East; thence north along the section line to the northeast corner of Section 8, Township 24 South, Range 25 East; thence west along the section lines to the range line between Ranges 24 and 25; thence north along the range line to the northeast corner of Section 1, Township 23 South, Range 24 East, also being on the township line between Townships 22 and 23 South; thence west along the township line to the northwest corner of Section 6, Township 23 South, Range 24 East also being on the Sumter-Lake County line; thence north along the Sumter-Lake County line, also being the range line between Ranges 23 and 24, to the northeast corner of Section 1, Township 18 South, Range 23 East and the Marion County line; thence west, along the Sumter-Marion County line, also being the township line between

Townships 17 and 18 South, to the westerly right-of-way line of Interstate Highway 75; thence northerly along the westerly right-of-way line of Interstate Highway 75 to the Alachua-Marion County line, said line also being the township line between Townships 11 and 12 South; thence west along the Alachua-Marion County line to the northwest corner of Section 3, Township 12 South, Range 19 East and the Levy County line; thence westerly along the Levy-Alachua County line, also being the township line between Townships 11 and 12 South, to the southeast corner of Section 36, Township 11 South, Range 17 East; thence north along the Levy-Alachua County line, also being the range line between Ranges 17 and 18 East, to the southerly right-of-way line of State Road No. 24; thence southwesterly along said southerly right-of-way line to the easterly right-of-way line of State Road No. 337; thence southerly, along said easterly right-of-way line of State Road No. 337, to the south line of Section 35, Township 14 South, Range 17 East; thence west along the section line to the northwest corner of Section 3, Township 15 South, Range 17 East; thence south along the section lines to the southwest corner of Section 27, Township 15 South, Range 17 East; thence west to the Gulf of Mexico; thence south along the Gulf of Mexico, including the waters of said gulf within the jurisdiction of the State of Florida, to the point of beginning.

Section 13. Subsection (5) of section 373.079, Florida Statutes, is amended to read:

373.079 Members of governing board; oath of office; staff.—

(5) The executive director governing board may employ a legal staff for the purposes of:

(a) Providing legal counsel to ~~the governing board on matters relating to the exercise of its powers and duties and to the executive director and district staff on matters relating to the day-to-day operations of the district;~~

(b) Representing the district ~~it~~ in all proceedings of an administrative or judicial nature; and

(c) Otherwise assisting in the administration of the provisions of this chapter.

Attorneys employed by the governing board ~~district~~ must represent the legal interest or position of the governing board.

Section 14. Subsection (6) of section 403.1837, Florida Statutes, is amended to read:

403.1837 Florida Water Pollution Control Financing Corporation.—

(6) The corporation may issue and incur notes, bonds, certificates of indebtedness, or other obligations or evidences of indebtedness payable from and secured by amounts received from payment of loans and other moneys received by the corporation, including, but not limited to, amounts payable to the corporation by the department under a service contract entered into under subsection (5). ~~The corporation may not issue bonds in excess of an~~

~~amount authorized by general law or an appropriations act except to refund previously issued bonds. The corporation may issue bonds in amounts not exceeding \$50 million in fiscal year 2000-2001, \$75 million in fiscal year 2001-2002, and \$100 million in fiscal year 2002-2003. The proceeds of the bonds may be used for the purpose of providing funds for projects and activities provided for in subsection (1) or for refunding bonds previously issued by the corporation. The corporation may select a financing team and issue obligations through competitive bidding or negotiated contracts, whichever is most cost-effective. Any such indebtedness of the corporation does not constitute a debt or obligation of the state or a pledge of the faith and credit or taxing power of the state.~~

Section 15. Subsection (2) of section 373.0691, Florida Statutes, is redesignated as subsection (3), and a new subsection (2) is added to that section, to read:

373.0691 Transfer of areas.—

(2) Effective at 12:01 a.m. on July 1, 2003, that portion of Polk County formerly within the St. Johns River Water Management District as set forth in s. 373.069 is transferred to the Southwest Florida Water Management District. With respect to the area transferred and at the time of change of boundaries, all contractual obligations of the St. Johns River Water Management District, all real property interests owned by the St. Johns River Water Management District, all regulatory responsibilities of the St. Johns River Water Management District, all equipment and other personal property used solely by the St. Johns River Water Management District in that area, and all records of the St. Johns River Water Management District shall be transferred and delivered to the Southwest Florida Water Management District.

Section 16. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

Approved by the Governor June 26, 2003.

Filed in Office Secretary of State June 26, 2003.