

CHAPTER 2022-76

Committee Substitute for Committee Substitute for Senate Bill No. 882

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

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

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

373.036 Florida water plan; district water management plans.—

(2) DISTRICT WATER MANAGEMENT PLANS.—

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

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

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

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

c. The ecosystem restoration value of the wetland.

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

2. Before adopting or amending its list of critical wetlands, each governing board must notify the owner of any property that the district contemplates including on the list. At any time, an owner who wishes to have his or her property removed from the list must submit by certified mail to the

district a letter requesting such removal. The letter must indicate that the owner wishes for his or her property to be removed from the list and must sufficiently identify such property to the governing board. The governing board shall approve a removal request that meets the requirements of this subparagraph at its next regularly scheduled meeting.

(f)(e) At its option, a governing board may substitute an annual strategic plan for the requirement to develop a district water management plan and the district water management plan annual report required by subparagraph (7)(b)1., provided that nothing herein affects any other provision or requirement of law concerning the completion of the regional water supply plan and the strategic plan meets the following minimum requirements:

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

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

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

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

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

(7) CONSOLIDATED WATER MANAGEMENT DISTRICT ANNUAL REPORT.—

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

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

2. The department-approved minimum flows and minimum water levels annual priority list and schedule required by s. 373.042(3).

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

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

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

6. The Florida Forever Water Management District Work Plan annual report required by s. 373.199(7).
7. The mitigation donation annual report required by s. 373.414(1)(b)2.
8. Information on all projects related to water quality or water quantity as part of a 5-year work program, including:
 - a. A list of all specific projects identified to implement a basin management action plan, including any projects to connect onsite sewage treatment and disposal systems to central sewerage systems and convert onsite sewage treatment and disposal systems to enhanced nutrient-reducing onsite sewage treatment and disposal systems, or a recovery or prevention strategy;
 - b. A priority ranking for each listed project for which state funding through the water resources development work program is requested, which must be made available to the public for comment at least 30 days before submission of the consolidated annual report;
 - c. The estimated cost for each listed project;
 - d. The estimated completion date for each listed project;
 - e. The source and amount of financial assistance to be made available by the department, a water management district, or other entity for each listed project; and
 - f. A quantitative estimate of each listed project's benefit to the watershed, water body, or water segment in which it is located.
9. A grade for each watershed, water body, or water segment in which a project listed under subparagraph 8. is located representing the level of impairment and violations of adopted minimum flow or minimum water levels. The grading system must reflect the severity of the impairment of the watershed, water body, or water segment.

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

Approved by the Governor April 27, 2022.

Filed in Office Secretary of State April 27, 2022.