

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
ENVIRONMENTAL PRESERVATION AND CONSERVATION
Senator Dean, Chair
Senator Oelrich, Vice Chair

MEETING DATE: Tuesday, December 6, 2011
TIME: 9:30 —11:30 a.m.
PLACE: *Toni Jennings Committee Room, 110 Senate Office Building*

MEMBERS: Senator Dean, Chair; Senator Oelrich, Vice Chair; Senators Detert, Jones, Latvala, Rich, and Sobel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 602 Storms (Identical H 373, Compare H 503, S 716)	Environmental Permits; Providing for an entity created by special act, local ordinance, or interlocal agreement of a county or municipality to receive certain reduced or waived permit processing fees; requiring that the project for which such fee reduction or waiver is sought serves a public purpose; requiring that the Department of Environmental Protection initiate rulemaking to adopt a general permit for stormwater management systems serving airside activities at airports; providing for any water management district or delegated local government to administer the general permit; authorizing certain municipalities and counties to adopt stormwater management plans and obtain conceptual permits for urban redevelopment projects; requiring the Department of Environmental Protection and water management districts to establish conceptual permits for urban redevelopment projects; providing that certain urban redevelopment projects qualify for a general permit, etc. EP 12/06/2011 Favorable CA TR BC	Favorable Yeas 7 Nays 0
2	SB 804 Environmental Preservation and Conservation	Fish and Wildlife Conservation; Repealing provisions relating to the publication of the Florida Wildlife Magazine and the Florida Wildlife Magazine Advisory Council; reducing the fee for soft-shell blue crab endorsements, etc. EP 12/06/2011 Fav/CS BC	Fav/CS Yeas 7 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Environmental Preservation and Conservation
 Tuesday, December 6, 2011, 9:30 —11:30 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	SB 560 Dean (Compare H 157)	Water Management Districts; Authorizing districts to enter into interagency agreements for resource management activities under specified conditions; providing applicability; requiring districts to apply specified reservations, minimum flows and levels, and recovery and prevention strategies in determining certain effects of proposed consumptive uses of water; prohibiting districts from authorizing certain consumptive uses of water; providing an exception; providing requirements for the challenge of specified rules; authorizing a district to provide a group health insurance program for its employees and the employees of another district, etc. EP 12/06/2011 Fav/CS GO BC	Fav/CS Yeas 7 Nays 0

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointment to the office indicated.			
Governing Board of the St. Johns River Water Management District			
4	Daniels, Lowry "Lad" A. (Jacksonville)	03/01/2015	Recommend Confirm Yeas 7 Nays 0
Governing Board of the South Florida Water Management District			
5	Portuondo, Juan M. (Key Biscayne)	03/01/2015	Recommend Confirm Yeas 7 Nays 0
Governing Board of the Suwannee River Water Management District			
6	Brown, Kevin W. (Alachua)	03/01/2015	Recommend Confirm Yeas 6 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7		Presentation by the Department of Agriculture and Consumer Services, Office of Agricultural Water Policy by Rich Budell, Director	Presented
8		Presentation by the Florida Natural Areas Inventory on conservation and land management decisions by Gary Knight, Director.	Not Considered

Other Related Meeting Materials

THE FLORIDA SENATE
APPEARANCE RECORD

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①
12/16/11

Meeting Date

Topic SB 602

Bill Number 602
(if applicable)

Name Ryan Matthews

Amendment Barcode _____
(if applicable)

Job Title Leg. Advocate

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Speaking: For Against Information

Representing FL League of Cities

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

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12/6/11

Meeting Date

Topic Environmental Permits

Bill Number SB 602
(if applicable)

Name Jon Steverson

Amendment Barcode _____
(if applicable)

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Speaking: For Against Information

Representing Department of Environmental Protection

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/20/11)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Environmental Preservation and Conservation Committee

BILL: SB 602

INTRODUCER: Senator Storms

SUBJECT: Environmental Permits

DATE: December 1, 2011 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Uchino	Yeatman	EP	Favorable
2.	_____	_____	CA	_____
3.	_____	_____	TR	_____
4.	_____	_____	BC	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill expands eligibility for entities created by special act, local ordinance, or interlocal agreement of counties or municipalities that are entitled to a permit processing fee waiver or reduction. It directs the Department of Environmental Protection (DEP) to initiate rulemaking to adopt a general permit for stormwater management systems serving airside activities at airports. Finally, the bill requires water management districts (WMDs) and the DEP to establish an urban redevelopment conceptual permitting program and specifies that urban redevelopment projects that satisfy the permit qualify for a general permit.

This bill substantially amends sections 218.075 and 373.118 and creates section 373.4131 of the Florida Statutes.

II. Present Situation:

Waiver or Reduction of Permit Fees

DEP and the WMDs shall reduce or waive permit processing fees for certain specified small counties and municipalities with a population of 25,000 or less, or any county or municipality not included within a metropolitan statistical area.¹ Fee reductions or waivers are approved on the basis of fiscal hardship or environmental need for a particular project or activity. The governing body must certify that the cost of the permit processing fee is a fiscal hardship due to one of the following factors:

¹ See U.S. Census Bureau, *Metropolitan and Micropolitan*, <http://www.census.gov/population/www/metroareas/metrodef.html> (last visited November 30, 2011).

- Per capita taxable value is less than the statewide average for the current fiscal year;
- Percentage of assessed property value that is exempt from ad valorem taxation is higher than the statewide average for the current fiscal year;
- Any condition specified in s. 218.503(1), F.S., which results in the county or municipality being in a state of financial emergency;
- Ad valorem operating millage rate for the current fiscal year is greater than 8 mills; or
- A financial condition that is documented in annual financial statements at the end of the current fiscal year and indicates an inability to pay the permit processing fee during that fiscal year.

The permit applicant must be the governing body of a county or municipality or a third party under contract with a county or municipality and the project for which the fee reduction or waiver is sought must serve a public purpose. If a permit processing fee is reduced, the total fee shall not exceed \$100.

Airside Stormwater Management

The Federal Aviation Authority (FAA) provides grants to the Florida Department of Transportation (DOT) Aviation Office for airport airside improvements. The grants have 18-month time frames making it difficult to permit and complete a stormwater project within the required time to take advantage of the grant. A solution to the abbreviated time frame would be for the DEP to create a general environmental resource permit for stormwater systems serving airside activities at Florida's airports.

In 1977, the FAA set limitations on stormwater designs on airports to limit wildlife strikes in an advisory circular.² The FAA found that stormwater management systems known as "wet ponds" attracted birds and posed a threat to airline safety. In 1998, the DOT, the DEP and three WMDs outlined a study to evaluate airport runway, taxiway and apron stormwater quality. Another joint study by the DEP and the FAA has evaluated chemical loading characteristics of airside runoff and how best management practices can help airports meet federal and state water quality standards.

A secondary phase of the study will be funded by the FAA once a general permit for these stormwater systems is developed and adopted. This phase will convert the wet pond at Orlando International Airport into a wet detention system that complies with the 1997 advisory circular. The system will be monitored for pollutant loading and remediation, including nutrients. About 30 percent of Florida's airports have soil and water table considerations that prevent the use of wet detention systems.³

² U.S. Dep't of Transportation Federal Aviation Administration, Advisory Circular 150/5200-33, *Hazardous Wildlife Attractants On or Near Airports* (May 1997), available at [http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgAdvisoryCircular.nsf/0/53bdf1c5aa1083986256c690074ebab/\\$FILE/150-5200-33.pdf](http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgAdvisoryCircular.nsf/0/53bdf1c5aa1083986256c690074ebab/$FILE/150-5200-33.pdf) (last visited 11/30/2011).

³ See generally, Email from Eric H. Livingston, Program Administrator, NPDES Stormwater Section, Dep't of Environmental Protection, to analyst (Mar. 21, 2011) (on file with the Senate Committee on Environmental Preservation and Conservation).

The Community Redevelopment Act of 1969⁴

The Community Redevelopment Act of 1969 was developed to revitalize economically distressed areas in order to improve public welfare and increase the local tax base. The act provides a funding mechanism by which counties and municipalities may undertake community redevelopment.⁵ It allows counties or municipalities to retain tax increment revenues from certain community taxing districts to fund redevelopment within a designated Community Redevelopment Area (CRA). To obtain this revenue, a local government must create a community redevelopment agency, designate an area or areas to be a CRA, create a community redevelopment plan, and establish a trust fund to receive the tax increment revenues.⁶

The Growth Policy Act of 1999

The Growth Policy Act authorizes local governments to designate urban infill and redevelopment areas for the purpose of stimulating investment in distressed urban areas and strengthening urban centers.⁷ The Act defines “urban infill and redevelopment area” as an area or areas where:

- Public services such as water and wastewater, transportation, schools, and recreation are already available or are scheduled to be provided within five years.
- The area, or one or more neighborhoods within the area, suffers from pervasive poverty, unemployment, and general distress.
- The proportion of properties that are substandard, overcrowded, dilapidated, vacant or abandoned, or functionally obsolete is higher than the average for the local government.
- More than 50 percent of the area is within a quarter of a mile of a transit stop, or a sufficient number of such transit stops will be made available concurrent with the designation.
- The area includes or is adjacent to community redevelopment areas, brownfields, enterprise zones, or Main Street programs, or has been designated by the state or federal government as an urban redevelopment area or similar designation.⁸

Pursuant to s. 163.2517, F.S., local governments that want to designate urban infill and redevelopment areas must develop plans describing redevelopment objectives and strategies, or to amend existing plans. Local governments must also adopt urban infill and redevelopment plans by ordinance and amend their comprehensive plans to delineate urban infill and redevelopment area boundaries.

Urban Stormwater Management

Unmanaged urban stormwater creates a wide variety of effects on Florida’s surface and ground waters. Urbanization leads to:

- Compaction of soil,
- Addition of impervious surfaces such as roads and parking lots,
- Alteration of natural landscape features such as natural depressional areas that hold water, floodplains and wetlands,

⁴ See ch. 163, Part III, F.S.

⁵ Section 163.353, F.S.

⁶ See *supra* note 4.

⁷ See ss. 163.2511 through 163.2523, F.S.

⁸ Section 163.2514(2), F.S.

- Construction of highly efficient drainage systems that alter the ability of the land to assimilate precipitation, and
- Pollutant loading of receiving water bodies from stormwater discharge.⁹

Urbanization within a watershed decreases the amount of rainwater that seeps into the soil. Rainwater is critical for recharging aquifers, maintaining water levels in lakes and wetlands, and maintaining spring and stream flows. The increased volume, speed, and pollutant loading in stormwater discharged from developed areas leads to flooding, water quality problems and loss of habitat.¹⁰

In 1982, to manage urban stormwater and minimize impacts to our natural systems, Florida adopted a technology-based rule requiring the treatment of stormwater to a specified level of pollutant load reduction for all new development. The rule included a performance standard for the minimum level of treatment and design criteria for best management practices (BMPs) that will achieve the performance standard. It also included a rebuttable presumption that discharges from a stormwater management system designed in accordance with the BMP design criteria would meet water quality standards.¹¹ The performance standard was to reduce postdevelopment stormwater pollutant loading of Total Suspended Solids (TSS)¹² by 80 percent, or by 95 percent for Outstanding Florida Waters (OFWs).¹³

In 1990, the DEP developed and implemented the State Water Resource Implementation Rule (originally known as the State Water Policy rule).¹⁴ This rule sets forth the broad guidelines for the implementation of Florida's stormwater program and describes the roles of the DEP, the WMDs and local governments. One of the primary goals of the program is to maintain the predevelopment stormwater characteristics of a site. The rule sets a minimum performance standard for stormwater treatment systems to remove 80 percent of the postdevelopment stormwater pollutant loading of pollutants "that cause or contribute to violations of water quality standards."¹⁵

The DEP and the WMDs jointly administer the environmental resource permit (ERP) program for activities that alter surface water flows.¹⁶ Alteration or construction of new stormwater management systems in urban redevelopment areas is regulated by the ERP program pursuant to s. 373.413, F.S., and must comply with all other relevant sections of ch. 373, Part IV, F.S.

⁹ Florida Dep't of Environmental Protection, *State Stormwater Treatment Rule Development Background*, <http://www.dep.state.fl.us/water/wetlands/erp/rules/stormwater/background.htm> (last visited 11/30/2011).

¹⁰ *Id.*

¹¹ *Id.*

¹² Total Suspended Solid (TSS) is listed as a conventional pollutant under s. 304(a)(4) of the federal Clean Water Act. A conventional pollutant is a water pollutant that is amenable to treatment by a municipal sewage treatment plant.

¹³ Rule 62-302.700, F.A.C., provides that an OFW is a water body designated worthy of special protection because of its natural attributes. This special designation is applied to certain water bodies, and is intended to protect and preserve their existing states.

¹⁴ See *supra* note 9. See also ch. 62-40, F.A.C.

¹⁵ See *supra* note 9.

¹⁶ See ch. 373, Part IV, F.S. See also DEP, *Environmental Resource Permitting (ERP) Program*, <http://www.dep.state.fl.us/water/wetlands/erp/index.htm> (last visited 11/30/2011).

Water Quality Standards in Florida

The total maximum daily load (TMDL) program is administered by the DEP under a delegated authority by the U.S. Environmental Protection Agency contained in the federal Clean Water Act (CWA).¹⁷ A TMDL is the maximum allowable pollutant a water body can absorb and still maintain its intended purpose, e.g., fishable/swimmable. Under the CWA, TMDLs must be developed for all water bodies that are not meeting their classification standards and are deemed to be impaired. There can be multiple TMDLs for one water body if there are multiple pollutants contributing water quality standards violations.¹⁸

Once a TMDL is established for an impaired water body, the DEP creates a basin management action plan (BMAP) in cooperation with local stakeholders.¹⁹ BMAPs are the blueprints used to create restoration and recovery strategies for the impaired water body. Activities, permitted and otherwise, contributing to pollutant loading of an impaired water body are assessed in order to develop strategies to reduce loading. These strategies may include reducing permit limits, developing best management practices and creating or revising conservation programs. Local stakeholder input and commitment to the BMAP are crucial to ensure recovery of the impaired water body.²⁰

III. Effect of Proposed Changes:

Section 1 amends s. 218.075, F.S., to allow an entity created by special act, local ordinance, or interlocal agreement of counties or municipalities that are entitled to a permit processing fee waiver or reduction to also receive a waiver or reduction.

Section 2 amends s. 373.118, F.S., directing the DEP to initiate rulemaking to adopt a general permit for stormwater management systems serving airports. The permit applies statewide and may be administered by any WMD or delegated local government. The bill specifies that no additional rulemaking is required and the rules are not subject to any special rulemaking requirements related to small business.

Section 3 creates s. 373.4131, F.S., to address conceptual permits for urban redevelopment projects. The bill allows counties and municipalities creating urban redevelopment areas or urban infill and redevelopment areas to adopt stormwater management plans, to the extent feasible, that address stormwater quality and quantity discharging from those areas. A local government that adopts a plan is entitled to obtain a conceptual permit from a WMD or the DEP on the basis of its stormwater management plan. This will require the DEP or a WMD to issue a 20-year conceptual permit for an urban redevelopment project based on a stormwater management plan the agency had no part in developing or adopting.

The bill clarifies “stormwater management plan” to mean a master drainage plan that:

- Improves the quality of runoff discharged from the project area,

¹⁷ 33 U.S.C. s. 1342. *See also* s. 303(d) of the federal Clean Water Act.

¹⁸ DEP, *The Total Maximum Daily Load Program – Overview* (Jan. 20, 2003), available at http://www.dep.state.fl.us/water/tmdl/docs/TMDL_Program_Overview.pdf (last visited Dec. 1, 2011).

¹⁹ DEP, *Total Maximum Daily Loads*, <http://www.dep.state.fl.us/water/tmdl/> (last visited Dec. 1, 2011).

²⁰ DEP, *Watershed Management*, <http://www.dep.state.fl.us/water/watersheds/bmap.htm> (last visited Dec. 1, 2011).

- Controls the rate and volume of stormwater discharge to minimize offsite impacts, and
- Is designed based on a feasibility assessment of stormwater best management practices for the project area.

The bill directs the DEP and the WMDs to establish the conceptual permit. The conceptual permit:

- Allows discharges from an urban redevelopment area created under ch. 163, F.S., or an urban infill and redevelopment area designated under s. 163.2517, F.S., to continue up to the maximum rate and volume in that area as of the date a stormwater management plan was adopted.
- Presumes that stormwater discharges from an urban redevelopment area that result in a net improvement of discharge quality as compared to discharges that existed at the time the stormwater management plan was adopted do not cause or contribute to violations of water quality criteria.
- Cannot contain additional or more stringent limitations on stormwater discharges than those in this section of the bill.
- Is renewable and issued for at least 20 years unless an applicant requests a shorter time duration.

By establishing the conceptual permit for a minimum of 20 years, unless the applicant requests a shorter duration, the applicant is securing today's water quality and quantity standards for the length of the conceptual permit. If a water body becomes impaired, the DEP must develop a TMDL and BMAP for the area. This bill may allow stormwater discharges from an urban redevelopment project covered by a conceptual permit to continue unabated in spite of the TMDL and BMAP processes. As such, other dischargers impacting the water resources will be responsible for a greater share of pollution reduction to comply with the TMDL and BMAP.

Finally, the bill directs that urban redevelopment projects that meet all requirements qualify for a general permit for construction and operation of the permitted system.

Section 4 provides an effective date of July 1, 2012.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Costs may increase on entities for pollution control measures if they are in an area covered by a TMDL and BMAP and where one of the contributors of pollution is stormwater discharge from an urban redevelopment project with a conceptual permit.

C. Government Sector Impact:

An entity created by special act, local ordinance or interlocal agreement of a county or municipality may receive a reduction or waiver of permit processing fees. DEP's fee revenues from such permits may be reduced; however, the impact is indeterminate.

The DOT may more fully take advantage of the FAA's grants to address stormwater management systems for airside activities. Since rulemaking has not yet taken place, the impact is indeterminate.

The DEP and WMDs will be required to expend funds to create and implement the permitting program required by this bill. It is expected that the DEP and WMDs can absorb these costs with existing staff and resources. Additionally, local governments may have to expend funds to modify plans for stormwater management plans in urban redevelopment areas. It is also expected that local governments can absorb these costs with existing staff and resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Storms

10-00623A-12

2012602

1 A bill to be entitled
2 An act relating to environmental permits; amending s.
3 218.075, F.S.; providing for an entity created by
4 special act, local ordinance, or interlocal agreement
5 of a county or municipality to receive certain reduced
6 or waived permit processing fees; requiring that the
7 project for which such fee reduction or waiver is
8 sought serves a public purpose; amending s. 373.118,
9 F.S.; requiring that the Department of Environmental
10 Protection initiate rulemaking to adopt a general
11 permit for stormwater management systems serving
12 airside activities at airports; providing for
13 statewide application of the general permit; providing
14 for any water management district or delegated local
15 government to administer the general permit; providing
16 that the rules are not subject to any special
17 rulemaking requirements relating to small business;
18 creating s. 373.4131, F.S.; authorizing certain
19 municipalities and counties to adopt stormwater
20 management plans and obtain conceptual permits for
21 urban redevelopment projects; defining the term
22 "stormwater management plan"; requiring the Department
23 of Environmental Protection and water management
24 districts to establish conceptual permits for urban
25 redevelopment projects; providing permit requirements;
26 providing that certain urban redevelopment projects
27 qualify for a general permit; providing an effective
28 date.
29

10-00623A-12

2012602__

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

31
32 Section 1. Section 218.075, Florida Statutes, is amended to
33 read:

34 218.075 Reduction or waiver of permit processing fees.—
35 Notwithstanding any other provision of law, the Department of
36 Environmental Protection and the water management districts
37 shall reduce or waive permit processing fees for counties with a
38 population of 50,000 or fewer ~~less~~ on April 1, 1994, until such
39 counties exceed a population of 75,000 and municipalities with a
40 population of 25,000 or fewer; an entity created by special act,
41 local ordinance, or interlocal agreement of such counties or
42 municipalities; ~~less,~~ or any county or municipality not included
43 within a metropolitan statistical area. Fee reductions or
44 waivers shall be approved on the basis of fiscal hardship or
45 environmental need for a particular project or activity. The
46 governing body must certify that the cost of the permit
47 processing fee is a fiscal hardship due to one of the following
48 factors:

49 (1) Per capita taxable value is less than the statewide
50 average for the current fiscal year;

51 (2) Percentage of assessed property value that is exempt
52 from ad valorem taxation is higher than the statewide average
53 for the current fiscal year;

54 (3) Any condition specified in s. 218.503(1) which results
55 in the county or municipality being in a state of financial
56 emergency;

57 (4) Ad valorem operating millage rate for the current
58 fiscal year is greater than 8 mills; or

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2012602

59 (5) A financial condition that is documented in annual
60 financial statements at the end of the current fiscal year and
61 indicates an inability to pay the permit processing fee during
62 that fiscal year.

63
64 The permit applicant must be the governing body of a county or
65 municipality, ~~or~~ a third party under contract with a county or
66 municipality, or an entity created by special act, local
67 ordinance, or interlocal agreement, and the project for which
68 the fee reduction or waiver is sought must serve a public
69 purpose. If a permit processing fee is reduced, the total fee
70 may ~~shall~~ not exceed \$100.

71 Section 2. Subsection (6) is added to section 373.118,
72 Florida Statutes, to read:

73 373.118 General permits; delegation.—

74 (6) By July 1, 2012, the department shall initiate
75 rulemaking to adopt a general permit for stormwater management
76 systems serving airside activities at airports. The general
77 permit applies statewide and shall be administered by any water
78 management district or any delegated local government pursuant
79 to the operating agreements applicable to part IV of this
80 chapter, with no additional rulemaking required. These rules are
81 not subject to any special rulemaking requirements related to
82 small business.

83 Section 3. Section 373.4131, Florida Statutes, is created
84 to read:

85 373.4131 Conceptual permits for urban redevelopment
86 projects.—

87 (1) A municipality or county that has created a community

10-00623A-12

2012602

88 redevelopment area or an urban infill and redevelopment area
89 pursuant to chapter 163 may adopt a stormwater management plan
90 that addresses the quantity and quality of stormwater discharges
91 for the redevelopment or infill area and may obtain a conceptual
92 permit from the water management district or the Department of
93 Environmental Protection.

94 (2) For purposes of this section, the term "stormwater
95 management plan" means a master drainage plan that, to the
96 extent feasible:

97 (a) Improves the quality of stormwater runoff discharged
98 from the project area.

99 (b) Controls the rate and volume of stormwater discharges
100 to the extent that offsite flooding or other adverse water
101 quantity impacts are not exacerbated by the proposed
102 redevelopment project.

103 (c) Is designed based on a feasibility assessment of
104 stormwater best management practices, including low impact
105 development techniques and regional stormwater treatment
106 systems, that consider the size and physical site
107 characteristics of the project area.

108 (3) The department and water management districts shall
109 establish conceptual permits for urban redevelopment projects
110 created under part III of chapter 163 or an urban infill and
111 redevelopment area designated under s. 163.2517. The conceptual
112 permits:

113 (a) Must allow for the rate and volume of stormwater
114 discharges for stormwater management systems of urban
115 redevelopment projects located within a community redevelopment
116 area created under part III of chapter 163 or an urban infill

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2012602

117 and redevelopment area designated under s. 163.2517 to continue
118 up to the maximum rate and volume of stormwater discharges
119 within the area as of the date the stormwater management plan
120 was adopted.

121 (b) Must presume that stormwater discharges for stormwater
122 management systems of urban redevelopment projects located
123 within a community redevelopment area created under part III of
124 chapter 163 or an urban infill and redevelopment area designated
125 under s. 163.2517 that demonstrate a net improvement of the
126 quality of the discharged water that existed as of the date the
127 stormwater management plan was adopted for any applicable
128 pollutants of concern in the receiving water body do not cause
129 or contribute to violations of water quality criteria.

130 (c) May not prescribe additional or more stringent
131 limitations concerning the quantity and quality of stormwater
132 discharges from stormwater management systems than provided in
133 this section.

134 (d) Shall be issued for a duration of at least 20 years,
135 and may be renewed, unless a shorter duration is requested by
136 the applicant.

137 (4) Urban redevelopment projects that meet the criteria
138 established in the conceptual permit pursuant to this section
139 qualify for a general permit that authorizes construction and
140 operation of the permitted system.

141 Section 4. This act shall take effect July 1, 2012.

THE FLORIDA SENATE
APPEARANCE RECORD

Barcode
#3
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(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12-6-11
Meeting Date

Topic Lobster Trap Theft

Bill Number SB-804
(if applicable)

Name Dennis W. Ward

Amendment Barcode 672650
(if applicable)

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City State Zip

Phone 305-292-3400

E-mail Dward@keyssao.org

Speaking: For Against Information

Representing Florida Keys

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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Barcode
#3
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12-6-11

Meeting Date

Topic Lobster trap theft

Bill Number 804
(if applicable)

Name Jim Brown

Amendment Barcode 672650
(if applicable)

Job Title Colonel

Address 620 S. Meridian St.
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Tallahassee FL 32389
City State Zip

Phone 488-6251

E-mail Jim.brown@myfwc.com

Speaking: For Against Information

Representing FWC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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TAB 2

THE FLORIDA SENATE
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(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6/11
Meeting Date

Topic Lobster Trap theft

Bill Number SB-804
(if applicable)

Name Colleen M Dunne

Amendment Barcode 672650
(if applicable)

Job Title Ass. stand State Attorney - 16th Judicial Circuit

Address 530 Whitehead Street

Phone 305-292-3400

Street
Key West FL 33040
City State Zip

E-mail CDunne@keyssao.org

Speaking: For Against Information

Representing State Attorney's Office (Monroe County)

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12-6-11
Meeting Date

Topic FWCC

Bill Number 804
(if applicable)

Name Lane Stephens

Amendment Barcode _____
(if applicable)

Job Title _____

Address 201 S. Monroe St
Street
Tallah 01
City State Zip

Phone 913-0004

E-mail _____

Speaking: For Against Information

Representing Allied Sportsman's Assoc of Fla

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

2

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6
Meeting Date

Topic FWC

Bill Number 5B 804
(if applicable)

Name JERRY SANSON

Amendment Barcode 672650
(if applicable)

Job Title _____

Address Po Box 700

Phone 321-773-0212

Cocoa Fl. 32923
City State Zip

E-mail FISHAWK@POL.COM

Speaking: For Against Information

Representing ORGANIZED FISHERMEN OF FLA.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

2

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Dec. 6, 2011
Meeting Date

Topic FWC legislation

Bill Number SB 804
(if applicable)

Name Jackie Fauls

Amendment Barcode _____
(if applicable)

Job Title Legislative Affairs Director

Address 650 S. Meridian Street

Phone 487-3795

Tallahassee FL 32399
City State Zip

E-mail jackie.fauls@myfwc.com

Speaking: For Against Information

Representing FWC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Environmental Preservation and Conservation Committee

BILL: CS/SB 804

INTRODUCER: Environmental Preservation and Conservation Committee; and Environmental Preservation and Conservation Committee

SUBJECT: Fish and wildlife conservation

DATE: December 8, 2011 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wiggins	Yeatman	EP	Fav/CS
2.	_____	_____	BC	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

CS/SB 804 (CS) removes outdated references to documentary stamp tax appropriations for marine mammal care and replaces it with permissive use for vessel registration fees. Marine mammal care is now funded by vessel registration fees and documentary stamp taxes no longer fund marine mammal care appropriations. The CS removes the provision requiring that undistributed funds be carried over to the next fiscal year. The CS repeals the law requiring a printed version of the *Florida Wildlife* magazine, as well as dissolves the Florida Wildlife Magazine Advisory Council (Council), a seven-member group whose role is to provide advice to the Fish and Wildlife Conservation Commission (FWC) on the publication *Florida Wildlife*.

The CS modifies the mentor option of the hunter safety education course, deletes the one-year deferral, and allows individuals to hunt under supervision, indefinitely, without taking the course. The CS reduces the fee for a commercial blue crab soft shell endorsement by one-half, from \$250 to \$125 for each endorsement. This will make the endorsements the same for all trap fisheries: spiny lobster, stone crab, soft shell blue crab, and hard shell blue crab. The CS adds willful molestation of a commercial harvester's spiny lobster trap, line, or buoy or the unauthorized possession or removal of trap contents or trap gear to the offense severity ranking

chart, of a Level 5, to allow judges the discretion to assess the full range of the penalty to include up to 5 years in prison.

The CS amends ss. 379.208, 379.3581, 379.366, 921.0022, of the Florida Statutes. The CS repeals, s. 379.2342(2), of the F.S.

II. Present Situation:

Marine Resources Conservation Trust Fund

According to the FWC, during the 2000 Session, the Legislature passed Senate Bill 186 providing a fixed amount of \$2 million dollars from documentary stamp taxes to support marine mammal care. The revenue was appropriated on a recurring basis providing \$1.15 million for manatee rehabilitation, \$810,000 for University of Florida marine mammal veterinary training and \$40,000 for program administration. The sections of law that were modified in Senate Bill 186 (2000) were s. 201.15, F.S., pertaining to distributions of documentary stamp revenues, and s. 370.0603, F.S., pertaining to the Marine Resources Conservation Trust Fund

In 2008, with the passage of Senate Bill 1882, the Legislature changed the fixed amount of documentary stamp revenues to a percentage of documentary stamp revenues with a \$2 million cap. The recurring appropriation remained the same (\$2 million) with the intent that when documentary stamp tax revenues dipped below \$2 million, the difference would be supported from vessel registration fees. The sections of law that were modified in Senate Bill 1882 (2008) were s. 201.15(1)(c)5, F.S., pertaining to distributions of documentary stamp revenues, and s. 370.0603, F.S., pertaining to the Marine Resources Conservation Trust Fund.

In 2009, the Legislature passed Senate Bill 1750 that eliminated the provision of documentary stamp taxes for marine mammal care. The recurring appropriation was left to be supported entirely from vessel registration fees. Senate Bill 1750 (2009) repealed s. 201.15(1)(c)5, F.S., pertaining to distributions of documentary stamp revenues; however, the residual language in s. 379.208, F.S., pertaining to the Marine Resources Trust Fund (the successor statute to s. 370.0603, F.S.) referencing how those documentary stamp taxes were to be used in the Marine Resources Conservation Trust Fund was not updated.¹

Florida Wildlife magazine repeal

The Game and Fresh Water Fish Commission, predecessor to the FWC, first published *Florida Wildlife* magazine in 1947. It began as a monthly magazine, switching to a bi-monthly schedule in the 1970s. As the official magazine of the FWC, the goal of *Florida Wildlife* is to promote the heritage of hunting, fishing and nature-based recreation in Florida and to encourage wise stewardship of the State's fish and wildlife resources.

During the 2003 Session, the Florida Legislature concurred with the FWC's potential reductions submission to eliminate the magazine's budget and positions. There were approximately 15,000 paid subscribers at the time, and the magazine ceased accepting new and renewal subscriptions.

¹ Florida Fish and Wildlife Conservation Commission, *Senate Bill 804*(Dec.2,2011) (on file with the Committee on Environmental Preservation and Conservation).

After *Florida Wildlife* published its final issue in November-December 2003, the FWC processed approximately \$84,000 in refunds for the approximately 6,000 remaining subscribers.

During the 2004 Session, the Legislature reinstated the funding of the magazine and included statutory provisions that allowed the sale of advertising and established a seven-member Florida Wildlife Magazine Advisory Council. The Council's role was to provide advice and guidance regarding the editorial and advertising content of the magazine, as well as strategies to increase circulation and reduce costs. The first issue of the re-established *Florida Wildlife* was published in April 2005. The Council has been inactive since 2006.

During the 2011 Session, the Legislature concurred with the FWC's potential reductions submissions to eliminate the printed publication of the *Florida Wildlife* magazine. Beginning July 1, 2011, the budget for the *Florida Wildlife* magazine was permanently cut by \$240,000. Section 41 of the Implementing bill (SB 2002) states: "notwithstanding the provisions of s. 379.2342(2), F.S., for the 2011-2012 fiscal year only, the FWC shall suspend the publication of a printed version of the *Florida Wildlife* magazine and the operations of the Florida Wildlife Magazine Advisory Council." The implementing bill is tied to the annual General Appropriations Act and is therefore limited to adjusting statutory requirements for one year only. The 2011-12 General Appropriations Act, however, reduced the funding permanently. A statutory change is needed for the FWC to carry out the legislative intent of the permanent cut to the funding of the printed version, and to repeal the authorization of the Council.

The number of paid subscriptions to *Florida Wildlife* was approximately 4,900, as of May 2011. Those 4,900 subscribers are eligible for refunds totaling approximately \$68,000.

Hunter Safety

Section 379.3581, F.S., covers the hunter safety course, requirements, and penalties. The statute covering hunter safety became law in 1991. This statute requires everyone born after June 1, 1975, to successfully complete a hunter safety course before purchasing a hunting license. Since a hunting license is required once you turn 16 years of age, it is necessary for students to take the course before turning 16-years-old.

According to the FWC, for those who fail to take the course before turning 16 years of age, it is important for them to take the course before hunting season begins in the fall when all the volunteer instructors are hunting and not teaching hunter safety courses. Over the years, there became an ever increasing number of individuals who were over 16 years of age who wanted to hunt, but waited until after hunting season started to try to purchase a license. When they discovered the hunter safety requirement, the lack of course offerings during hunting season hindered their ability to participate.²

In 2006, the hunter safety statute was amended to allow FWC to defer the hunter safety course requirement for one year and issue a hunting license to a person allowing for only supervised hunting under certain circumstances. Anyone 16 years or older and born after May 31, 1975, can

² Florida Fish and Wildlife Conservation Commission, Senate Bill 804, Analysis (December 2, 2011) (on will with the Senate Committee on Environmental Preservation and Conservation.

hunt under the supervision of a licensed hunter, 21 or older, without having to complete the state's hunter safety certification. The newly established "Hunter Safety Mentoring Exemption" enables those persons to purchase a Florida hunting license and hunt during a one-year trial basis. The new mentoring exemption was passed by the Florida Legislature to help persuade more people to experience hunting. It is designed to encourage experienced hunters to teach novice hunters about safety, ethics, wildlife, hunting skills and respect for Florida's outdoors. Those who use this exemption are only eligible for this deferral for one year. After that, individuals taking advantage of this would have to take and pass a hunter safety class to be eligible to purchase a hunting license and hunt the following year.³

Commercial blue crab soft shell endorsement fee

A Saltwater Products License (SPL) is the fishing license for commercial fishermen harvesting in Florida's state waters. The SPL authorizes the licensee to fish for commercial quantities of fish, rather than recreational bag limits. The price of the SPL is \$50 for Florida residents, \$100 for nonresidents, and for aliens⁴ is \$150. Anyone may purchase an SPL.

An endorsement is required for some fisheries in addition to the SPL. As used by the FWC, an "endorsement" gives permission to the commercial fisherman to legally harvest and/or use specific methods of commercial harvest in a particular fishery, and may be based on qualifying criteria.

During the 1998 Legislative Session, concerns about the rapidly increasing number of traps in the blue crab fishery and the resulting stress on marine natural resources resulted in a moratorium on the issuance of new blue crab endorsements. The moratorium was established to allow for the completion and adoption of a blue crab effort management program. The moratorium was extended two times and lasted until July 1, 2007.

In 2003, the FWC assembled an ad hoc 15 member industry advisory board made up of blue crab harvesters and wholesale dealers to develop an effort management program. Included in the management program would be management of the blue crab fishery, trap retrieval, research, enforcement, public education activities, and issuance of licenses, endorsements, and trap tags. The ad hoc Blue Crab Advisory Board endorsed the adoption of an effort management program that would limit the total number of participants in the fishery, and allow for an equal number of trap tags available for each endorsement issued. They further recommended separating the hard shell blue crab fishery from the soft shell blue crab fishery and the creation of a distinct endorsement for each fishery.

In order to qualify for a hard shell crab endorsement, an applicant had to demonstrate reported hard shell blue crab landings of 500 pounds on their SPL during any one of the qualifying years (license years 2000-2001, 2001-2002, or 2002-2003). In order to qualify for additional hard shell crab endorsements, applicants had to demonstrate reported landings of at least 7,500 pounds on any of their SPLs during any one of the qualifying years. Each qualified hard shell crab

³ Florida Fish and Wildlife Conservation Commission, Hunting, Hunter Safety Mentoring Exemption, [http://myfwc.com/hunting/safety-education/mentoring/\(last](http://myfwc.com/hunting/safety-education/mentoring/(last) visited Dec. 5, 2011).

⁴ Alien is defined as a person who does not have documentation from the Immigration and Naturalization Service showing permanent residency status in the United States.

endorsement is allotted 600 trap tags, which can be used anywhere, and an additional 400 trap tags to be used only in offshore waters of the Gulf of Mexico.

In order to qualify for a soft shell crab endorsement, applicants had to demonstrate reported soft shell (or peeler) blue crab landings of 750 crabs on their SPL during any one of the same qualifying years (license years 2000-2001, 2001-2002, or 2002-2003). In order to qualify for an additional soft shell crab endorsement on one additional SPL, an applicant had to demonstrate reported landings of 2,500 soft shell crabs. Each qualified soft shell crab endorsement is allotted 400 trap tags with an additional 250 trap tags for a subsequent qualified endorsement. After the initial allotment, endorsements could be traded or sold between participants.

In addition to the ad hoc Blue Crab Advisory Board recommendation, the FWC elected to allow qualified commercial fishermen affected by the Net Limitation Amendment to be issued a non-transferable blue crab endorsement that is allotted 100 trap tags.

The hard and soft shell endorsements must be requalified every three years. To requalify endorsements, the holder must document crab landings in one of the three previous years. The requalifying amounts are the same as the amounts that qualified the applicant to obtain an endorsement originally. If the endorsement holder does not requalify, the endorsement is not renewed the next year and is required to be forfeited.

The FWC also addressed commercial fisheries (such as shrimp and stone crab) in which blue crab harvest is permitted as a bycatch. In the years prior to the moratorium, blue crab endorsements were provided to these commercial fisheries at no additional cost and were renewed over the years as additional fishery options. The FWC has permitted a blue crab bycatch in shrimp trawls (200 pounds per day) since 1993, and nominal amounts of blue crabs have historically been landed as bycatch from stone crab traps. Therefore, FWC established an incidental take endorsement to allow the incidental harvest, possession, and sale of 200 pounds of blue crabs from shrimp trawls and stone crab traps.

The endorsement fees were set by the Legislature, at the recommendation of FWC and the ad hoc Blue Crab Advisory Board, at \$125 for the hard shell crab and net limitation endorsements, \$250 for the soft shell crab endorsement, and \$25 for the incidental take endorsement. The original fee for the soft shell crab endorsement was set higher because the market value of soft shell crabs is higher and therefore the value of the endorsement to the crabber was greater. To illustrate, in 2010, the price per pound of hardshell crabs averaged \$1.16 while the price per pound of soft shell crabs was \$8.34.

In 2007, at the beginning of the current limited endorsement program, there were 152 qualified crabbers that purchased and were issued a soft shell crab endorsement, as opposed to 1,016 hard shell crab endorsements. The effort management program stipulates that only endorsements that were issued in the 2007-2008 license year can be eligible for renewal, thereby capping the number of available endorsements. Additionally, if an endorsement is not renewed by September 30 each year, the endorsement is forfeited and is removed from the fishery. Because of the cap on the fishery and the forfeiture of non-renewed licenses, the number of soft shell crab endorsements has dropped from 152 the first year of the program to 83 available to be issued for the 2012 license year. If endorsement holders wish to leave the fishery, they are able to sell or

transfer their endorsement(s) to another commercial harvester; however, many have not renewed or sold their endorsements, therefore permanently reducing the number of available soft shell crab endorsements.

Once the management plan was adopted by the FWC and the Legislature passed the endorsement fees and penalties for violations, a Blue Crab Advisory Board was formally established to make recommendations on the fishery. Due to the significantly reduced number of soft shell crab endorsements, the Blue Crab Advisory Board voted unanimously in 2009, recommending that FWC reduce the fee for the soft shell crab endorsement from \$250 to \$125 annually.

Industry representatives from the Organized Fisherman of Florida and the Southeastern Fisheries Association, Inc., are also in favor of reducing the price of the soft shell crab endorsement.

Currently, the fees for all other commercial fishing license endorsements that allow the use of traps, spiny lobster and stone crab are set at \$125.

Section 379.366(3)(d), F.S., directs moneys generated from the sale of all blue crab endorsements (soft shell, hard shell, net limitation, and incidental take), trap tags, replacement tags, and from the assessment of administrative penalties into the Marine Resources Conservation Trust Fund (Trust Fund). Revenues are to be used for management of the fishery, trap retrieval, research, law enforcement, and public education. In Fiscal Year 2010-11, \$244,179.50 was deposited into the Trust Fund from the purchase of blue crab endorsements and blue crab trap tags.

Modification of the Lobster Trap Theft Penalty

The penalty for a lobster trap theft violation, including the theft of the contents or the trap itself is a 3rd degree felony. The penalty for a 3rd degree felony is up to five years in prison and/or up to a \$5,000 fine. The commercial fishermen have estimated that in 2009-2010 season the loss revenues due to trap theft or molestations were approximately \$2.7 million dollars. The Florida Keys Commercial Fishermen's Association has estimated that trap theft annual losses to fisherman represents about 8-10 % of the total annual harvest. Even though the violation is a third degree felony and the maximum penalty would be a period of five years in prison and up to a \$5,000 fine because it is considered a non-violent felony the courts are restricted in the sentence they can impose. According to the FWC, it is difficult to apprehend/charge trap robbing offenders and sophisticated trap robbing efforts are not deterred by the current penalties.⁵

III. Effect of Proposed Changes:

Section 1 amends s. 379.208, F.S., and removes outdated references to documentary stamp tax appropriations for marine mammal care and replaces it with permissive use for vessel registration fees. Vessel registration fees now fund marine mammal care and documentary stamp taxes no longer fund marine mammal care appropriations.

⁵ Florida Fish and Wildlife Conservation Commission, Senate Bill 804 , Analysis (December 2, 2011) (on file with the Senate Committee on Environmental Preservation and Conservation

Section 2 repeals s. 379.2342(2), F.S., requiring a printed version of the *Florida Wildlife* magazine, and dissolves the Florida Wildlife Magazine Advisory Council. It is FWC's intent to provide the majority of the magazine's content on their website at no cost.

Section 3 amends s. 379.3581, F.S., of the hunter safety course one-year deferral, and allows individuals to hunt under supervision, indefinitely, without taking the course.

Section 4 amends s. 379.366, F.S., to reduce the fee for a soft shell crab endorsement by one-half, from \$250 to \$125 for each endorsement, making the fee for endorsements for all trap fisheries the same. This change would take effect at the beginning of the 2012 blue crab license year, and mostly affect soft shell crab trap fishermen who operate as small businesses.

Section 5 amends s. 921.0022, F.S., to add willful molestation of a commercial harvester's spiny lobster trap, line, or buoy or the unauthorized possession or removal of trap contents or trap gear to the offense severity ranking chart, of a Level 5, to allow judges the discretion to assess the full range of the penalty to include up to 5 years in prison.

Section 6 sets an effective date of July 1, 2012.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The members of the public who currently have subscriptions to *Florida Wildlife* will not receive all printed volumes to which they subscribed and will receive refunds. This change will provide the public with free access to magazine content in an electronic format where previously they had to pay a subscription fee for the printed magazine.

This CS would have a positive fiscal impact for commercial soft shell blue

crabbers in Florida. Each commercial soft shell blue crabber would see a reduction in licensing fees of \$125 per endorsement, of which they can hold two.

The modification of the lobster trap theft penalty to allow judges to impose jail time for offenders might decrease trap theft, which could reduce lost revenue related to trap theft for commercial fisherman.

C. Government Sector Impact:

The CS would eliminate annual Florida Wildlife magazine subscription fees to FWC of \$38,000. The CS would result in a slight reduction of revenues to the Trust Fund. There are 83 current soft shell crab endorsements in the fishery. If all 83 of these endorsements are renewed for Fiscal Year 2011-2012, at a cost of \$125 rather than \$250, the reduction of revenue to the Trust Fund would be \$10,375 (4.25% of the monies generated from blue crab regulation). All of the blue crab revenues in the Trust Fund are appropriated to the FWC's Division of Marine Fisheries Management, Fish and Wildlife Research Institute, Division of Law Enforcement, and the Office of Licensing and Permitting. The small reduction of revenue to the Trust Fund resulting from the CS would be absorbed by these entities.

The cost of administrating the soft shell crab endorsement is the same as the hard shell crab and net limitation endorsements. Therefore, reducing the fee of the soft shell crab endorsement to the same price as the other two endorsements should still adequately fund the soft shell portion of the blue crab management program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Environmental Preservation and Conservation on December 6, 2011:

The CS provides a technical fix to the Marine Resources Conservation Trust Fund. It modifies the hunter safety education course mentor option to allow individuals to hunt under supervision, indefinitely, without taking the course. The CS amends the lobster trap theft penalty to a Level 5, which allows the judge to use their discretion to assess the full range of the penalty within a 3rd degree felony to include up to 5 years in prison.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



964084

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/07/2011	.	
	.	
	.	
	.	

The Committee on Environmental Preservation and Conservation
(Dean) recommended the following:

Senate Amendment (with title amendment)

Between lines 10 and 11
insert:

Section 1. Subsection (3) of section 379.208, Florida
Statutes, is amended to read:

379.208 Marine Resources Conservation Trust Fund;
purposes.—

(3) Funds provided to the Marine Resources Conservation
Trust Fund from vessel registration fees pursuant to s. 328.76
~~may taxes distributed under s. 201.15 shall~~ be used for the
following purposes:



964084

13 (a) To reimburse the cost of activities authorized pursuant
14 to the Fish and Wildlife Service of the United States Department
15 of the Interior. The facilities must be involved in the actual
16 rescue and full-time acute care veterinarian-based
17 rehabilitation of manatees. The cost of activities includes, but
18 is not limited to, costs associated with expansion, capital
19 outlay, repair, maintenance, and operation related to the
20 rescue, treatment, stabilization, maintenance, release, and
21 monitoring of manatees. Moneys distributed through the
22 contractual agreement to each facility for manatee
23 rehabilitation must be proportionate to the number of manatees
24 under acute care rehabilitation; the number of maintenance days
25 medically necessary in the facility; and the number released
26 during the previous fiscal year. The commission may set a cap on
27 the total amount reimbursed per manatee per year.

28 (b) For training on the care, treatment, and rehabilitation
29 of marine mammals at the Whitney Laboratory and the College of
30 Veterinary Medicine at the University of Florida.

31 (c) For program administration costs of the agency.

32 ~~(d) Funds not distributed in any 1 fiscal year must be~~
33 ~~carried over for distribution in subsequent years.~~

34
35 ===== T I T L E A M E N D M E N T =====

36 And the title is amended as follows:

37 Between lines 2 and 3

38 insert:

39 amending s. 379.208, F.S.; changing a funding source
40 of the Marine Resources Conservation Trust Fund from
41 excise taxes to vessel registration fees; removing the



42
43

provision requiring that undistributed funds be
carried over to the next fiscal year;



546928

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/07/2011	.	
	.	
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	.	

The Committee on Environmental Preservation and Conservation
(Dean) recommended the following:

Senate Amendment (with title amendment)

Between lines 12 and 13
insert:

Section 2. Paragraph (b) of subsection (2) of section
379.3581, Florida Statutes, is amended to read:

379.3581 Hunter safety course; requirements; penalty.—
(2)

(b) A person born on or after June 1, 1975, who has not
successfully completed a hunter safety course may apply to the
commission for a special authorization to hunt under
supervision. The special authorization for supervised hunting



546928

13 shall be designated on any license or permit required under this
14 chapter for a person to take game or fur-bearing animals ~~and~~
15 ~~shall be valid for not more than 1 year. A special authorization~~
16 ~~for supervised hunting may not be issued more than once to the~~
17 ~~person applying for such authorization.~~ A person issued a
18 license with a special authorization to hunt under supervision
19 must hunt under the supervision of, and in the presence of, a
20 person 21 years or age or older who is licensed to hunt pursuant
21 to s. 379.354 or who is exempt from licensing requirements or
22 eligible for a free license pursuant to s. 379.353.

23
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 Between lines 5 and 6

27 insert:

28 s. 379.3581, F.S.; deleting provisions that restrict
29 the special authorization to hunt under supervision to
30 1 year and that prohibit issuing the special
31 authorization to the same person more than once;
32 amending



672650

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/07/2011	.	
	.	
	.	
	.	

The Committee on Environmental Preservation and Conservation
(Dean) recommended the following:

Senate Amendment (with title amendment)

Between lines 35 and 36
insert:

Section 3. Paragraph (e) of subsection (3) of section
921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking
chart.-

(3) OFFENSE SEVERITY RANKING CHART

(e) LEVEL 5

Florida Statute	Felony Degree	Description
-----------------	---------------	-------------



11	316.027(1)(a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
12	316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
13	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
14	327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
15	<u>379.367(4)</u>	<u>3rd</u>	<u>Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.</u>
16	<u>379.3671(2)(c)3.</u>	<u>3rd</u>	<u>Willful molestation or unauthorized possession or removal of a commercial harvester's spiny lobster trap contents or trap gear.</u>
17	381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
18	440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
19	440.105(5)	2nd	Unlawful solicitation for the purpose of



672650

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making workers' compensation claims.

440.381(2) 2nd Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.

624.401(4)(b)2. 2nd Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

626.902(1)(c) 2nd Representing an unauthorized insurer; repeat offender.

790.01(2) 3rd Carrying a concealed firearm.

790.162 2nd Threat to throw or discharge destructive device.

790.163(1) 2nd False report of deadly explosive or weapon of mass destruction.

790.221(1) 2nd Possession of short-barreled shotgun or machine gun.

790.23 2nd Felons in possession of firearms, ammunition, or electronic weapons or devices.



672650

28	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years.
29	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years or older.
30	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
31	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
32	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
33	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
34	812.131 (2) (b)	3rd	Robbery by sudden snatching.
35	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
36	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.



672650

37	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
38	817.2341 (1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
39	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.
40	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
41	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
42	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.



43	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
44	839.13 (2) (b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
45	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
46	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
47	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
48	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
49	874.05 (2)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
50	893.13 (1) (a) 1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b),



672650

51

(1) (d), (2) (a), (2) (b), or (2) (c) 4.
drugs).

893.13(1) (c) 2. 2nd Sell, manufacture, or deliver cannabis
(or other s. 893.03(1) (c), (2) (c) 1.,
(2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,
(2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or
(4) drugs) within 1,000 feet of a child
care facility, school, or state, county,
or municipal park or publicly owned
recreational facility or community
center.

52

893.13(1) (d) 1. 1st Sell, manufacture, or deliver cocaine
(or other s. 893.03(1) (a), (1) (b),
(1) (d), (2) (a), (2) (b), or (2) (c) 4.
drugs) within 1,000 feet of university.

53

893.13(1) (e) 2. 2nd Sell, manufacture, or deliver cannabis
or other drug prohibited under s.
893.03(1) (c), (2) (c) 1., (2) (c) 2.,
(2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7.,
(2) (c) 8., (2) (c) 9., (3), or (4) within
1,000 feet of property used for
religious services or a specified
business site.

54

893.13(1) (f) 1. 1st Sell, manufacture, or deliver cocaine
(or other s. 893.03(1) (a), (1) (b),



672650

(1) (d), or (2) (a), (2) (b), or (2) (c) 4.
drugs) within 1,000 feet of public
housing facility.

55

893.13(4) (b) 2nd Deliver to minor cannabis (or other s.
893.03(1) (c), (2) (c) 1., (2) (c) 2.,
(2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7.,
(2) (c) 8., (2) (c) 9., (3), or (4) drugs).

56

893.1351(1) 3rd Ownership, lease, or rental for
trafficking in or manufacturing of
controlled substance.

57

58

59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete line 7

62 and insert:

63 crab endorsements; amending s. 921.0022, F.S.; adding
64 to the offense severity ranking chart, to be used with
65 the Criminal Punishment Code for sentence score,
66 willful molestation of a commercial harvester's spiny
67 lobster trap, line, or buoy or the unauthorized
68 possession or removal of trap contents or trap gear;
69 providing effective dates.

By the Committee on Environmental Preservation and Conservation

592-00700-12

2012804

1 A bill to be entitled
2 An act relating to fish and wildlife conservation;
3 repealing s. 379.2342(2), F.S., relating to the
4 publication of the Florida Wildlife Magazine and the
5 Florida Wildlife Magazine Advisory Council; amending
6 s. 379.366, F.S.; reducing the fee for soft-shell blue
7 crab endorsements; providing effective dates.
8

9 Be It Enacted by the Legislature of the State of Florida:
10

11 Section 1. Subsection (2) of section 379.2342, Florida
12 Statutes, is repealed.

13 Section 2. Effective upon the commencement of the 2012-2013
14 blue crab license year, paragraph (a) of subsection (3) of
15 section 379.366, Florida Statutes, is amended to read:

16 379.366 Blue crab; regulation.—

17 (3) (a) *Endorsement fees.*—

18 1. The fee for a hard-shell blue crab endorsement for the
19 taking of hard-shell blue crabs, as authorized by rule of the
20 commission, is \$125, \$25 of which must be used solely for the
21 trap retrieval program authorized under s. 379.2424 and in
22 commission rules.

23 2. The fee for a soft-shell blue crab endorsement for the
24 taking of soft-shell blue crabs, as authorized by rule of the
25 commission, is \$125 ~~\$250~~, \$25 of which must be used solely for
26 the trap retrieval program authorized under s. 379.2424 and in
27 commission rules.

28 3. The fee for a nontransferable hard-shell blue crab
29 endorsement for the taking of hard-shell blue crabs, as

592-00700-12

2012804__

30 authorized by rule of the commission, is \$125, \$25 of which must
31 be used solely for the trap retrieval program authorized under
32 s. 379.2424 and in commission rules.

33 4. The fee for an incidental take blue crab endorsement for
34 the taking of blue crabs as bycatch in shrimp trawls and stone
35 crab traps is \$25, as authorized in commission rules.

36 Section 3. Except as otherwise expressly provided in this
37 act, this act shall take effect July 1, 2012.

3

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6/11
Meeting Date

Amend to Amend.

Topic MIN. FLOW & LEVEL

Bill Number SB 560

Name FRANK MATTHEWS

Amendment Barcode 811628
(if applicable)

Job Title ATTORNEY

Address PO BOX 6526
Street
FLA
City State Zip

Phone 850 222 7500

E-mail frankm@hgs law.com

Speaking: For Against Information

Representing ASSOC OF FLA COMM. DEVELOPERS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Waive in Support
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12-6-11
Meeting Date

strike every
thing amend-
ment 560
(if applicable)

Topic Water Mgmt Districts Bill Number _____

Name Diane Salz Amendment Barcode _____
(if applicable)

Job Title Lobbyist

Address 2529 Goose Pond Ct Phone 850.339.8550
Street

Talla, FL 32308 E-mail disalz@yahoo.com
City State Zip

Speaking: For Against Information

Representing Withlacoochee Regional Water Auth'y

Appearing at request of Chair: Yes No Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

3

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6/11
Meeting Date

Topic Water Management Districts

Bill Number SB 560
(if applicable)

Name Frank Bernardino

Amendment Barcode 737610
(if applicable)

Job Title _____

Address 349 Maddock St.
Street
West Palm Beach FL 33405
City State Zip

Phone 561/718-2345

E-mail franke.anti@florida.com

Speaking: For Against Information

Representing Polk Co.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

12-6-11
Date

568
Bill Number

Barcode

Name DAVID CULLEN

Phone 941.323.2404

Address 1674 UNIVERSITY PKWY #296

E-mail cullenasea

Street SARKOTA FL 34242
City State Zip

Job Title @aol.com

Speaking: For Against Information

Appearing at request of Chair

Subject WMDE

Representing SIERRA CLUB FLORIDA

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.
If designated employee: Time: from _____ .m. to _____ .m.

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

December 6, 2011

Meeting Date

Topic Water Management Districts

Bill Number SB 560
(if applicable)

Name Steven Minnis

Amendment Barcode 737610
(if applicable)

Job Title Governmental Affairs Director

Address 9225 CR 49

Phone 386.362.8313

Street

Live Oak FL 32060

E-mail sam@srwmd.org

City

State

Zip

Speaking: For Against Information

Representing Suwannee River Water Management District

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6/2011

Meeting Date

Topic _____

Bill Number 506
(if applicable)

Name JOE BOURASSA

Amendment Barcode _____
(if applicable)

Job Title RETIRED CITIZEN

Address 801 LEWIS DRIVE
Street
DAYTONA BEACH, FL 32117
City State Zip

Phone 306-253-9017

E-mail BOURASSAJOE@GMAIL.COM

Speaking: For Against Information

Representing COMMON PEOPLE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Environmental Preservation and Conservation Committee

BILL: CS/SB 560

INTRODUCER: Environmental Preservation and Conservation Committee and Senator Dean

SUBJECT: Water Management Districts

DATE: December 7, 2011 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Uchino	Yeatman	EP	Fav/CS
2.			GO	
3.			BC	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

The Committee Substitute (CS) provides the water management districts (WMDs) greater flexibility to:

- Enter into interagency agreements for resource study and management for impacts to water resources that cross WMD boundaries;
- Apply an adjoining WMD’s reservations, minimum flows and levels (MFLs), and recovery or prevention strategies without having to undertake rulemaking to adopt them for those rules adopted after July 1, 2012;
- Allow a WMD to issue a consumptive use permit (CUP) under certain circumstances when that CUP would violate another WMD’s reservations, MFLs or recovery and prevention strategies;
- Grandfather CUPs issued before July 1, 2012, from the provisions of the bill unless the permittee requests modification or increase of the CUP;
- Allow a WMD to offer its employees and the employees of another WMD a group health insurance program in order to minimize health insurance premiums;
- Jointly develop the water supply development component of a regional water supply plan with a regional water supply authority.

The CS also clarifies that a WMD's cooperative funding programs are not subject to chapter 120, F.S., rulemaking requirements unless they affect a substantial interest of a party.

The CS substantially amends sections 373.046, 373.223, 373.605, 373.709 and 373.171, Florida Statutes.

II. Present Situation:

Interagency Agreements

Subsection 373.046(6), F.S., currently allows the WMDs to enter into an interagency agreement designating one WMD with regulatory responsibilities for the geographic area of projects that affect multiple WMDs or a local government. However, the WMDs do not have the statutory authority to enter into similar agreements for non-regulatory resource management activities, studies or projects. In addition, a WMD may not fund resource management activities in another WMD even if some benefits inure to it from the activities.

Conditions for Issuance of Consumptive Use Permits

The WMDs were established along surface hydrological boundaries. As Florida's population has grown and groundwater pumping increased, withdrawals along the boundary of one WMD can cause significant harm to the resources in an adjoining WMD. Such effects are becoming more common as technological advances have provided better data on groundwater resources. While a WMD has the authority to protect all water resources, including water bodies in an adjacent WMD, it cannot use the adopted reservation, MFL, and recovery and prevention strategies adopted by a neighboring WMD without separately going through its own rule making process. The current statutory authority may result in duplication of effort and rulemaking activity when a withdrawal affects water bodies in adjoining WMDs. It can also create inconsistent and inequitable treatment of water use permit applicants.

The goal of establishing MFLs is to ensure there is enough water to satisfy the consumptive use of the water resource without causing significant harm to the resource. By establishing MFLs for non-consumptive uses, the WMDs are able to determine how much water is available for consumptive use. This is useful when evaluating a new consumptive use permit (CUP) application.

Section 373.042, F.S., requires the Department of Environmental Protection (DEP) or WMDs to establish MFLs for priority water bodies to prevent significant harm from water withdrawals. However, the WMDs have thus far been solely responsible for establishing MFLs. The WMDs submit annual MFL priority lists to the DEP for review and approval. MFLs are considered rules by the WMDs and are subject to chapter 120, F.S., challenges. MFLs are established using the best available data and are independently and scientifically peer reviewed. To date, 322 MFLs have been adopted and 200 are on the current priority lists from the WMDs.

Health Insurance Benefits for Employees of WMDs

Section 373.605, F.S., authorizes the WMDs to provide group insurance programs for their employees. However, no legislative authority exists for WMDs to pool their employees to

negotiate better insurance rates. Each WMD provides its own insurance programs. WMDs with smaller workforces have difficulty providing plans with adequate coverage at competitive rates. In addition the quality of health care plans provided currently varies widely among WMDs.

Regional Water Supply Planning

The WMDs are required to conduct water supply needs assessments. A WMD that determines existing resources will not be sufficient to meet reasonable-beneficial uses for the planning period must prepare a regional water supply plan.¹ The plans must contain:

- A water supply development component,
- A water resource development component,
- A recovery and prevention strategy,
- A funding strategy,
- The impacts on the public interest, costs, natural resources, etc.,
- Technical data and information,
- Any MFLs established for the planning area,
- The water resources for which future MFLs must be developed, and
- An analysis of where variances may be used to create water supply development or water resource development projects.²

Currently, only the Southwest Florida WMD is required to jointly develop the water supply development component with a regional water supply authority.³

Cooperative Funding Programs

SB 2080, passed during the 2009 Regular Session, addressed cooperative funding programs.⁴ However, its statutory placement limits its application instead of applying generally to all cooperative funding programs, as was intended. Cooperative funding is not considered a regulatory program. It is a cost-share program for local governments for projects that develop sustainable water resources, provide flood protection and enhance conservation efforts. Therefore, if a district needed to adopt rules for all of the procedures and policies in a cooperative funding program, it would be unable to adapt or modify the program as necessary.

III. Effect of Proposed Changes:

Section 1 amends s. 373.046, F.S., to allow the WMDs to enter into interagency agreements to share funding and resource management responsibilities for activities, studies or projects for resources that affect multiple WMDs in a geographic area. This section does not apply to shared regulatory responsibilities already provided for in subsection 373.046(6), F.S. In addition, this section allows a WMD to provide funding assistance to another WMD for resource management activities, studies or projects if the funding WMD receives some or all of the benefits of the resource management activities. The CS also clarifies that it does not impair any interagency agreement in effect on July 1, 2012.

¹ See s. 373.709, F.S.

² Section 373.709(2), F.S.

³ Section 373.709(3), F.S.

⁴ Chapter 2009-243, s. 1, Law of Fla.

Section 2 amends s. 373.223, F.S., to allow a WMD to use and consider an adjoining WMD's reservations, minimum flows and levels, and recovery and prevention strategies without adopting them by rule when determining the effect a proposed CUP may have on an adjoining WMD's water resources. The WMD may not issue the CUP if doing so would violate the adjoining WMD's reservations, minimum flows and level, and recovery and prevention strategies. If a party brings a chapter 120, F.S., challenge, the WMD that adopted the rule is responsible for defending it.

Section 3 amends s. 373.605, F.S., to allow a WMD to offer its employees and the employees of other WMDs a group health insurance program. It also deletes an obsolete section.

Section 4 amends s. 373.709, F.S., to direct the WMDs to jointly develop the water supply development component of a regional water supply plan with a regional water supply authority. Currently, only the Southwest Florida WMD is required to do so.

Section 5 amends s. 373.171, F.S., to clarify that a WMD's cooperative funding programs are not subject to chapter 120, F.S., rulemaking requirements. However, parties may challenge the program pursuant to s. 120.569, F.S., if any part of the program affects their substantial interests.

Section 6 provides an effective date of July 1, 2012.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The CS will result in a positive but indeterminate fiscal impact to the WMDs. It may also allow for streamlining of some administrative and non-regulatory functions.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Environmental Preservation and Conservation on December 6, 2011:

The CS provides the WMDs greater flexibility to:

- Apply an adjoining WMD's reservations, minimum flows and levels (MFLs), and recovery or prevention strategies without undertaking rulemaking to adopt them for rules adopted after July 1, 2012;
- Allow a WMD to issue a CUP under certain circumstances when that CUP would violate another WMD's reservations, MFLs or recovery and prevention strategies;
- Grandfather CUPs issued before July 1, 2012, from the provisions of the CS unless the permittee requests modification or increase of the CUP;
- Jointly develop the water supply development component of a regional water supply plan with a regional water supply authority.

The CS clarifies that a WMD's cooperative funding programs are not subject to chapter 120, F.S., rulemaking requirements unless they affect a substantial interest of a party.

Finally, the CS fixed the technical deficiency that limited the WMDs to providing only health insurance benefits.

B. Amendments:

None.



737610

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/07/2011	.	
	.	
	.	
	.	

The Committee on Environmental Preservation and Conservation
(Dean) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (7) is added to section 373.046,
Florida Statutes, to read:

373.046 Interagency agreements.—

(7) If the geographic area of a resource management
activity, study, or project crosses water management district
boundaries, the affected districts may designate a single
affected district to conduct all or part of the applicable
resource management responsibilities under this chapter, with
the exception of those regulatory responsibilities that are



737610

14 subject to subsection (6). If funding assistance is provided to
15 a resource management activity, study, or project, the district
16 providing the funding must ensure that some or all the benefits
17 accrue to the funding district. This subsection may not impair
18 any interagency agreement in effect on July 1, 2012.

19 Section 2. Subsection (6) is added to section 373.223,
20 Florida Statutes, to read:

21 373.223 Conditions for a permit.—

22 (6) In determining the effect of a proposed consumptive use
23 of water on the water resources of an adjoining district, the
24 governing board shall apply, without adopting by rule, the
25 reservations, minimum flows and levels, and recovery or
26 prevention strategies adopted by rule by the adjoining district.
27 The governing board may not authorize a consumptive use of water
28 which violates any reservation adopted pursuant to subsection
29 (4) or any minimum flow or level adopted pursuant to ss. 373.042
30 and 373.0421, unless such permit is issued in accordance with
31 the recovery or prevention strategy adopted by rule by the
32 adjoining district. The district may grant a variance from the
33 recovery or prevention strategy if the applicant identifies an
34 alternative strategy to assist with the recovery of or the
35 prevention of harm to a water body. Any rule applied pursuant to
36 this subsection which is challenged under s. 120.56 or s.
37 120.569 shall be defended by the district that adopted the rule.
38 This subsection does not apply to and may not be considered for
39 any permit issued before July 1, 2012, including a review of a
40 compliance report submitted pursuant to s. 373.236, or a permit
41 modification requested by the permittee unless the permittee
42 requests an increase in permitted quantities or a transfer of



737610

43 permitted quantities to a new or existing source.

44 Section 3. Section 373.605, Florida Statutes, is amended to
45 read:

46 373.605 Group insurance for water management districts.—

47 (1) The governing board of a ~~any~~ water management district
48 ~~may is hereby authorized and empowered to~~ provide group
49 insurance for its employees in the same manner and with the same
50 provisions and limitations authorized for other public employees
51 by ss. 112.08, 112.09, 112.10, 112.11, and 112.14.

52 (2) The governing board of a water management district may
53 provide group insurance for its employees and the employees of
54 another water management district in the same manner and with
55 the same provisions and limitations authorized for other public
56 employees by ss. 112.08, 112.09, 112.10, 112.11, and 112.14.

57 ~~(2) Any and all insurance agreements in effect as of~~
58 ~~October 1, 1974, which conform to the provisions of this section~~
59 ~~are hereby ratified.~~

60 Section 4. Subsection (3) of section 373.709, Florida
61 Statutes, is amended to read:

62 373.709 Regional water supply planning.—

63 (3) The water supply development component of a regional
64 water supply plan which deals with or affects public utilities
65 and public water supply for those areas served by a regional
66 water supply authority and its member governments ~~within the~~
67 ~~boundary of the Southwest Florida Water Management District~~
68 shall be developed jointly by the authority and the applicable
69 water management district. In areas not served by regional water
70 supply authorities, or other multijurisdictional water supply
71 entities, and where opportunities exist to meet water supply



737610

72 needs more efficiently through multijurisdictional projects
73 identified pursuant to paragraph (2)(a), water management
74 districts are directed to assist in developing
75 multijurisdictional approaches to water supply project
76 development jointly with affected water utilities, special
77 districts, and local governments.

78 Section 5. Subsection (5) is added to section 373.171,
79 Florida Statutes, to read:

80 373.171 Rules.—

81 (5) Cooperative funding programs are not subject to the
82 rulemaking requirements of chapter 120. However, any portion of
83 an approved program which affects the substantial interests of a
84 party is subject to s. 120.569.

85 Section 6. This act shall take effect July 2012.

86
87 ===== T I T L E A M E N D M E N T =====

88 And the title is amended as follows:

89 Delete everything before the enacting clause
90 and insert:

91 A bill to be entitled
92 An act relating to water management districts;
93 amending s. 373.046, F.S.; authorizing a district to
94 designate another single affected district to conduct
95 resource management responsibilities under an
96 interagency agreement; requiring that the district
97 providing funding assistance for an activity, study,
98 or project receive some or all of the benefits;
99 amending s. 373.223, F.S.; requiring districts to
100 apply specific reservations, minimum flows and levels,



737610

101 and recovery and prevention strategies in determining
102 certain effects of proposed consumptive uses of water;
103 providing an exception; providing requirements for the
104 challenge of specified rules; providing for
105 applicability; amending s. 373.605, F.S.; authorizing
106 a district to provide group health insurance for the
107 employees of another district; removing obsolete
108 provisions; amending s. 373.709, F.S., relating to
109 regional water supply planning; removing a reference
110 to the Southwest Florida Water Management District;
111 requiring a regional water supply authority and the
112 applicable water management district to jointly
113 develop the water supply component of the regional
114 water supply plan; amending s. 373.171, F.S.;
115 exempting cooperative funding programs from certain
116 rulemaking requirements; providing an effective date.



811628

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/07/2011	.	
	.	
	.	
	.	

The Committee on Environmental Preservation and Conservation
(Dean) recommended the following:

Senate Amendment to Amendment (737610)

Delete lines 26 - 30
and insert:
prevention strategies adopted by rule after July 1, 2012, by the
adjoining district. The governing board may not authorize a
consumptive use of water which violates any reservation adopted
pursuant to subsection (4) or any minimum flow or level adopted
pursuant to ss. 373.042 and 373.0421 after July 1, 2012, unless
such permit is issued in accordance with

By Senator Dean

3-00436B-12

2012560__

1 A bill to be entitled
2 An act relating to water management districts;
3 amending s. 373.046, F.S.; authorizing districts to
4 enter into interagency agreements for resource
5 management activities under specified conditions;
6 providing applicability; amending s. 373.223, F.S.;
7 requiring districts to apply specified reservations,
8 minimum flows and levels, and recovery and prevention
9 strategies in determining certain effects of proposed
10 consumptive uses of water; prohibiting districts from
11 authorizing certain consumptive uses of water;
12 providing an exception; providing requirements for the
13 challenge of specified rules; amending s. 373.605,
14 F.S.; authorizing a district to provide a group health
15 insurance program for its employees and the employees
16 of another district; removing obsolete provisions;
17 providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Subsection (7) is added to section 373.046,
22 Florida Statutes, to read:

23 373.046 Interagency agreements.—

24 (7) If the geographic area of a resource management
25 activity, study, or project crosses water management district
26 boundaries, the affected districts may designate a single
27 affected district to conduct all or part of the applicable
28 resource management responsibilities under this chapter, not
29 including those regulatory responsibilities that are subject to

3-00436B-12

2012560

30 subsection(6). If funding assistance is provided to a resource
31 management activity, study, or project, the district providing
32 the funding must ensure that some or all the benefits accrue to
33 the funding district.

34 Section 2. Subsection (6) is added to section 373.223,
35 Florida Statutes, to read:

36 373.223 Conditions for a permit.-

37 (6) In determining the effect of a proposed consumptive use
38 of water on the water resources of an adjoining district, the
39 governing board shall apply, without adopting by rule, the
40 reservations, minimum flows and levels, and recovery or
41 prevention strategies adopted by the adjoining district. The
42 governing board may not authorize a consumptive use of water
43 which violates any reservation adopted pursuant to subsection
44 (4) or any minimum flow or level adopted pursuant to ss. 373.042
45 and 373.0421, except as provided for in an adopted recovery or
46 prevention strategy. Any rule applied pursuant to this
47 subsection which is challenged under s. 120.56 or s. 120.569
48 shall be defended by the district that adopted the rule.

49 Section 3. Section 373.605, Florida Statutes, is amended to
50 read:

51 373.605 Group insurance for water management districts.-

52 (1) The governing board of a ~~any~~ water management district
53 ~~may is hereby authorized and empowered to~~ provide group health
54 insurance for its employees in the same manner and with the same
55 provisions and limitations authorized for other public employees
56 by ss. 112.08, 112.09, 112.10, 112.11, and 112.14.

57 (2) The governing board of a water management district may
58 provide a group health insurance program for its employees and

3-00436B-12

2012560__

59 the employees of another water management district in the same
60 manner and with the same provisions and limitations authorized
61 for other public employees by ss. 112.08, 112.09, 112.10,
62 112.11, and 112.14.

63 ~~(2) Any and all insurance agreements in effect as of~~
64 ~~October 1, 1974, which conform to the provisions of this section~~
65 ~~are hereby ratified.~~

66 Section 4. This act shall take effect July 1, 2012.

2420

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Kurt S. Browning, Secretary of State,
do hereby certify that

Lad Daniels

is duly appointed a member of the

**Governing Board,
Saint Johns River Water Management District**

for a term beginning on the
Twenty-First day of April, A.D., 2011,
until the First day of March, A.D., 2015
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital,
this the Twenty-Ninth day of June, A.D., 2011.*

A handwritten signature in black ink, appearing to read "Kurt S. Browning".

Secretary of State

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED

11 JUN 29 AM 10:21

STATE OF FLORIDA

County of Duval

DIVISION OF ELECTIONS
SECRETARY OF STATE

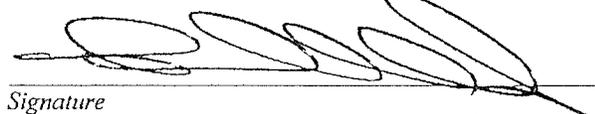
I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Governing Board, St. Johns River Water Management District

(Title of Office)

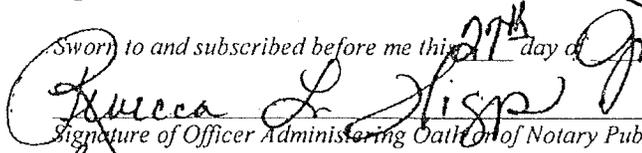
on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]



Signature

Sworn to and subscribed before me this 27th day of June 2011.



Signature of Officer Administering Oath or of Notary Public

REBECCA L. Higgs

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known OR Produced Identification

Type of Identification Produced FL DL



REBECCA L. HIGGS
MY COMMISSION # DO 000782
EXPIRES: August 17, 2013
Bonded Thru Budget Notary Services

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

8510 Royal Lakes Drive

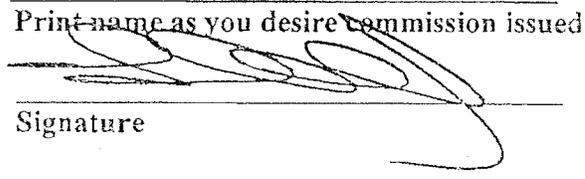
Street or Post Office Box

Jacksonville, FL 32256

City, State, Zip Code

Lad Daniels

Print name as you desire commission issued



Signature



RICK SCOTT
GOVERNOR

2011 MAY 11 PM 3:35

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

May 3, 2011

Mr. Kurt S. Browning, Secretary
Department of State
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Browning:

Please be advised I have made the following appointment under the provisions of Section 373.073, Florida Statutes:

Mr. Lowry "Lad" A. Daniels, Jr.
4215 Southpoint Boulevard
Suite 140
Jacksonville, Florida 32216

as a member of the Governing Board, St. Johns River Water Management District, succeeding Michael C. Ertel, subject to confirmation by the Senate. This appointment is effective April 21, 2011, for a term ending March 1, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/jlw

QUESTIONNAIRE FOR GUBERNATORIAL APPOINTMENTS

The information from this questionnaire will be used by the Governor's office and, where applicable, The Florida Senate in considering action on your confirmation. The questionnaire MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate. Please type or print in black ink.

March 22, 2011

Date Completed

1. Name: Daniels Lowry A.

MR./MRS./X LAST FIRST MIDDLE/MAIDEN

2. Business Address: 4215 Southpoint Blvd., Suite 140 Jacksonville

STREET OFFICE # CITY

Florida 32216 (904) 296-9621

POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

3. Residence Address: 8510 Royal Lakes Drive Jacksonville Duval

STREET CITY COUNTY

32256 (904) 641-6484

POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

Specify the preferred mailing address: Business Residence Fax # (904) 296-9644

(optional)

4. A. List all your places of residence for the last five (5) years.

ADDRESS	CITY & STATE	FROM	TO
<u>8510 Royal Lakes Drive</u>	<u>Jacksonville, FL</u>	<u>1972</u>	<u>Present</u>

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

ADDRESS	CITY & STATE	FROM	TO
	<u>Atlanta, GA</u>	<u>1968</u>	<u>1970</u>
<u>792 Arbor Road</u>	<u>Winston Salem, NC</u>	<u>1964</u>	<u>1968</u>
	<u>Arlington,</u>	<u>1962</u>	<u>1964</u>

5. Date of Birth: 10/23/1938 Place of Birth: Norfolk, VA

6. Social Security Number: _____

7. Driver License Number: _____ Issuing State: Florida

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: _____

10. Since what year have you been a continuous resident of Florida? 1968

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of registration: Duval B. Current party affiliation: Republican

12. Education

A. High School: Wilson High School, Portsmouth, VA Year Graduated: 1957

(NAME AND LOCATION)

B. List all postsecondary educational institutions attended:

NAME & LOCATION

DATES ATTENDED

CERTIFICATES/DEGREES RECEIVED

NC State University

1957-1961

B.S.

Raleigh, NC

Harvard University

1962-1964

MBA

Cambridge, MA

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of service: 07/1961 - 12/1961

B. Branch or component: Army

C. Date & type of discharge: Honorable

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) If "Yes" give details:

DATE

PLACE

NATURE

DISPOSITION

None

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

EMPLOYER'S NAME & ADDRESS

TYPE OF BUSINESS

OCCUPATION/JOB TITLE

PERIOD OF EMPLOYMENT

Daniels & Associates

Trade associa-

President

1984 - Present

4215 Southpoint Blvd.

tion / real estate

Suite 140

management

Jacksonville, FL 32216

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No
If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

POSITION

EMPLOYING AGENCY

PERIOD OF EMPLOYMENT

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

President of First Coast Manufacturers Association one of whose basic
goals is environmental protection. One of founders of St. Johns River
Clean Up (1996). Advisory Committee for TMDL for Lower St. Johns
River (2000-Present)

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

First Coast Manufacturers Association - President
Manufacturers Association of Florida - Board of Directors

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

<u>OFFICE TITLE</u>	<u>DATE OF ELECTION OR APPOINTMENT</u>	<u>TERM OF OFFICE</u>	<u>LEVEL OF GOVERNMENT</u>
<u>Councilman</u>	<u>1999</u>	<u>8 years</u>	<u>City Council</u>
			<u>Jacksonville</u>

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: two times per month

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

MEETINGS ATTENDED	MEETINGS MISSED	REASON FOR ABSENCE
168	8	Out of town

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

DATE	NATURE OF VIOLATION	DISPOSITION

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____

B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: _____

B. Term of Appointment: _____

C. Confirmation results: _____

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

LICENSE/CERTIFICATE TITLE & NUMBER	ORIGINAL ISSUE DATE	ISSUING AUTHORITY	DISCIPLINARY ACTION/DATE
Real Estate Broker BK 268900	1982	Dept. of Business & Professional Regulation	None

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

NAME OF BUSINESS	YOUR RELATIONSHIP TO BUSINESS	BUSINESS' RELATIONSHIP TO AGENCY

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>NAME OF BUSINESS</u>	<u>FAMILY MEMBER'S RELATIONSHIP TO YOU</u>	<u>FAMILY MEMBER'S RELATIONSHIP TO BUSINESS</u>	<u>BUSINESS' RELATIONSHIP TO AGENCY</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>AGENCY LOBBIED</u>	<u>PRINCIPAL REPRESENTED</u>

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>ZIP CODE</u>	<u>AREA CODE/PHONE NUMBER</u>

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>OFFICE(S) HELD & TERM</u>	<u>DATE(S) OF MEMBERSHIP</u>
Mandarin Rotary Club	P. O. Box 23376 Jacksonville, FL	President	1982-Present

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION

RECEIVED
2011 MAY 11 PM 3:35

STATE OF FLORIDA, COUNTY OF

Before me, the undersigned Notary Public of Florida, personally appeared Louise A. Daniels, who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

[Handwritten Signature]

Signature of Applicant-Affiant

Sworn to and subscribed before me
this 25 day of March, 2011

[Handwritten Signature: Suzanne G. Warren]

Signature of Notary Public-State of Florida



(Print, Type, or Stamp Commissioned Name of Notary Public)

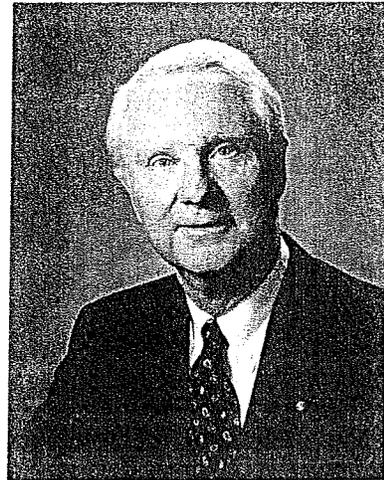
My commission expires: _____

Personally Known OR Produced Identification

Type of Identification Produced _____

(seal)

Name Lad Daniels
Title President
Company Daniels and Associates, Inc.
First Coast Manufacturers Association
Address 4215 Southpoint Blvd., Suite 140
Jacksonville, FL 32216
Phone 904-296-9621
Fax 904-296-9644
Email address lad@fcmaweb.com



Current and Past professional positions:

A. Community:

1. Jacksonville City Council Past President (7/1/03-6/30/04)
2. Jacksonville City Council – At Large (Beginning 7/1/99)
3. Jacksonville Sister Cities – President
4. Jacksonville Community Council, Inc. – President-Elect (1999)
5. The Players Championship – Past Chairman
6. Mandarin Rotary Club – Past President
7. Children's International Summer Villages – International Vice President and Past USA Vice President
8. Founder of CISV FACES Summer Camp (beginning 2004)
9. World Affairs Council of Jacksonville – Past President
10. Boy Scouts of America – Past District Chairman and Executive Committee
11. United Way – Division Chairman
12. Museum of Science and History – Past Board Member

B. Governmental:

1. Jacksonville International Commission Member
2. Enterprise Florida Manufacturing Advisory Council
3. Jacksonville International Airport/CRA – Tax Increment District, Past Chairman
4. Jacksonville Economic Development Commission – Advisor
5. Jacksonville Enterprise Zone Board – Member
6. Cecil Field Base Closure Commission – Member
7. Workforce Development Board – Member
8. Workforce Development Board – Finance Committee – Member
9. Manufacturers Association of Florida – Past President
10. WorkSource – Past Chairman

C. Education:

1. Florida Community College at Jacksonville Foundation Board – Member
2. University of North Florida School of Engineering & Computer Science Dean's Council

E. Business:

1. Florida Real Estate Brokers License
2. Florida General Contractors License (Inactive)

Professional or personal recognitions and awards:

- Manufacturers Association of Florida: Man of the Year (2009)
- National Association of Industrial & Office Parks: Jesse B. Smith Award (2007)
- Jacksonville Children's Commission: Hero to Jacksonville's Children
- Naval Air Station Association: Man of the Year
- Clara White Mission: First Annual Make a Difference Award
- Chamber of Commerce: Outstanding Leadership, City Council President
- Northside Business Leaders: Robert C. Lechner Distinguished Service Award
- Boy Scouts of America: Eagle Scout; Vigil Honor Order of the Arrow; God and Country Award
- Naval Aviation Depot: Honorary Pacesetter
- Jacksonville City Council: Charles Webb Award

Alma maters: BS – North Carolina State University
MBA – Harvard University

Family data:

Widower: Married to Carol Daniels (deceased) for 48 years

Children:

Larry Daniels (Deerfield Beach, FL); Daughter, Sarah
Employed by JM Family Enterprises
BS – University of North Florida
EMBA – Jacksonville University

Mary Margaret Johnstone (Matthews, NC)
Married to Scott, employed by MicroSoft
Sons, Turner and Parker
BA – Oglethorpe University

March 2011

THE FLORIDA SENATE
APPEARANCE RECORD

TAB 4

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12-6-11

Meeting Date

Topic APPT. TO STRUMD

Bill Number _____
(if applicable)

Name LAD DANIELS

Amendment Barcode _____
(if applicable)

Job Title STRUMD Appointee

Address 8510 Royal Lakes Dr.
Street

Phone 904 641-6484

JACKSONVILLE, FL 32256
City State Zip

E-mail LAD@FEMA.WEB.COM

Speaking: For Against Information

Representing SELF

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

2435

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections

I, Kurt S. Browning, Secretary of State,
do hereby certify that

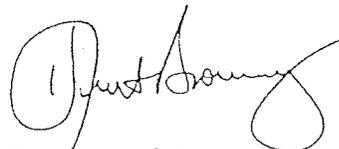
Juan M. Portuondo

is duly appointed a member of the

**Governing Board,
South Florida Water Management District**

for a term beginning on the
Eighth day of June, A.D., 2011,
until the First day of March, A.D., 2015
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Second day of July, A.D., 2011.*



Secretary of State



If photocopied or chemically altered, the word "VOID" will appear.

State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED

11 JUN 16 AM 9:4

STATE OF FLORIDA

County of MIAMI DADE

DIVISION OF ELECTORAL
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

South Florida Water Management District, Governing Board Member
(Title of Office)

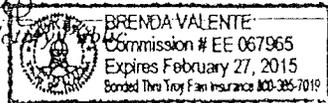
on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]
Signature

Sworn to and subscribed before me this 9 day of June, 2011.

Brenda Valente
Signature of Officer Administering Oath or of Notary Public



Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known OR Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

7801 CRANDON Blvd # 604

Street or Post Office Box

KEY BISCAYNE FL 33149

City, State, Zip Code

JUAN M. PORTUONDO

Print name as you desire commission issued

[Signature]
Signature



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE

2011 JUN -9 AM 9:10

DIVISION OF ELECTIONS
TALLAHASSEE, FL

June 8, 2011

Mr. Kurt S. Browning, Secretary
Department of State
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Browning:

Please be advised I have made the following appointment under the provisions of Section 373.073, Florida Statutes:

Mr. Juan M. Portuondo
789 Crandon Boulevard
Suite 604
Key Biscayne, Florida 33149

as a member of the Governing Board, South Florida Water Management District, succeeding Eric Buermann, subject to confirmation by the Senate. This appointment is effective June 8, 2011, for a term ending March 1, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/nj

QUESTIONNAIRE FOR GUBERNATORIAL APPOINTMENTS

The information from this questionnaire will be used by the Governor's office and, where applicable, The Florida Senate in considering action on your confirmation. The questionnaire MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate. Please type or print in black ink.

2/24/11

Date Completed

1. Name: Mr. Juan M. Portuondo
2. Business Address: 789 Crandon Blvd Suite 604 Key Biscayne, FL 33149 Tel. 305 361 1700
3. Residence Address: 789 Crandon Blvd. Apt 604 Key Biscayne, Miami-Dade County, FL 33149 Tel. 305 361 5998
- Specify the preferred mailing address: Business Residence Fax # _____
- (optional)

4. A. List all your places of residence for the last five (5) years.

ADDRESS	CITY & STATE	FROM	TO
789 Crandon Blvd. Apt 604,	Key Biscayne, Miami-Dade County, FL 33149	From Oct 2004	to Present

- B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

ADDRESS	CITY & STATE	FROM	TO
2565 Shallowford Rd	Atlanta, GA	from 1968	to 1971

5. Date of Birth: June 8th, 1944 _____ Place of Birth: Havana, Cuba

6. Social Security Number: _____

7. Driver License Number: _____ Issuing State: Florida

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization 10/3/1973

10. Since what year have you been a continuous resident of Florida? 1971

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of registration: Miami-Dade B. Current party affiliation: Republican

12. Education

A. High School: De la Salle, Havana, Cuba _____ Year Graduated: 1960

(NAME AND LOCATION)

B. List all postsecondary educational institutions attended:

NAME & LOCATION

DATES ATTENDED

CERTIFICATES/DEGREES RECEIVED

University of Toledo, Toledo, Ohio 1960-1961

None

Georgia Institute of Technology, Atlanta, GA 1961-1965 Bachelor Industrial Engineering

Georgia State University, Atlanta, GA 1969-1971 MBA-Finance

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of service: _____

B. Branch or component: _____

C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) If "Yes" give details:

DATE

PLACE

NATURE

DISPOSITION

NONE

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

EMPLOYER'S NAME & ADDRESS

TYPE OF BUSINESS

OCCUPATION/JOB TITLE

PERIOD OF EMPLOYMENT

IP Group Inc. 789 Crandon Blvd Suite 604 Key Biscayne, FL 33149 Consulting President 1998-Present

Salient Partners 4265 San Felipe #800, Houston, TX 77027 Money Managers/Securities. Regional Mgr. 12/07-12/08

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

POSITION

EMPLOYING AGENCY

PERIOD OF EMPLOYMENT

Asst City Manager City of Miami Jan 1986-June 1987

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

I grew up, and have always lived, around water. As an avid swimmer, rower, sailor and angler, I have always treasured our oceans, lakes and waterways./

As a result of my education and involvement with the water industry and the complex permitting process for large infrastructure projects, I understand the need to strike a balance among the many uses of our most precious resource. Water is the oil of the 21st Century. How we manage and allocate it will quite likely be the key factor in the future sustainability of our State. The task will require vision, integrity, fiscal and technological soundness and the ability to balance competing demands and priorities. I believe I would bring the necessary combination of education, training and experience to the district and welcome the opportunity to give back to the people of Florida.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

Bachelor Industrial Engineering

MBA (Finance)

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

American Waterworks Association

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

OFFICE TITLE DATE OF ELECTION OR APPOINTMENT TERM OF OFFICE LEVEL OF GOVERNMENT

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: _____

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

MEETINGS ATTENDED MEETINGS MISSED REASON FOR ABSENCE

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

DATE NATURE OF VIOLATION DISPOSITION

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:
 A. Title of office: _____ C. Reason for suspension: _____
 B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No
 If "Yes", list:
 A. Title of Office: _____
 B. Term of Appointment: _____
 C. Confirmation results: _____

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No
 If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>LICENSE/CERTIFICATE</u> <u>TITLE & NUMBER</u>	<u>ORIGINAL</u> <u>ISSUE DATE</u>	<u>ISSUING AUTHORITY</u>	<u>DISCIPLINARY ACTION/DATE</u>
Insurance P124953	12/7/2007	Dept of Financial Services	NONE

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>NAME OF BUSINESS</u>	<u>YOUR RELATIONSHIP TO BUSINESS</u>	<u>BUSINESS' RELATIONSHIP TO AGENCY</u>

- B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>NAME OF BUSINESS</u>	<u>FAMILY MEMBER'S</u> <u>RELATIONSHIP TO YOU</u>	<u>FAMILY MEMBER'S</u> <u>RELATIONSHIP TO BUSINESS</u>	<u>BUSINESS' RELATIONSHIP</u> <u>TO AGENCY</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

AGENCY LOBBIED

PRINCIPAL REPRESENTED

Miami -Dade County

Montenay Power Corp. (former employer)/Covanta Energy (successor)

NOTE: I was required by County ordinance to register as a lobbyist in order to represent my former employer and successor before county staff and officials. I have never represented any other entity at any level.

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>ZIP CODE</u>	<u>AREA CODE/PHONE NUMBER</u>
Ben F. Gilbert			
Bernard Jacobson			
John Reinfrow			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>OFFICE(S) HELD & TERM</u>	<u>DATE(S) OF MEMBERSHIP</u>
Integrated Waste Services Association			1995-1999
Beta Gamma Sigma Honorary Fraternity			1971-Present
City of Miami Waterfront Board			1976
Greater Miami Chamber of Commerce			1987-1998
City of Miami's representative to League of Cities Solid Waste Task Force			1986
Chairman - Public Works Management Initiative			1986-87
Dade 2001 (Planning Miami-Dade County - New Millennium)			1996-1998
After School All Stars		Board Member	1998-Present
Miami Rowing Club		Treasurer, President	1974-Present

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION

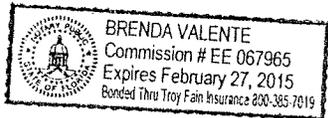
STATE OF FLORIDA, COUNTY OF Palm Beach

Before me, the undersigned Notary Public of Florida, personally appeared Juan Portuondo, who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

[Signature]
Signature of Applicant-Affiant

Sworn to and subscribed before me
this 18 day of July, 2011.

[Signature]
Signature of Notary Public-State of Florida



Brenda Valente
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 2-27-2015

Personally Known OR Produced Identification
Type of Identification Produced _____

(seal)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

5

Meeting Date _____

Topic Confirmation

Bill Number _____
(if applicable)

Name Juan Portuondo

Amendment Barcode _____
(if applicable)

Job Title Gov. Board Member

Address 3301 Gun Club Rd

Phone 561 681-2000

Street
West Palm Bch FL 33406
City State Zip

E-mail jportuond@sflmd.gov

Speaking: For Against Information

Representing SFWMD

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

2555

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Kurt S. Browning, Secretary of State,
do hereby certify that

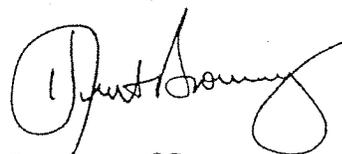
Kevin W. Brown

is duly appointed a member of the

**Governing Board,
Suwannee River Water Management District**

for a term beginning on the
Third day of June, A.D., 2011,
until the First day of March, A.D., 2015
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Thirteenth day of July, A.D., 2011.*



Secretary of State



State of Florida appears in small letters across the face of this 8 1/2 x 11 document.

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Suwannee

RECEIVED
11 JUL -8 AM 10:01
DIVISION OF ELECTIONS
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

member of the Governing Board of the Suwannee
(Title of Office) River Water Management District

on which I am now about to enter, so help me God.

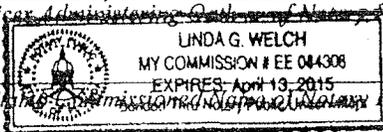
[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]
Signature

Sworn to and subscribed before me this 14th day of June, 2011.

Linda G. Welch
Signature of Officer Administering Oath of Notary Public

Linda G. Welch
Print, Type, or Stamp Commissioned Notary Public



Personally Known OR Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

24801 NW CR 1491

Street or Post Office Box

ALACHUA, FL 32615

City, State, Zip Code

KEVIN W. BROWN

Print name as you desire commission issued

[Signature]

Signature



RICK SCOTT
GOVERNOR

2011 JUN -8 PM 3:16

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

June 3, 2011

Mr. Kurt S. Browning, Secretary
Department of State
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Browning:

Please be advised I have made the following appointment under the provisions of Section 373.073, Florida Statutes:

Mr. Kevin W. Brown
24801 Northwest County Road 1491
Alachua, Florida 32615

as a member of the Governing Board, Suwannee River Water Management District, succeeding N. David Flagg, subject to confirmation by the Senate. This appointment is effective June 3, 2011, for a term ending March 1, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/nj

QUESTIONNAIRE FOR SENATE CONFIRMATION

RECEIVED

11 JUL 10 AM 10:01

The information from this questionnaire will be used by the the Florida Senate in considering action on your confirmation. The information must be completed in full. Answer "none" or "not applicable" where appropriate.

Please type or print in blue or black ink.

DIVISION OF ELECTIONS
SECRETARY OF STATE

JUNE 21, 2011

1. Name: MR. BROWN KEVIN WILLIAM
MR / MRS / MS LAST FIRST MIDDLE/MAIDEN

2. Business Address: 12300 US 441 NW ALACHUA
STREET OFFICE # CITY
FLORIDA 32615 386-462-7646
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

3. Residence Address: 24801 NW CR 1491 ALACHUA ALACHUA
STREET CITY COUNTY
FLORIDA 32615 386-418-2248
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

Specify the preferred mailing address: Business Residence Fax # _____
(optional)

4. A. List all your places of residence for the last five (5) years.

ADDRESS CITY & STATE FROM TO
SAME AS ABOVE

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

ADDRESS CITY & STATE FROM TO
NONE

5. Date of Birth: JULY 22, 1957 Place of Birth: CLEARWATER, FLORIDA

6. Social Security Number: _____

7. Driver License Number: _____ Issuing State: FLORIDA

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: _____

10. Since what year have you been a continuous resident of Florida? 1957

11. Are you a registered Florida voter? Yes No If "Yes" list:
A. County of Registration: ALACHUA B. Current Party Affiliation: REPUBLICAN

12. Education

A. High School: DUNESIN, FLORIDA Year Graduated: 1975
(NAME AND LOCATION)

B. List all postsecondary educational institutions attended:

NAME & LOCATION	DATES ATTENDED	CERTIFICATES/DEGREES RECEIVED
<u>UNIVERSITY OF FL</u>	<u>'75-'80</u>	<u>B.S. AGRICULTURE</u>

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: _____

B. Branch or Component: _____

C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

DATE	PLACE	NATURE	DISPOSITION

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

EMPLOYER'S NAME & ADDRESS	TYPE OF BUSINESS	OCCUPATION/JOB TITLE	PERIOD OF EMPLOYMENT
<u>FARM CREDIT OF NORTH FLORIDA - AG. LENDING - APPRAISER - 1980 - PRESENT</u> <u>(NOW KNOWN AS FARM CREDIT OF FL)</u>			

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

POSITION	EMPLOYING AGENCY	PERIOD OF EMPLOYMENT
<u>AGRICULTURAL TECH.</u>	<u>UF</u>	<u>1982-1980</u>

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

FLORIDA NATIVE WITH NORTH FLORIDA ANCESTRY GOING BACK 200 YEARS. PERSONAL INTERESTS HAVE ALWAYS BEEN NATURAL SCIENCES AND RESOURCES. DEGREE IN APPLIED AGRICULTURE AND OVER 30 YEARS WORKING WITH FLORIDA AGRICULTURE AND FARMERS. EXPERIENCE IN RURAL FINANCE AND REAL ESTATE.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

B.S. AGRICULTURE UNIV. OF FLORIDA
STATE-CERTIFIED GENERAL REAL ESTATE APPRAISER
#RZ1777 & LICENSED SALESPERSON

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

GRADUATE OF IFAS NATURAL RESOURCE LEADERSHIP INSTITUTE

D. Identify all association memberships and association offices held by you that relate to this appointment:

ADVISORY BOARD MEMBER CONSERVATION TRUST FOR FLORIDA

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

OFFICE TITLE DATE OF ELECTION OR APPOINTMENT TERM OF OFFICE LEVEL OF GOVERNMENT

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: N/A

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

MEETINGS ATTENDED	MEETINGS MISSED	REASON FOR ABSENCE
<u>NONE</u>		

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

DATE	NATURE OF VIOLATION	DISPOSITION

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____
 B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: _____
 B. Term of Appointment: _____
 C. Confirmation results: _____

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

LICENSE/CERTIFICATE TITLE & NUMBER	ORIGINAL ISSUE DATE	ISSUING AUTHORITY	DISCIPLINARY ACTION/DATE
<u>GENERAL REAL ESTATE APPRAISER</u>	<u>R21777</u>	<u>5/24/93</u>	<u>DBPR NO DISC. ACTIONS</u>
<u>LICENSER R.E. SAUGSPENSON</u>	<u>SL5565693</u>	<u>8/27/90</u>	<u>DBPR (INACTIVE LICENSE) - NO DISC. ACTIONS</u>

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

NAME OF BUSINESS	YOUR RELATIONSHIP TO BUSINESS	BUSINESS' RELATIONSHIP TO AGENCY

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

NAME OF BUSINESS	FAMILY MEMBER'S RELATIONSHIP TO YOU	FAMILY MEMBER'S RELATIONSHIP TO BUSINESS	BUSINESS RELATIONSHIP TO AGENCY

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

AGENCY LOBBIED	PRINCIPAL REPRESENTED
N/A	

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

NAME	MAILING ADDRESS	ZIP CODE	AREA CODE/PHONE NUMBER
JOHN TONY WALLACE			
JEFFREY SPENCER			
JULIUS DAVENPORT			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

NAME	MAILING ADDRESS	OFFICE(S) HELD & TERM	DATE(S) OF MEMBERSHIP
CONSERVATION TRUST FOR FLORIDA		ADVISORY BOARD	
	P.O. BOX 134 MICANOPY, FL	UNLIMITED	32667-0134

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

MEMORANDUM

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.

Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) _____

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399
(850) 245-0150

CERTIFICATION

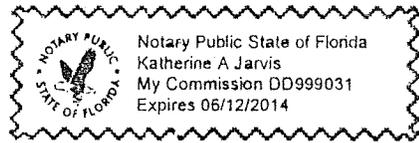
STATE OF FLORIDA, COUNTY OF

Before me, the undersigned Notary Public of Florida, personally appeared KEVIN W. BROWN, who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

[Handwritten Signature]
Signature of Applicant-Affiant

Sworn to and subscribed before me
this 29th day of June, 2011.

[Handwritten Signature]
Signature of Notary Public-State of Florida



(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 6/12/14

Personally Known OR Produced Identification

Type of Identification Produced _____

(seal)

APPEARANCE RECORD**6**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

December 6, 2011*Meeting Date*Topic Confirmation HearingBill Number _____
*(if applicable)*Name Kevin W. BrownAmendment Barcode _____
*(if applicable)*Job Title Governing Board of the Suwannee River WMDAddress 9225 CR 49Phone 386.362.1001*Street*Live OakFlorida32060E-mail KWB@srwmd.org*City**State**Zip*Speaking: For Against InformationRepresenting Suwannee River Water Management DistrictAppearing at request of Chair: Yes NoLobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)



OFFICE OF AGRICULTURAL WATER POLICY

Agriculture and Water Resources

Florida Department of Agriculture
and Consumer Services
Adam H. Putnam, Commissioner

Richard Budell, Director

Global Agriculture

- World's largest industry employing over one billion people
- Occupies 50% of the Earth's habitable land
- Uses 69% of the planet's available fresh water
- Projected population growth from 7 to 9 billion by 2050
- Food production will have to increase 70%
- Water available for agriculture will decrease



Florida Agriculture

- Occupies over 18 million acres
 - approximately 52% of the state's total land use
 - most land is unimproved, only 8.2% irrigated
 - Consists of 47,000 private farms
 - generates \$100 *billion* in farm-related economic activity
 - 750,000 associated jobs
 - Provides for biological diversity, aquifer recharge, flood control, wetland preservation, wildlife habitat
 - Farmland provides net economic benefit to the public
 - For every \$1.00 paid in property tax agriculture only requires \$0.29 in public services
 - Generates \$3.5B annually in state and local tax revenues
- ** To continue to provide these benefits, agriculture needs sufficient & stable water supply



Water Quantity

- Agricultural irrigation returns 40 to 50 % of pumped water to surface water or aquifer
- 80% of water used is for food production
- Water use estimates decreased by 4% between 2000 and 2005
 - During the same time period, production has increased
- Tapped into alternative water supplies
 - Storm water and irrigation capture and reuse
 - Use of reclaimed water
- Commitment to efficient use
 - Work with public & private sector to find solutions to water supply and quality challenges
 - Implementation of Best Management Practices



Policy Challenges

- Agriculture is a “self-supplier” of water and cannot pass on the cost of wells, pumps etc.
- By 2012, domestic supply will likely overtake agriculture as the largest water user
- By 2025 domestic supply demand will increase by 49% - agricultural supply demand will increase by only 6%
- Competition issues
 - Dover/Plant City
 - Central Florida Water Initiative
 - Lake Okeechobee
 - SRWMD/SJRWMD



Lake Okeechobee Challenge

- Critical water source for public supply, environment and agriculture
- 2008 Lake Okeechobee Regulation Schedule
- Herbert Hoover Dike rehabilitation
 - 143 miles of levee
 - Dozens of spillways, culverts, locks & pump stations
 - No overflow capacity

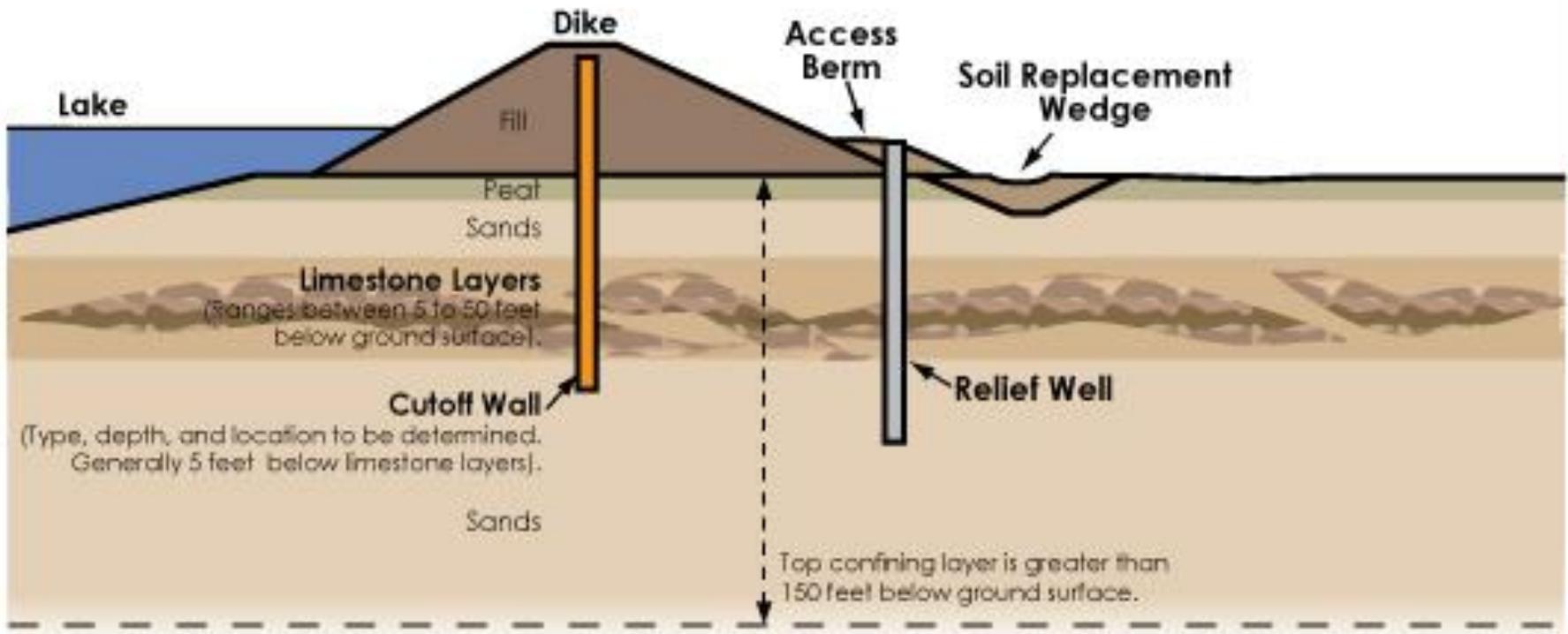


Herber Hoover Dike Rehabilitation Project



HERBERT HOOVER DIKE Rehabilitation Concept

Relief Wells with Soil Replacement



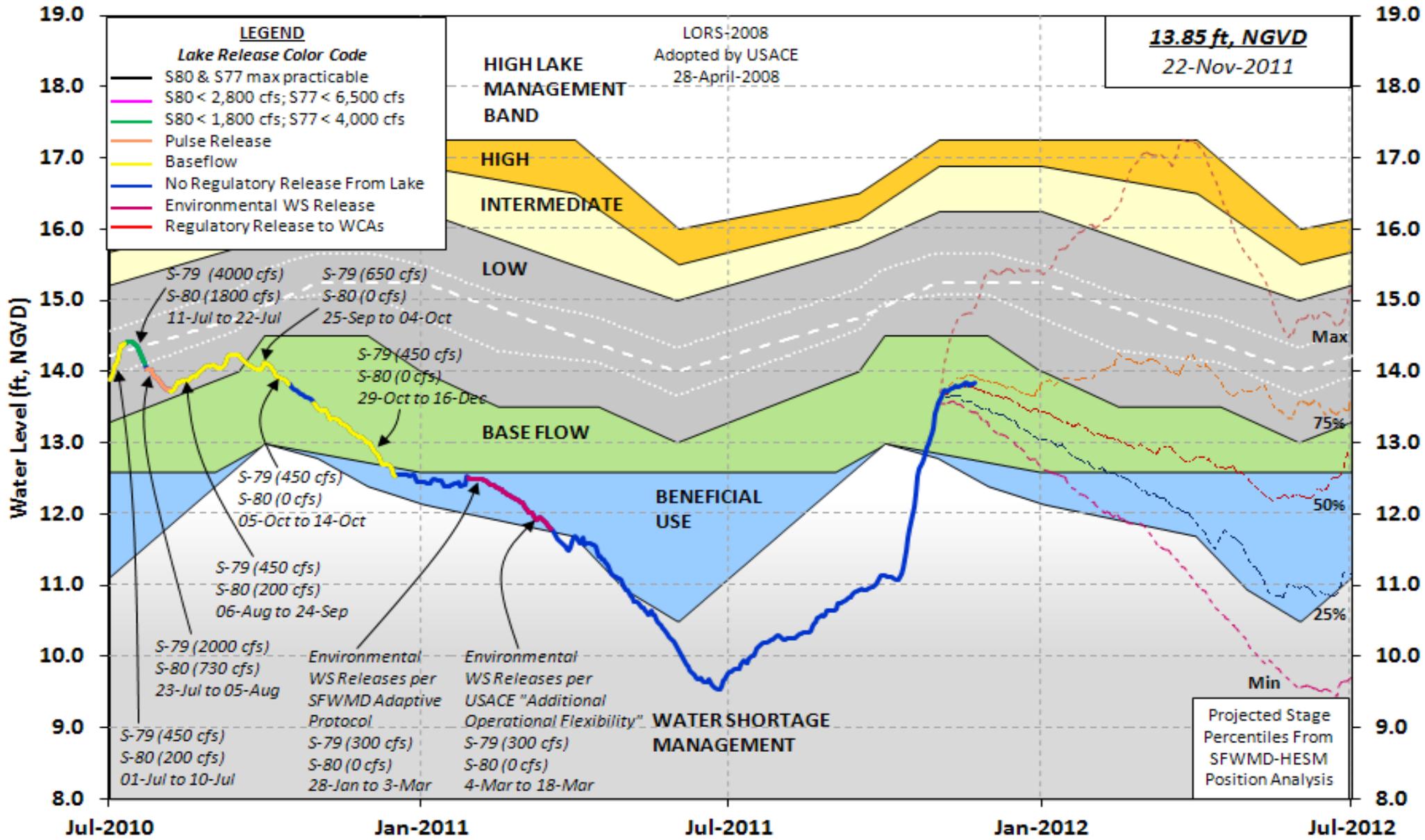
NOT TO SCALE







Lake Okeechobee Water Level History and Projected Stages



Water Supply Challenges

- We won't run out of water, but we will run out of cheap water.
- We are using water (particularly groundwater) at a rate beyond the natural system's ability to supply it.
- We must figure out a way to sustain funding for alternative water supply development.



“We live in a highly industrialized and urban culture, but it is important to remember that there is no such thing as a post-agricultural society. Policy decisions concerning agriculture, our environment, water supply and land use need to reflect this fundamental truth.”

- Timothy Weiskel 1990



THE FLORIDA SENATE
APPEARANCE RECORD

①

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6/12
Meeting Date

Topic WATER Policy

Bill Number _____
(if applicable)

Name RICHARD BUDELL

Amendment Barcode _____
(if applicable)

Job Title DIRECTOR OF WATER POLICY

Address 1203 GOVERNORS SQ. BLVD
Street
TLH FL 32301
City State Zip

Phone 617-1704

E-mail _____

Speaking: For Against Information

Representing FDALS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

7 ✓

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/16/2011

Meeting Date

Topic PUBLIC COMMENT

Bill Number _____
(if applicable)

Name JOE BOURASSA

Amendment Barcode _____
(if applicable)

Job Title RETIRED CITIZEN

Address 801 LEWIS DRIVE

Phone 386-253-9017

Street

DAYTONA BEACH, FL. 32117

E-mail ~~BOURASSA~~

City

State

Zip

BOURASSA.JOE@GMAIL.COM

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(7) ✓

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6/2011
Meeting Date

Topic EVERGLADES RESTORATION - PUBLIC COMMENT BY MISS FLORINA

Bill Number _____
(if applicable)

Name Kristina Janolo

Amendment Barcode _____
(if applicable)

Job Title Miss Florida 2011

Address 625 N Adams

Phone 5052

TLH, FL 32302
City State Zip

E-mail _____

Speaking: For Against Information

Representing MISS FLORIDA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Florida Natural Areas Inventory

*Providing the
Scientific Basis
for Effective
Conservation Action*



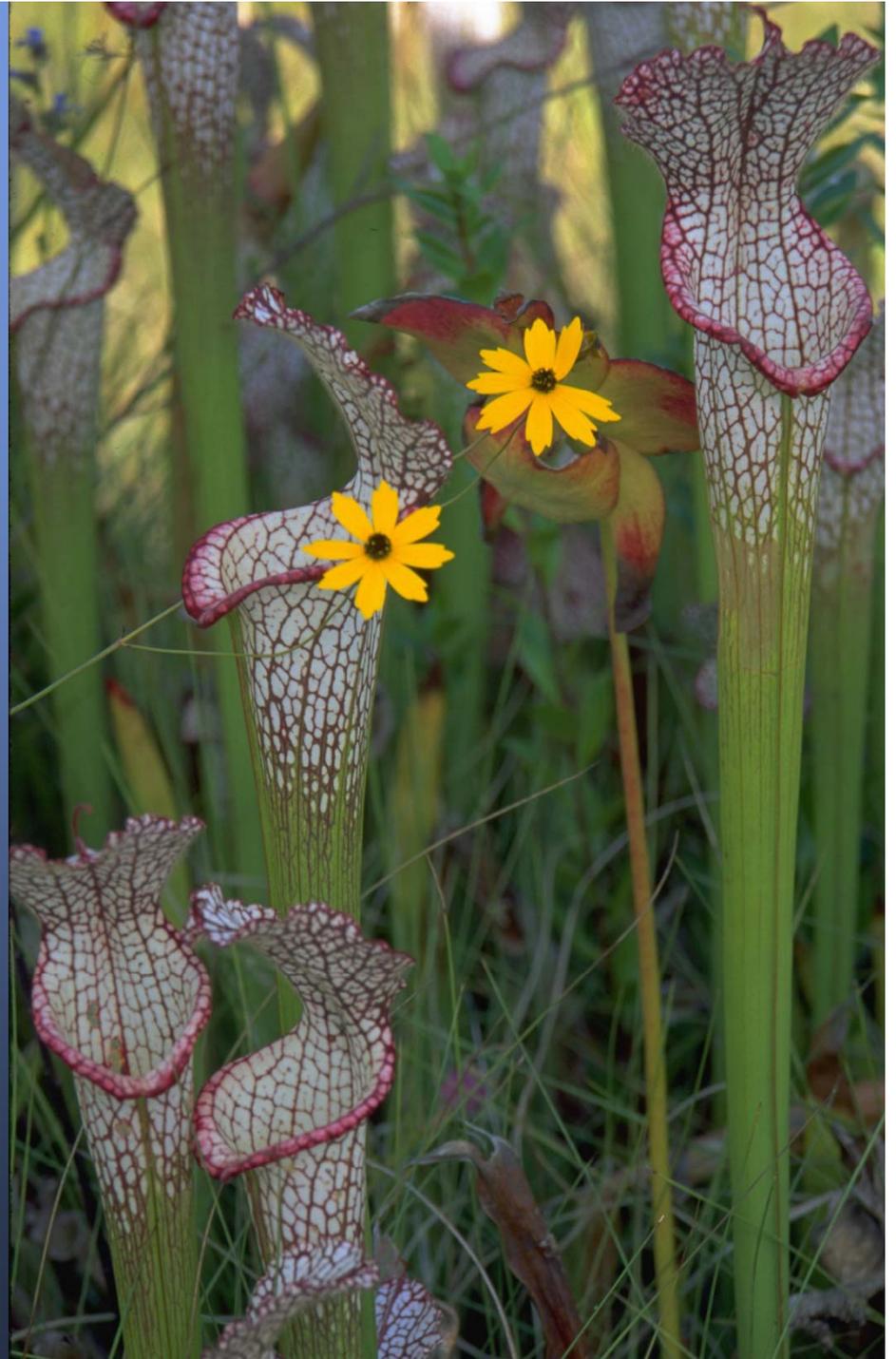
Gary Knight
Program Director
December 2011





What We Do

Collect, interpret, and disseminate ecological information critical to the conservation of Florida's biological diversity.

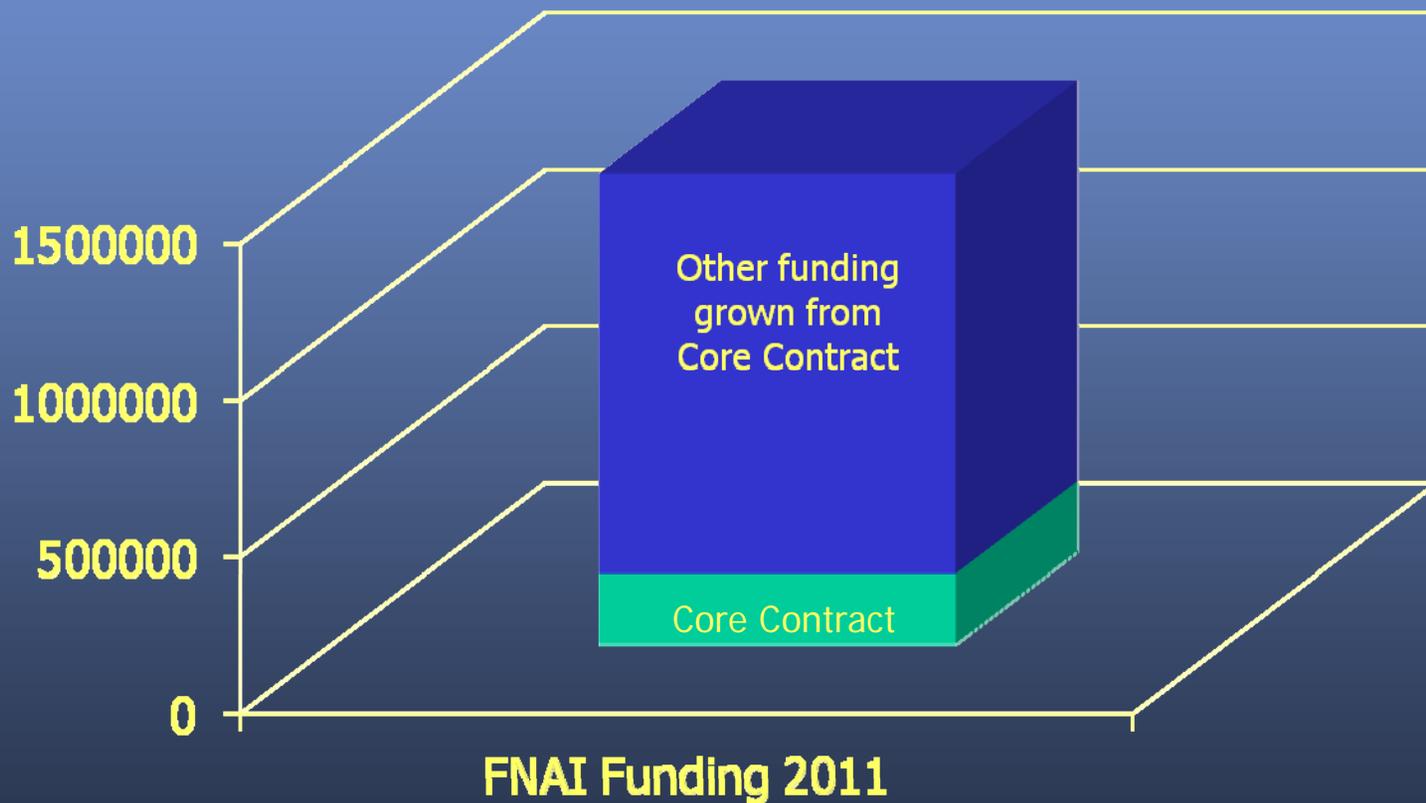


Program Background

- established in 1981
- long term relationship with Florida Department of Environmental Protection
- affiliated with Florida State University
- Entrepreneurial, entirely contract-funded
- part of a nationwide network using similar methodologies



FNAI Budget: Core Contract with DEP



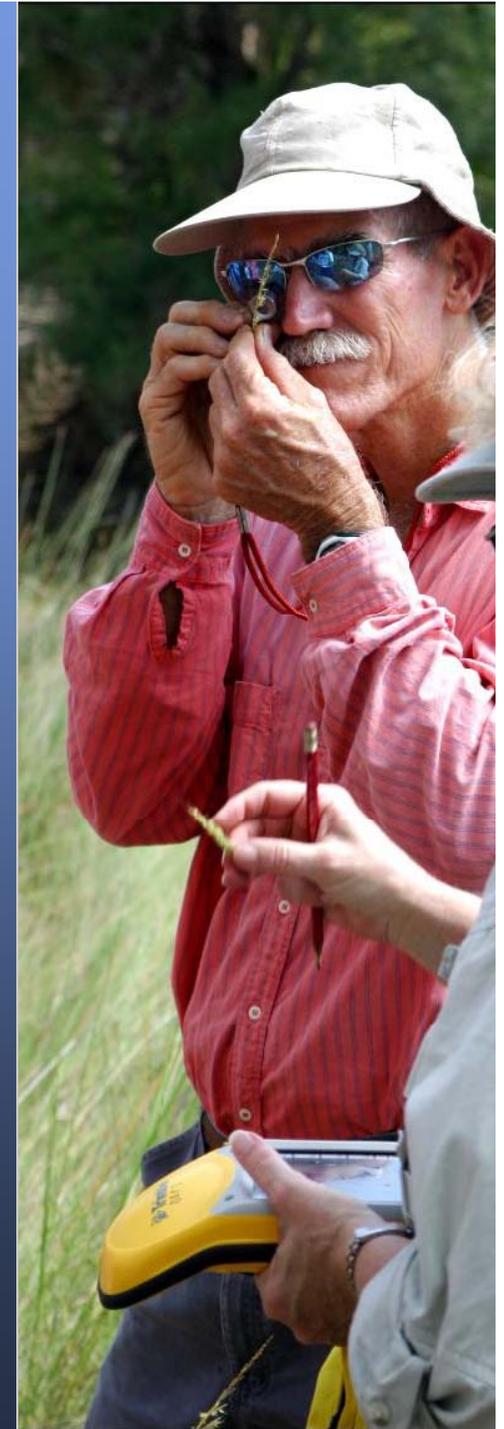


22 person staff

3 Ph.D.'s
15 M.S.'s

Special expertise:

- botany
- herpetology
- ornithology
- entomology
- coastal ecology
- community ecology
- computer data bases and GIS
- conservation and environmental land use planning



Types of Data Developed and Maintained by FNAI

- Rare species occurrences
- T&E species habitat and range models
- Wildlife aggregation sites
- Rare or high quality natural community occurrences
- Invasive plant occurrences
- Conservation lands
- Environmental land acquisition projects
- Potential Natural Areas
- Current and historical land cover

Rare Species Occurrences

(November 2011)

FNAI tracks:

- 488 rare plants
- 230 vertebrates
- 469 invertebrates

FNAI has more than 33,350 specific location records for rare species



Rare Species Occurrence Records

(33,378, November 2011)



Hotspots of Biodiversity

- Florida Keys
- Miami Rockridge
- Atlantic Ridge
- Lake Wales Ridge
- Lower Apalachicola Flatwoods
- Upper Apalachicola Bluffs and Ravines
- Gulf Islands

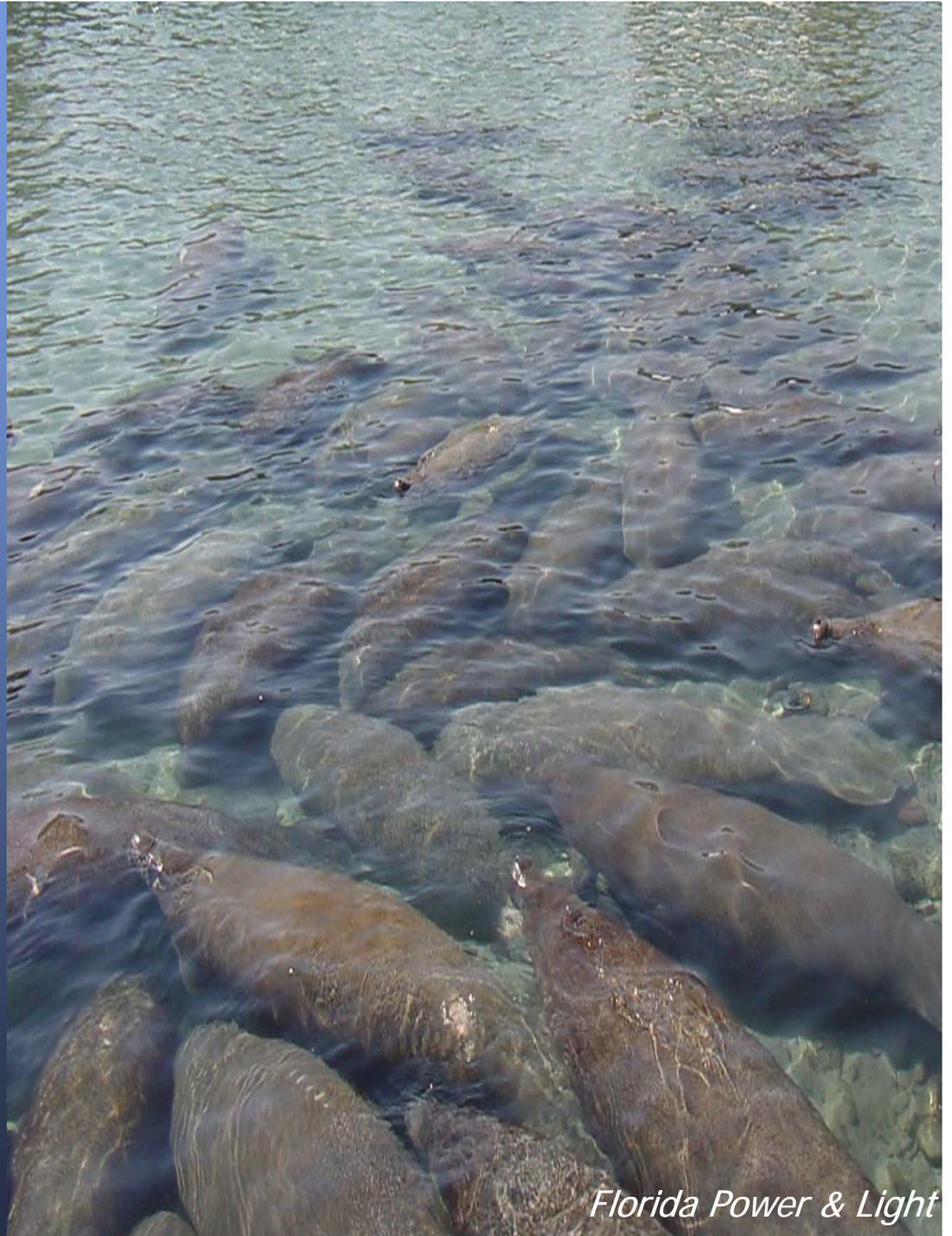


FNAI Rare Species Data

SCIENTIFIC NAME	COMMON NAME	GLOBAL IMPERILMENT RANK	STATE IMPERILMENT RANK	FEDERAL ESA LISTING	Known Habitat Acres	% Habitat Protected
<i>Rhododendron chapmanii</i>	Chapman's Rhododendron	G1	S1	LE	19,282	1%
<i>Dicerandra immaculata</i>	Lakela's Mint	G1	S1	LE	51	0%
<i>Silene polypetala</i>	Fringed Campion	G2	S1	LE	2,003	8%
<i>Microtus pennsylvanicus dukecampbelli</i>	Salt Marsh Vole	G5T1	S1	LE	1,411	16%
<i>Medionidus simpsonianus</i>	Ochlockonee Moccasinshell	G1	S1	LE	7,342	29%
<i>Chrysopsis floridana</i>	Florida Goldenaster	G1	S1	LE	16,024	33%
<i>Torreya taxifolia</i>	Florida Torreya	G1	S1	LE	10,225	46%
<i>Crotalaria avonensis</i>	Avon Park Rabbit-bells	G1	S1	LE	2,457	51%
<i>Odocoileus virginianus clavium</i>	Key Deer	G5T1	S1	LE	20,428	60%
<i>Dermochelys coriacea</i>	Leatherback	G2	S2	LE	2,174	37%
<i>Ammodramus savannarum floridanus</i>	Florida Grasshopper Sparrow	G5T1	S1	LE	64,231	63%
<i>Warea carteri</i>	Carter's Warea	G3	S3	LE	18,432	64%
<i>Picoides borealis</i>	Red-cockaded Woodpecker	G3	S2	LE	2,122,725	78%
<i>Hymenocallis henryae</i>	Panhandle Spiderlily	G2	S2	N	6,423	80%
<i>Neoseps reynoldsi</i>	Sand Skink	G2	S2	LT	295,562	82%
<i>Ammodramus maritimus peninsulae</i>	Scott's Seaside Sparrow	G4T3Q	S3	N	73,969	84%
<i>Harperocallis flava</i>	Harper's Beauty	G1	S1	LE	31,495	95%
<i>Peromyscus polionotus niveiventris</i>	Southeastern Beach Mouse	G5T1	S1	LT	11,106	98%

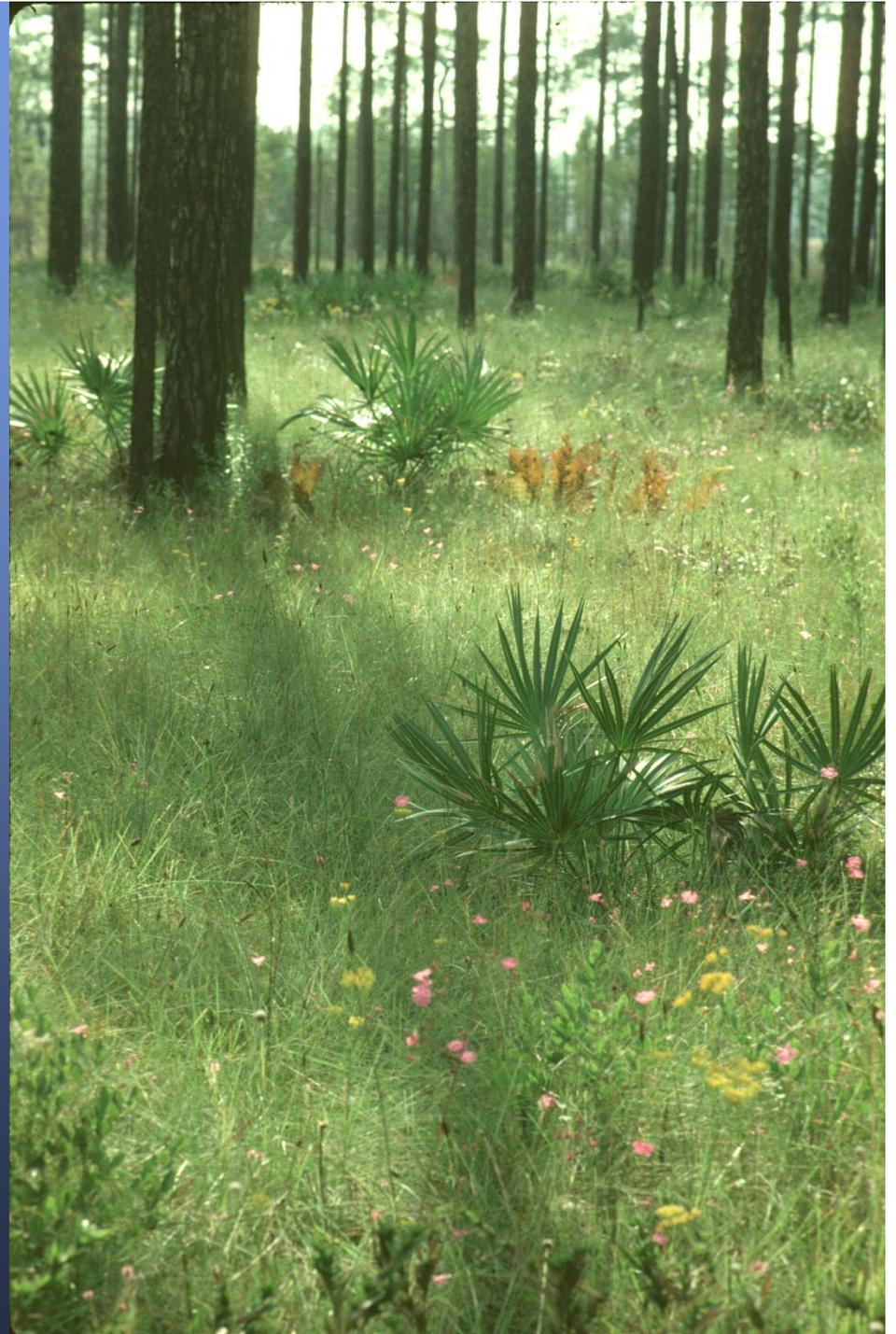
Wildlife Aggregation Sites

- bird rookeries
- manatee aggregation sites
- migratory bird concentration sites



High Quality or Rare Natural Communities

- FNAI natural community classification:
82 natural community types described and ranked according to rarity and endangerment
- about 5000 occurrences documented in FNAI data base





Conservation Lands

- Federal
- State
- Local Government
- Private Conservation Organizations
- More than 2200 conservation holdings in data base
 - Includes acquired conservation easements



SUMMARY OF FLORIDA CONSERVATION LANDS
Including Less-than-fee Conservation Lands
February 2011

prepared by the Florida Natural Areas Inventory
 with funding provided by Florida Department of Environmental Protection

	Fee simple Acres ^{1,2}	Less-than-fee Acres ^{3,4}
FEDERAL CONSERVATION LANDS		
USDA Forest Service	1,183,108	1,696
USDI Fish and Wildlife Service	502,361	2,402
USDI National Park Service ⁵	1,684,435	1,337
US Dept. of Defense	664,239	0
US Other	4,811	0
TOTAL FEDERALLY MANAGED non-submerged lands:	4,038,954	5,435
STATE CONSERVATION LANDS		
DACS Division of Forestry	1,057,234	3,200
DEP Division of Recreation and Parks	592,172	0
DEP Office of Coastal and Aquatic Managed Areas	54,117	0
DEP Office of Greenways and Trails	84,349	0
DEP Division of State Lands	0	96,150
DEP Bureau of Mine Reclamation	5,710	14,601
Fish and Wildlife Conservation Commission	1,417,506	42,888
Babcock Ranch (managed by Babcock Ranch Management, LLC)	73,239	0
Dept. of Corrections (managed by P.R.I.D.E.)	18,200	0
Dept. of Military Affairs	73,076	0
State Universities	14,260	66
Water Management Districts	1,471,260	403,887
<i>Undesignated State Lands⁶</i>	4,754	0
TOTAL STATE MANAGED non-submerged lands	4,865,877	560,792
LOCAL (COUNTY & MUNICIPAL) CONSERVATION LANDS	461,668	7,324
<i>TOTAL STATE, FEDERAL, AND LOCAL non-submerged lands</i>	<i>9,366,499</i>	<i>573,551</i>
Private Conservation Lands	128,029	55,553

LAND AREA OF STATE OF FLORIDA 34,721,280 acres⁷

PERCENT OF FLORIDA IN FEDERALLY MANAGED CONSERVATION LANDS	11.6%	0.02%
PERCENT OF FLORIDA IN STATE-MANAGED CONSERVATION LANDS	14.0%	1.6%
PERCENT OF FLORIDA IN LOCALLY MANAGED CONSERVATION LANDS	1.3%	0.02%

¹Acres are counted once under the primary managing agency even though there may be several owners and/or managers. For this reason, total acres for some agencies may be higher than the acres to which they hold title and others may be lower.

²Acres listed include terrestrial wetlands such as the Everglades but exclude 3,701,172 acres of submerged marine, lake, or river bottom (such as state aquatic preserves or Florida Bay) that are part of certain managed areas.

³Numbers include a total of 629,104 acres less-than-fee properties (6.2% of total conservation lands).

⁴Represents the less-than-fee lands included in the FNAI conservation lands database as of 1 February 2011. All properties are owned by either private individuals or private foundations or corporations. Lands are classified by the agency or organization that monitors the easement on the property. The same agency or organization usually holds title to the easement, but there are a few exceptions.

⁵Acres total includes all non-submerged acres within official federally designated boundaries of National Park Service lands.

⁶Lands owned by the State that are not currently leased to a governmental agency.

⁷Source: Atlas of Florida, 1996. E. A. Fernald and E. D. Purdum, eds., University Press of Florida, Gainesville, FL



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FLORIDA
Natural Areas
INVENTORY

Florida Natural Areas Inventory

ACRES OF CONSERVATION LANDS BY COUNTY

April 2011



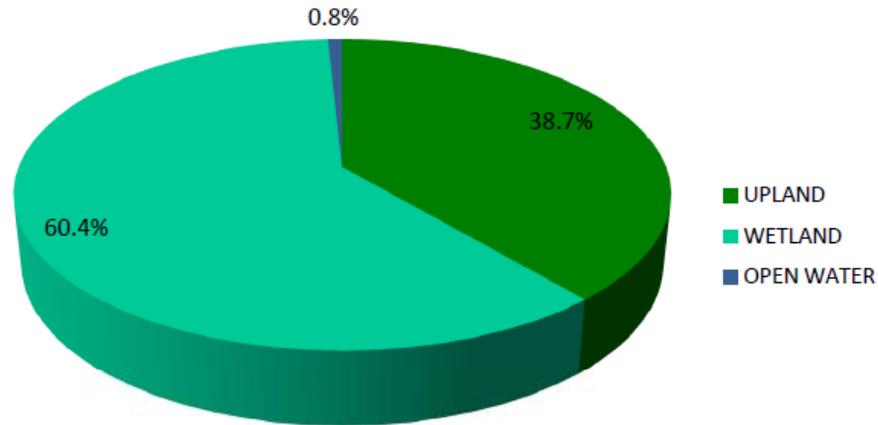
Conservation Lands are Categorized by Lead Managing Agency.

COUNTY	LOCAL	STATE	FEDERAL	PRIVATE	TOTAL	COUNTY AREA	PERCENT OF COUNTY IN CONSERVATION
Alachua	14,670	86,500	0	2,150	103,320	559,360	18%
Baker	0	38,400	124,260	0	162,660	374,400	43%
Bay	40	22,190	30,020	0	52,250	488,960	11%
Bradford	140	7,270	20	10,790	18,220	187,520	10%
Brevard	17,550	148,340	92,200	0	258,090	651,520	40%
Broward	5,080	475,240	0	30	480,350	773,760	62%
Calhoun	0	5,030	910	30	5,970	362,880	2%
Charlotte	4,530	102,890	20	67,680	175,120	444,160	39%
Citrus	10	122,010	9,130	10	131,160	373,760	35%
Clay	1,040	123,590	0	400	125,030	384,640	33%
Collier	4,420	210,170	647,400	11,070	873,060	1,296,640	67%
Columbia	980	30,380	109,260	0	140,620	510,080	28%
DeSoto	220	40,220	0	0	40,440	407,680	10%
Dixie	0	80,770	27,840	0	108,610	450,560	24%
Duval	22,170	29,390	35,420	7,370	94,350	495,360	19%
Escambia	3,320	25,910	13,830	2,470	45,530	424,960	11%
Flagler	6,610	29,900	0	0	36,510	310,400	12%
Franklin	50	241,340	33,710	1,460	276,560	341,760	81%
Gadsden	120	16,340	0	2,880	19,340	330,240	6%
Gilchrist	280	7,710	0	0	7,990	223,360	4%
Glades	290	70,350	0	22,890	93,530	495,360	19%
Gulf	100	54,050	740	0	54,890	361,600	15%
Hamilton	0	24,070	410	0	24,480	329,600	7%
Hardee	0	3,170	0	0	3,170	407,680	1%
Hendry	0	111,420	2,500	0	113,920	737,920	15%
Hernando	550	80,800	9,470	280	91,100	305,920	30%
Highlands	1,340	49,870	56,030	13,200	120,440	667,920	18%
Hillsborough	63,650	36,830	5,490	40	106,010	672,640	16%
Holmes	0	13,170	0	0	13,170	308,480	4%
Indian River	4,640	78,800	1,260	40	84,740	321,920	26%
Jackson	890	17,870	0	460	19,220	586,240	3%
Jefferson	30	66,960	7,960	33,850	108,800	347,520	31%
Lafayette	0	60,050	0	0	60,050	348,880	17%
Lake	9,470	105,820	85,180	1,010	201,480	609,920	33%
Lee	25,210	51,330	5,320	9,050	90,910	514,560	18%
Leon	3,890	14,670	105,150	25,940	149,650	426,880	35%
Levy	3,680	141,000	24,410	10	169,100	715,520	24%
Liberty	0	57,620	273,000	7,840	338,460	535,040	63%
Madison	0	15,400	0	360	15,760	442,880	4%
Manatee	25,430	29,610	20	1,300	56,360	474,240	12%
Marion	1,290	78,540	274,140	0	353,970	1,010,560	35%
Martin	2,690	85,120	960	1,150	89,920	355,840	25%
Miami-Dade	10,230	280,040	544,820	110	835,200	1,244,800	67%
Monroe	290	12,740	599,670	890	613,590	638,080	96%
Nassau	320	22,210	20	1,380	23,930	417,280	6%
Okaloosa	310	71,360	245,710	0	317,380	599,040	53%
Okeechobee	0	80,410	50	2,540	83,000	495,360	17%

Please Note: Conservation lands include public and some privately owned lands managed for conservation of their natural resources; public lands that are not managed for conservation (e.g., schools and prisons) are not considered conservation lands and are not included in this data set. Conservation lands acreages are tabulated by county from the FNAI/FLMA GIS data layer. These totals do not include open water on FLMA boundaries. Additional acres of managed areas, tracked in FNAI's database with no GIS boundaries, are added for the final total. FNAI tracks some additional managed areas without definitive acreage-by-county information. Those acreages are not reflected in this table. Recent acquisitions may not yet be reflected in acreage totals.

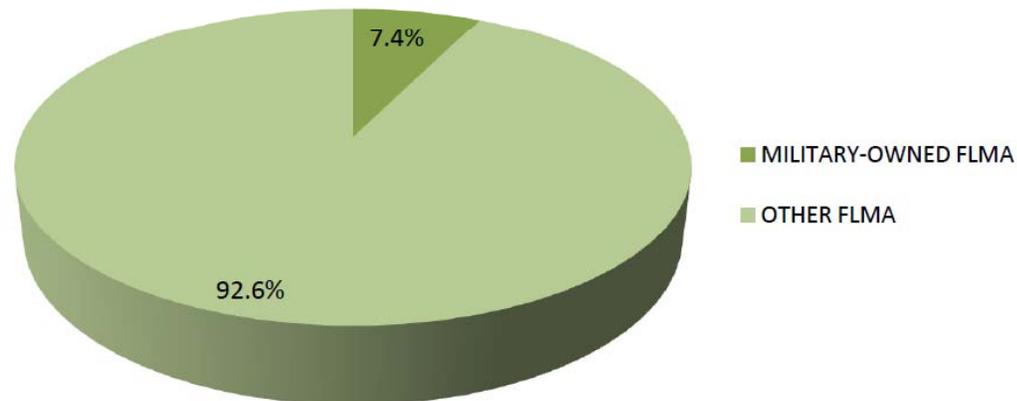
Wetlands

Non-Submerged FLMA by Upland/Wetland/Open Water				
3/3/2011				
	UPLAND	WETLAND	OPEN WATER	TOTAL
<i>Acres</i>	3,880,866	6,056,915	83,206	10,020,987
<i>Percent</i>	38.7%	60.4%	0.8%	100%



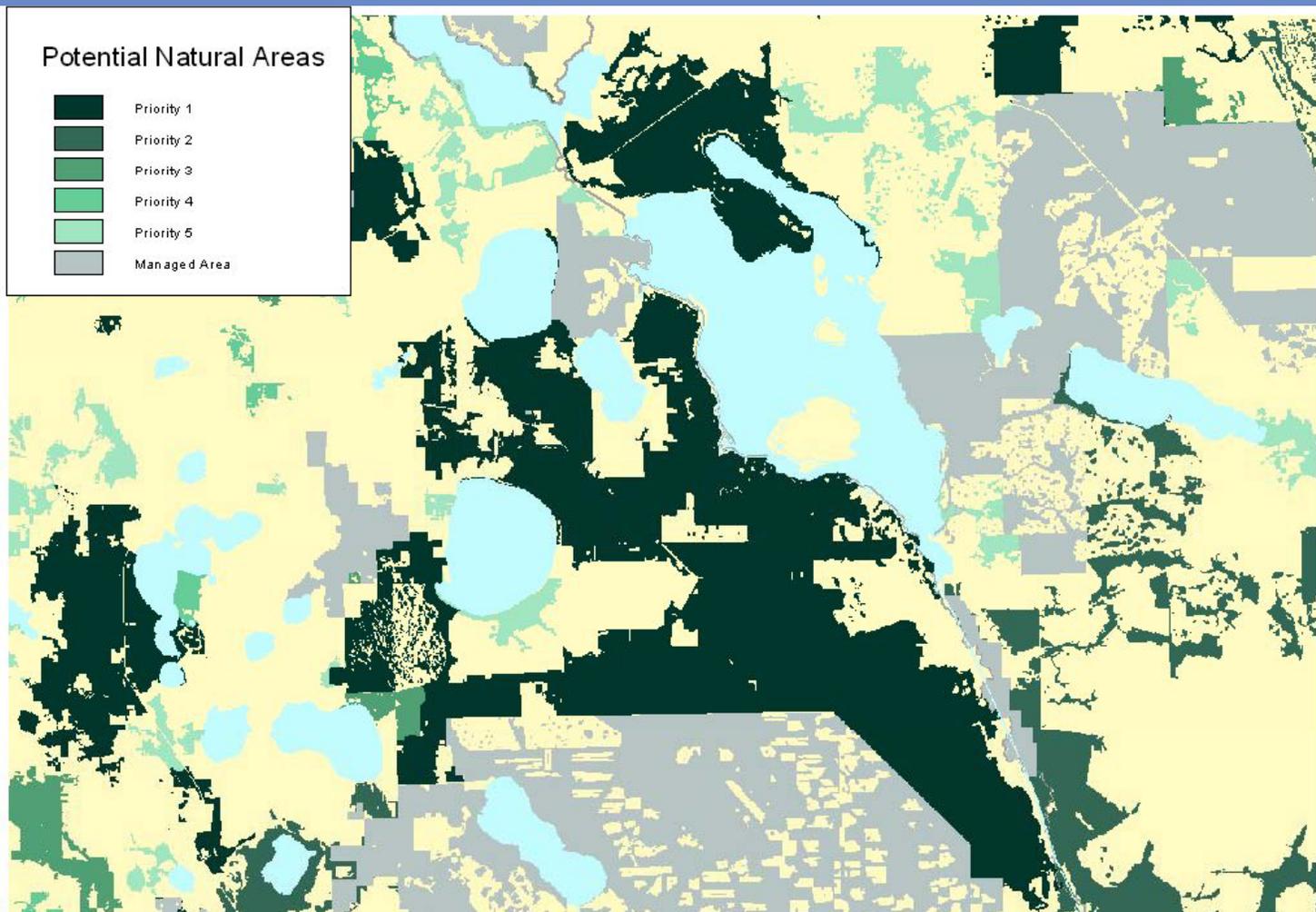
Military Lands

Military Ownership of Non-Submerged FLMA			
3/3/2011			
	MILITARY-OWNED FLMA	OTHER FLMA	TOTAL
<i>Acres</i>	737,576	9,283,411	10,020,987
<i>Percent</i>	7.4%	92.6%	100%



Potential Natural Areas

- Five priority classes
- Statewide review of aerial photography



Building Blocks for Other Conservation Planning

- FFWCC's Strategic Habitat Analysis
- DEP/UF Ecological Greenways
- DOT's ETDM (Efficient Transportation Decision Making) Tool
- Landowner Incentive Program
- Forest Legacy Program
- Coastal and Estuarine Conservation Lands Program
- Century Commission's CLIP project
- Cooperative Conservation Blueprint
- TNC Ecoregional Plans

Florida Forever Act

- Acquisition should be based on a *comprehensive assessment* of Florida's natural resources
- Acquisition should provide *multiple benefits*
- A competitive selection process to select projects *best able to meet the goals* of Florida Forever and maximize efficient use of program's funding
- Program should be implemented in the context of *measurable goals and objectives*

Florida Forever Conservation Needs Assessment

- Provides baselines
- Identifies priority lands to meet conservation needs
- Identifies lands that meet multiple conservation needs
- Clearly and continuously tracks and documents progress





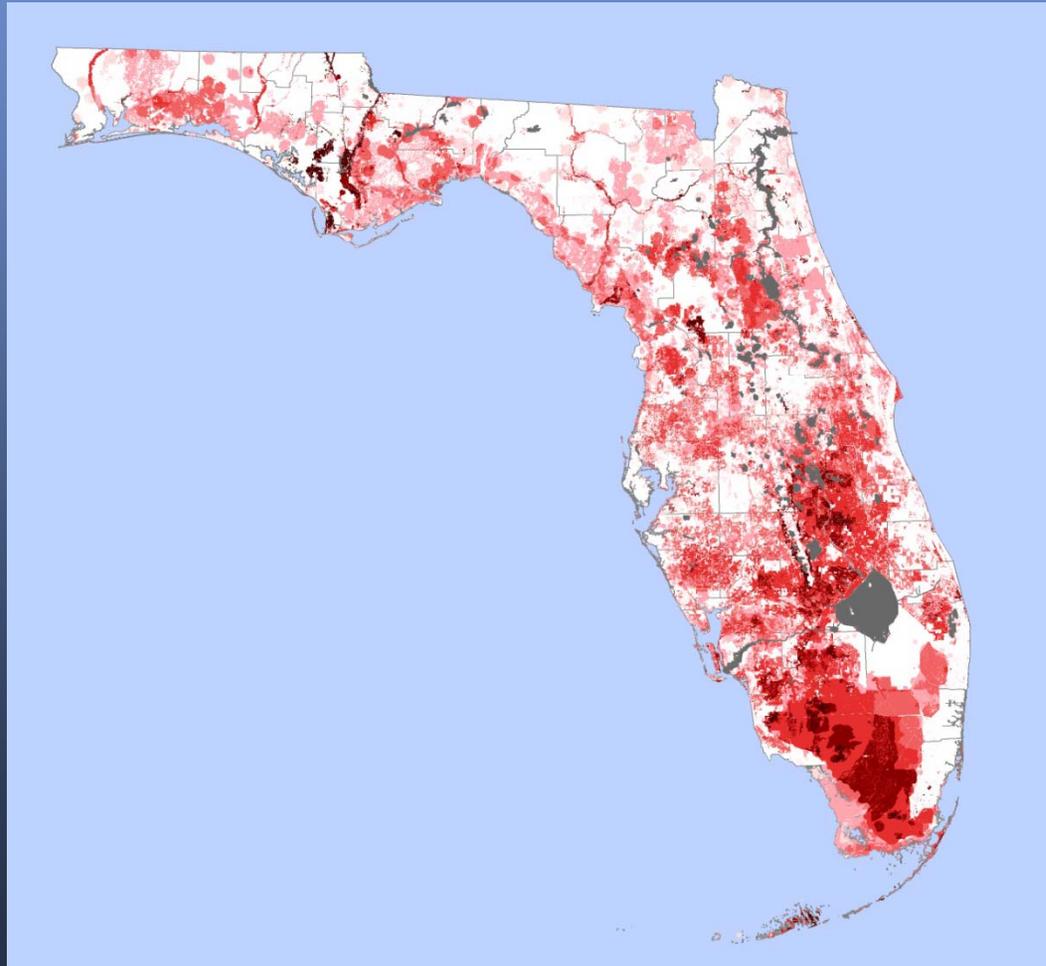
Florida Forever Conservation Needs Assessment

- Map data for 12 resources types
- Guided by goals and measures of Florida Forever Act
- All data are statewide and prioritized
- Priorities regularly updated

Heritage Database



Habitat Conservation Priorities

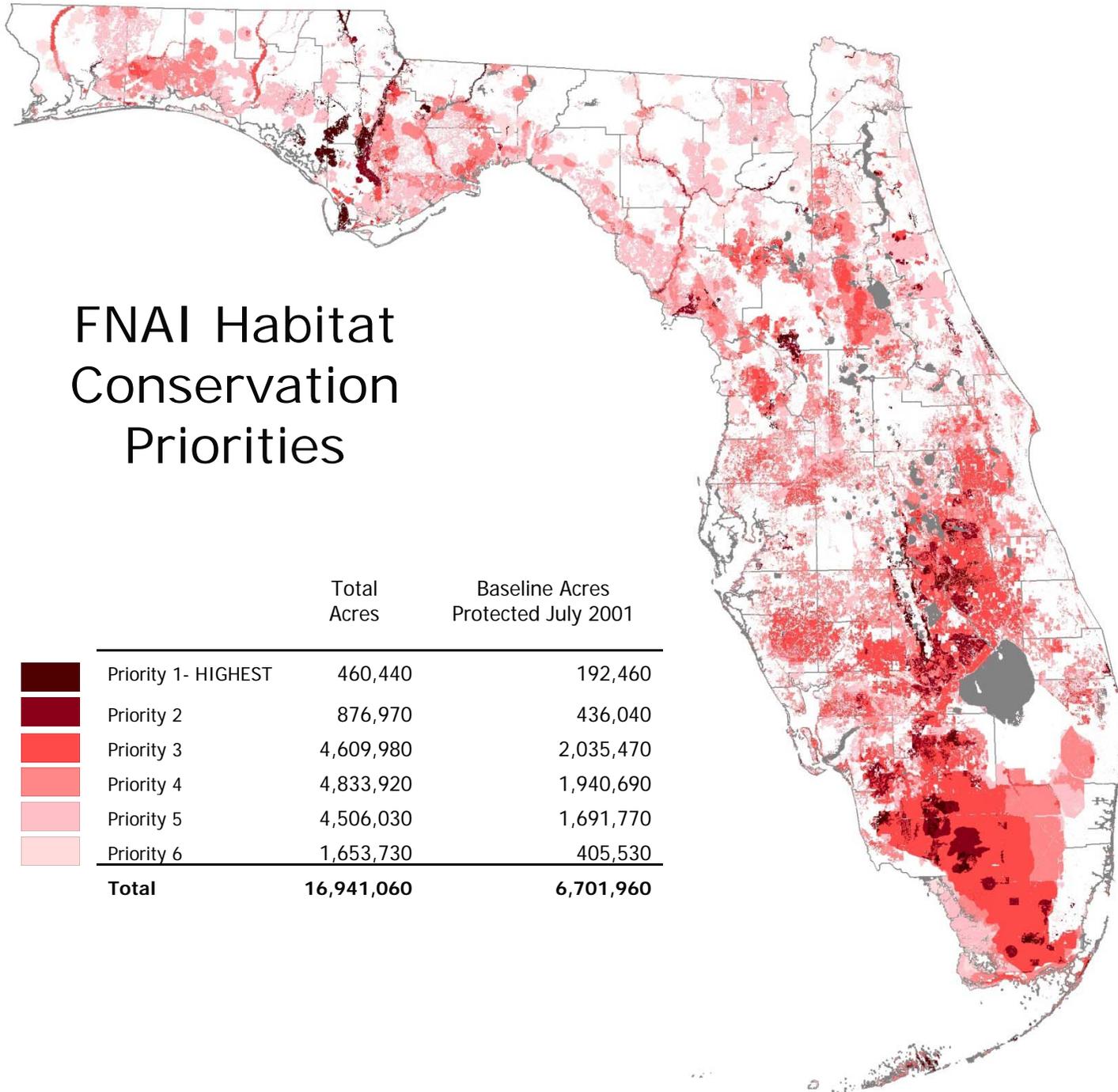


Species	Global Rank
<i>Conradina brevifolia</i>	G2Q
<i>Haliaeetus leucocephalus</i>	G4
<i>Hypericum cumulicola</i>	G2
<i>Liatrix ohlingerae</i>	G3
<i>Paronychia chartacea</i>	G3
<i>Polygonella basiramia</i>	G3
<i>Polygonella myriophylla</i>	G3
<i>Schizachyrium niveum</i>	G1
<i>Aphelocoma coerulescens</i>	G3
<i>Drymarchon corais couperi</i>	G4T3

Species	Global Rank
<i>Cicindela scabrosa</i>	G3
<i>Conradina brevifolia</i>	G2Q
<i>Haliaeetus leucocephalus</i>	G4
<i>Liatrix ohlingerae</i>	G3
<i>Polygonella myriophylla</i>	G3
<i>Aphelocoma coerulescens</i>	G3
<i>Drymarchon corais couperi</i>	G4T3

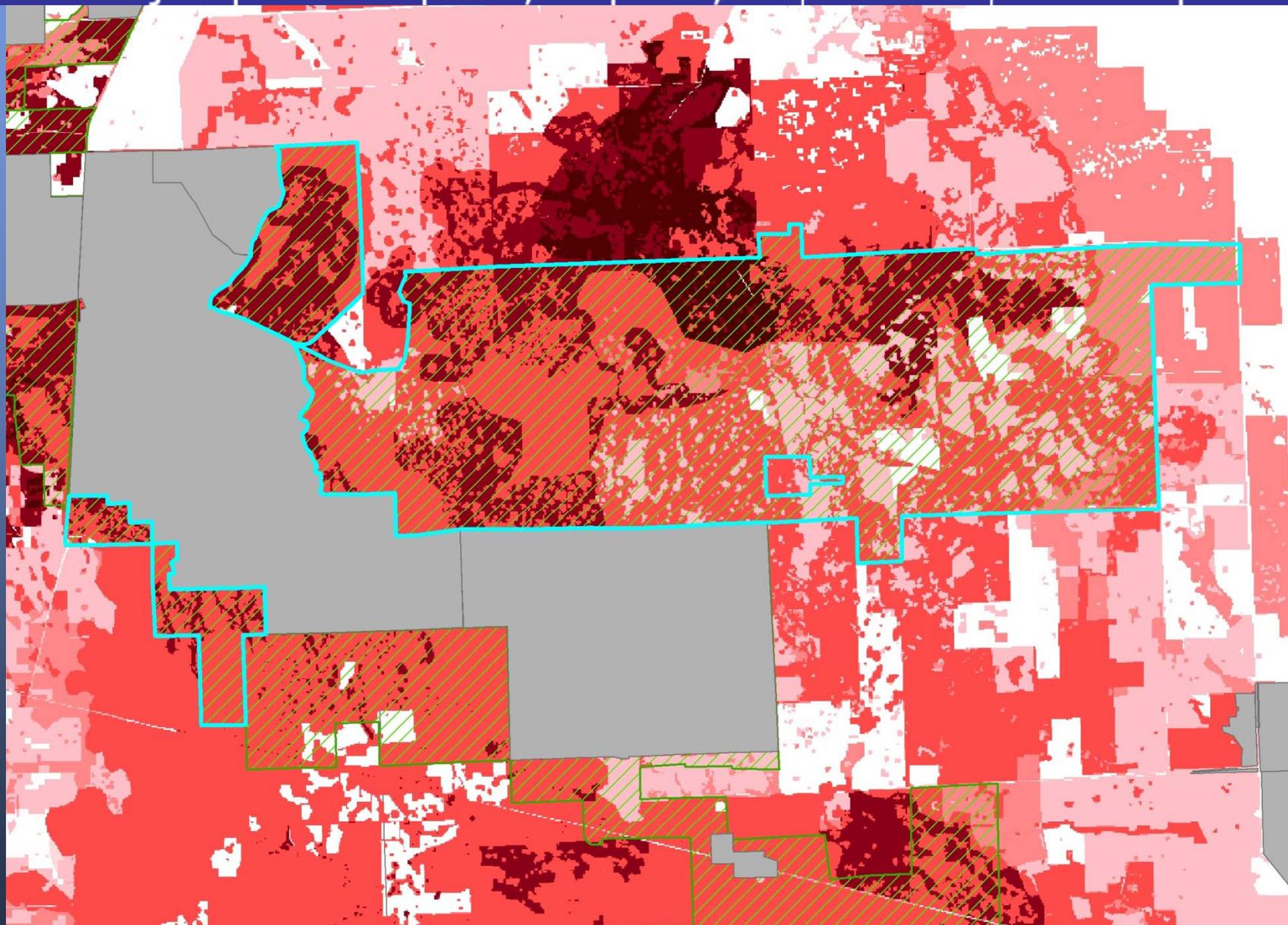
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<i>Cicindela scabrosa</i>	G3
<i>Haliaeetus leucocephalus</i>	G4
<i>Liatrix ohlingerae</i>	G3
<i>Polygonella myriophylla</i>	G3
<i>Drymarchon corais couperi</i>	G4T3

FNAI Habitat Conservation Priorities



	Total Acres	Baseline Acres Protected July 2001
 Priority 1- HIGHEST	460,440	192,460
 Priority 2	876,970	436,040
 Priority 3	4,609,980	2,035,470
 Priority 4	4,833,920	1,940,690
 Priority 5	4,506,030	1,691,770
 Priority 6	1,653,730	405,530
Total	16,941,060	6,701,960

FNAIHAB	Priority 1	Priority 2	Priority 3	Priority 4	Priority 5	Priority 6
Acres in Project	315	2,912	6,741	446	198	8



Single Resource data are provided in new proposal evaluations

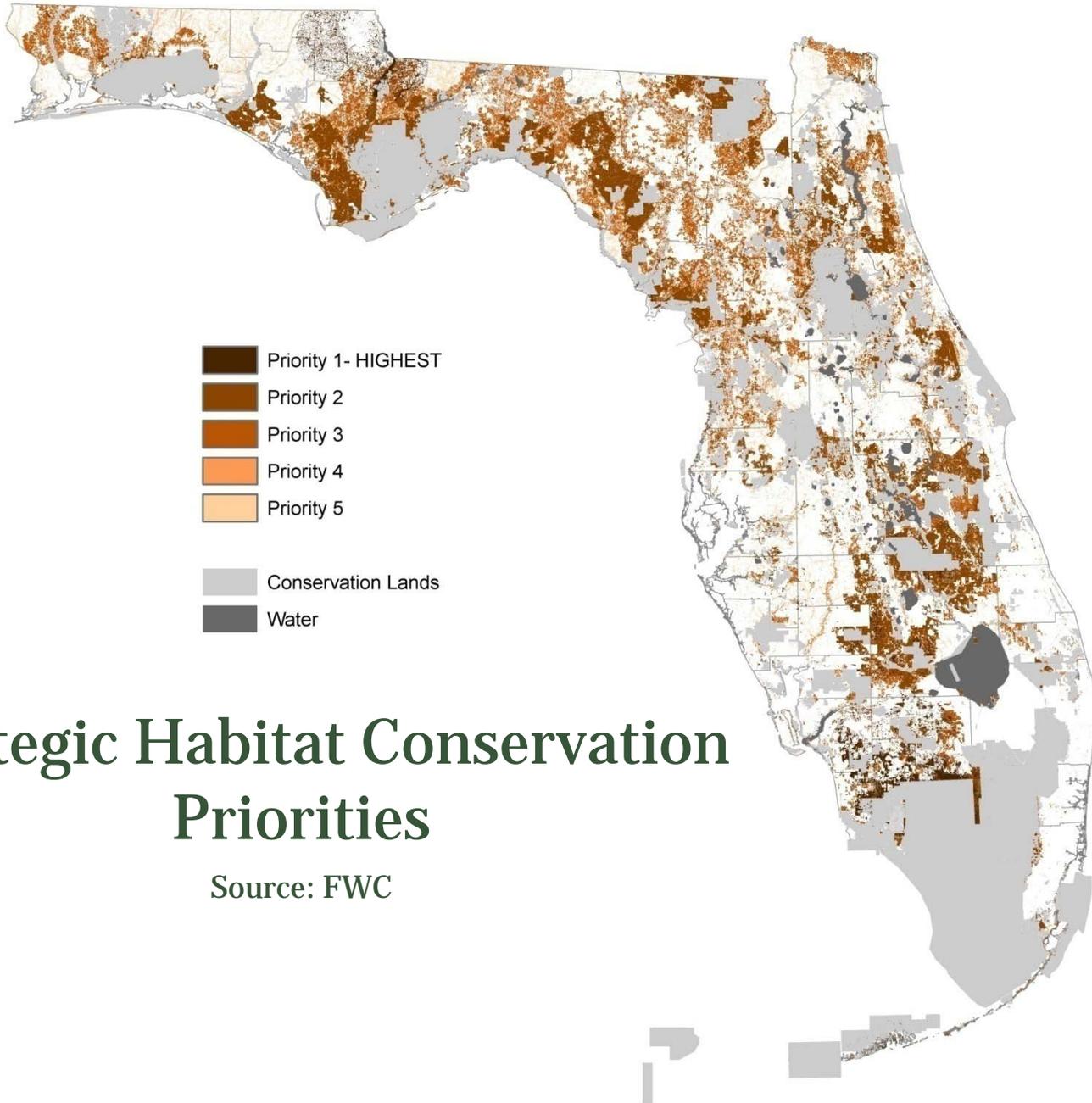
Caber Coastal Connector Tract: Florida Forever Measures Evaluation

ACRES = 5,564

MEASURES	Acres ^a	% of project
B1: Strategic Habitat Conservation Areas		
Priority 1	0	0%
Priority 2	428	8%
Priority 3	0	0%
Priority 4	0	0%
Priority 5	4	<1%
Priority 6	0	0%
Total Acres	432	8%
B2: FNAI Habitat Conservation Priorities		
Priority 1	0	0%
Priority 2	2	0%
Priority 3	2,915	52%
Priority 4	247	4%
Priority 5	1,768	32%
Priority 6	356	6%
Total Acres	5,289	95%
B3: Ecological Greenways		
Priority 1	0	0%
Priority 2	0	0%
Priority 3	5,526	99%
Priority 4	0	0%
Priority 5	0	0%
Priority 6	0	0%
Priority 7	0	0%
Total Acres	5,526	99%
B4: Under-represented Natural Communities		
Pine rockland	0	0%
Upland glade	0	0%
Bog/seepage slope	0	0%
Tropical hammock	0	0%
Sandhill	99	2%
Scrub	1,394	25%
Upland hardwood	0	0%
Pine flatwoods	347	6%
Total Acres	1,840	33%
B5: Landscape-sized Protection Area (Yes/No)		
Priority 1	no	
Priority 2	no	
Priority 3	yes	
B6: Listed Species (# occurrences)		
G1	0	
G2	2	
G3	0	
G4	1	
G5	0	
Total Occurrences	3	

MEASURES (continued)	Acres ^a	% of project
C4: Natural Floodplain Function		
Priority 1	0	0%
Priority 2	0	0%
Priority 3	0	0%
Total Acres	0	0%
C5: Surface Water Protection		
Priority 1	622	11%
Priority 2	2,603	47%
Priority 3	2,318	42%
Total Acres	5,543	100%
C7: Fragile Coastal Resources		
Uplands	19	0%
Wetlands	708	13%
Total Acres	727	13%
C8: Functional Wetlands		
Priority 1	2,394	43%
Priority 2	0	0%
Priority 3	154	3%
Priority 4	544	10%
Total Acres	3,092	56%
D3: Aquifer Recharge		
Floridan	0	0%
Other	0	0%
Total Acres	0	0%
E2: Recreational Trails		
<small>(prioritized trail opportunities from Office of Greenways and Trails & Univ. Florida)</small>		
Priority 1	1	<1%
Priority 2	0	0%
Priority 3	0	0%
Total Acres	1	<1%
F2: Archaeological Sites		
<small>0 sites listed by DHR</small>		
G1: Sustainable Forestry		
Priority 1	0	0%
Priority 2	2,500	45%
Priority 3	264	5%
Priority 4	0	0%
Priority 5	4	0%
Total Acres	2,768	50%
G3: Forestland for Recharge		
	0	0%

^aNumber of acres of each resource in the project and percentage of project represented by each resource are listed except where noted.

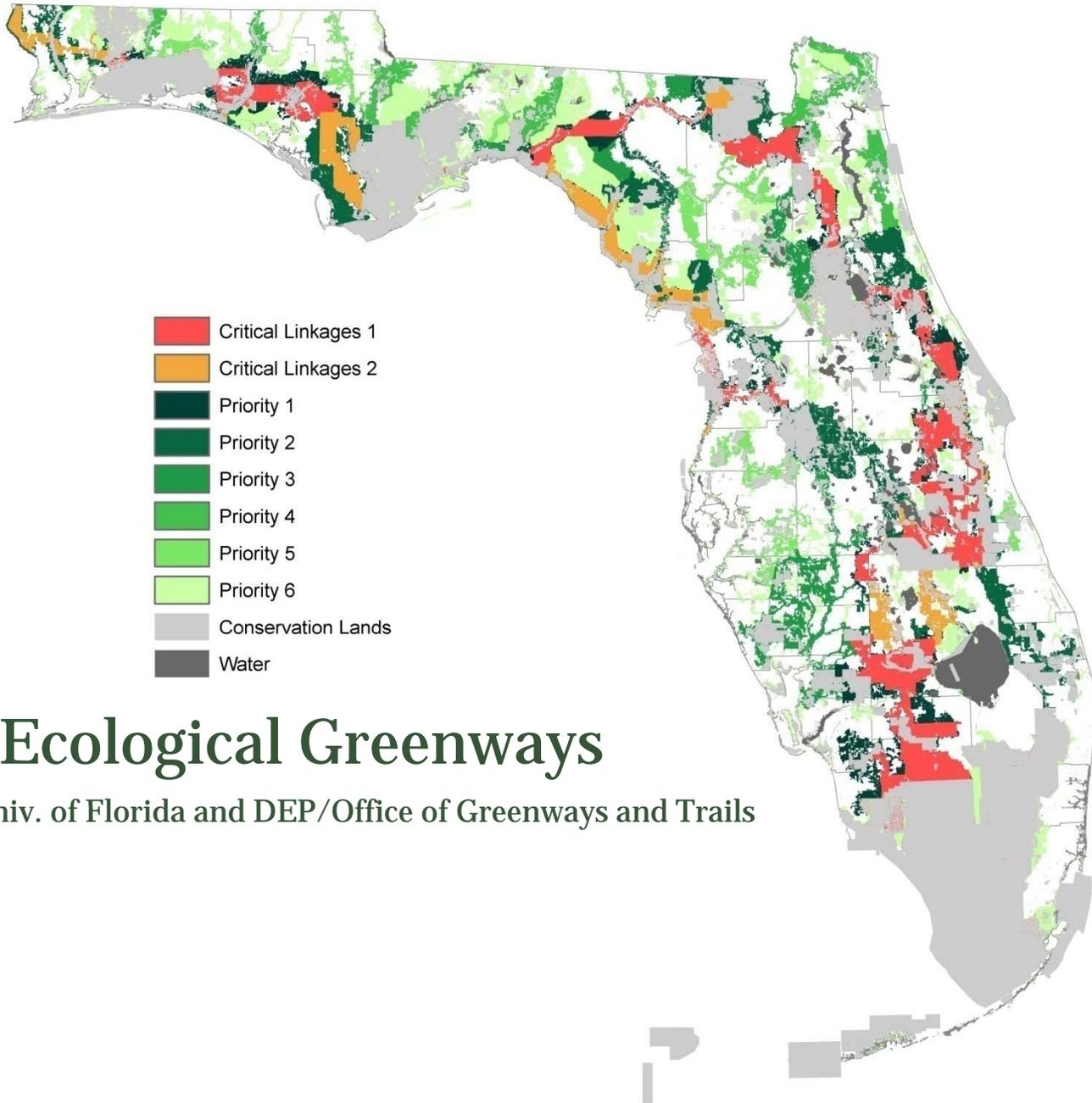


- Priority 1- HIGHEST
- Priority 2
- Priority 3
- Priority 4
- Priority 5

- Conservation Lands
- Water

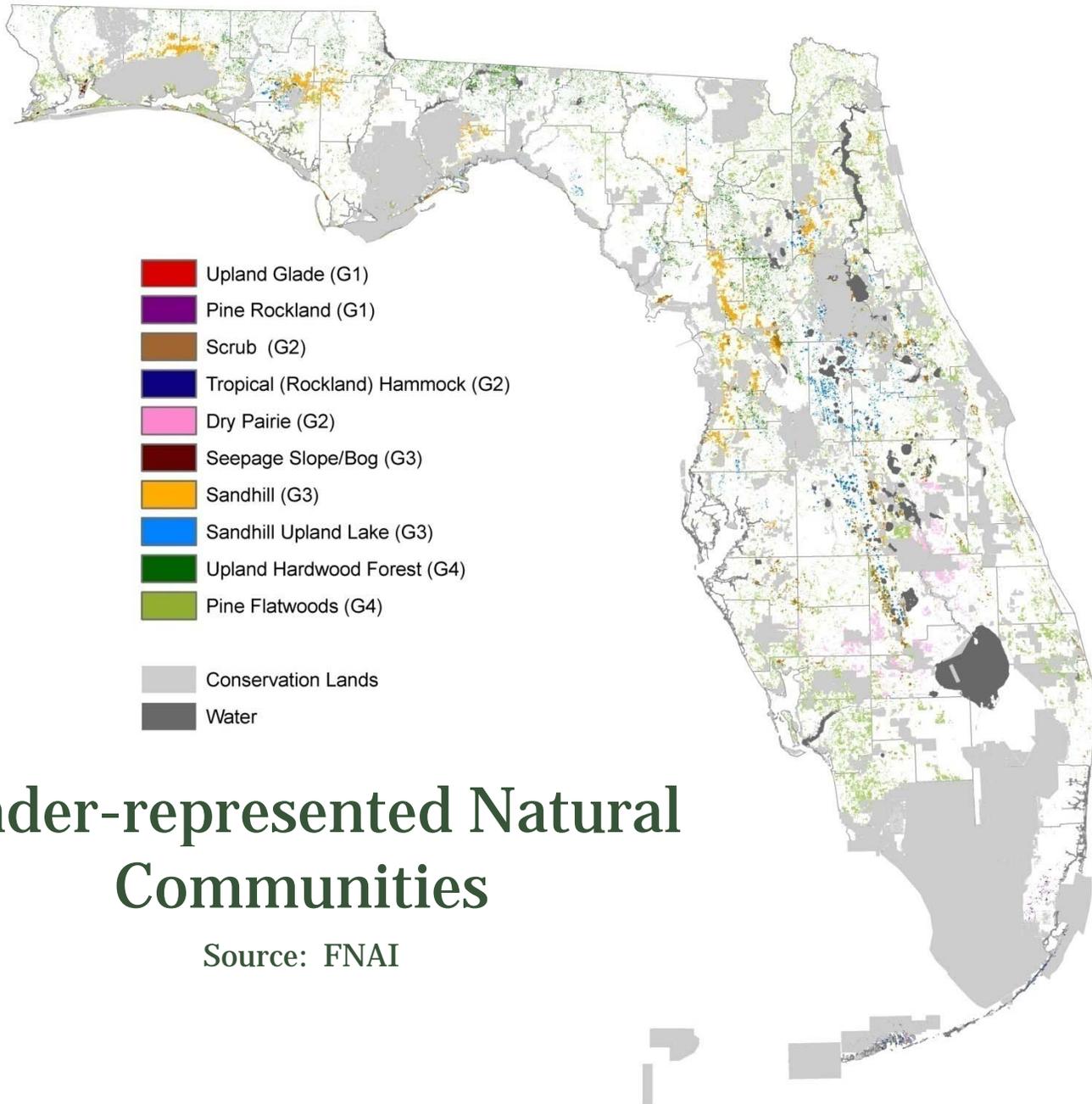
Strategic Habitat Conservation Priorities

Source: FWC



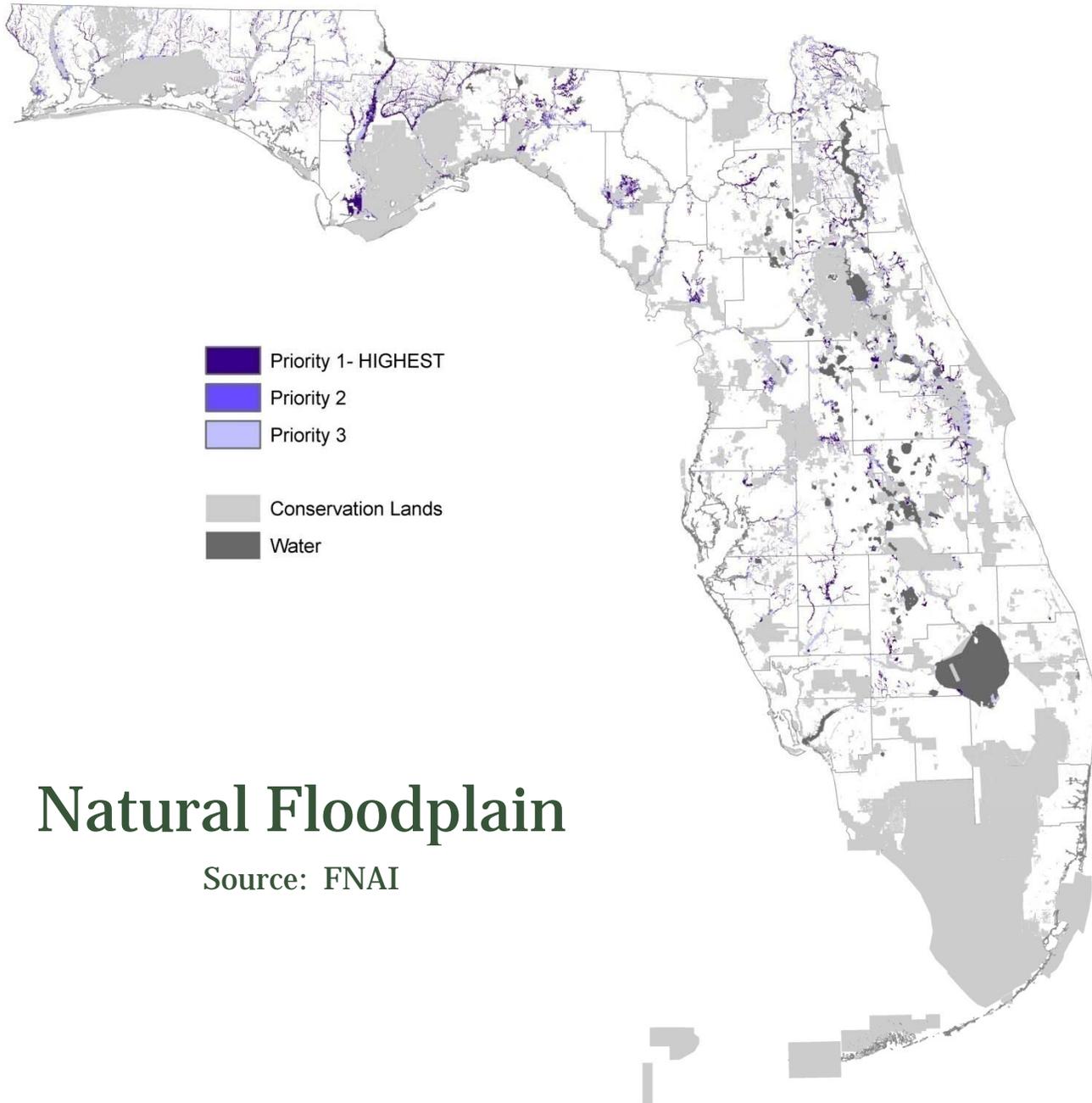
Ecological Greenways

Source: Univ. of Florida and DEP/Office of Greenways and Trails



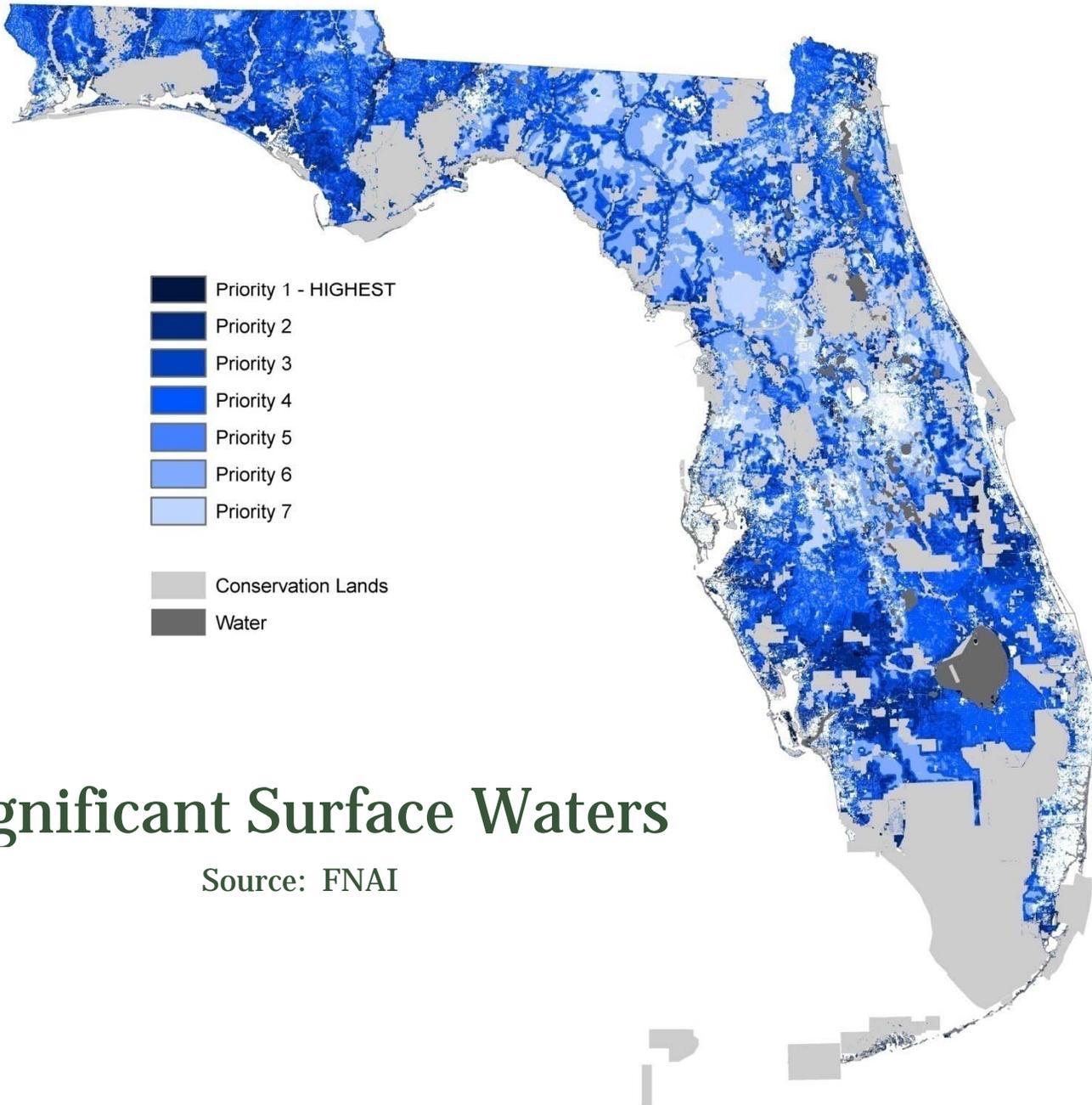
Under-represented Natural Communities

Source: FNAI



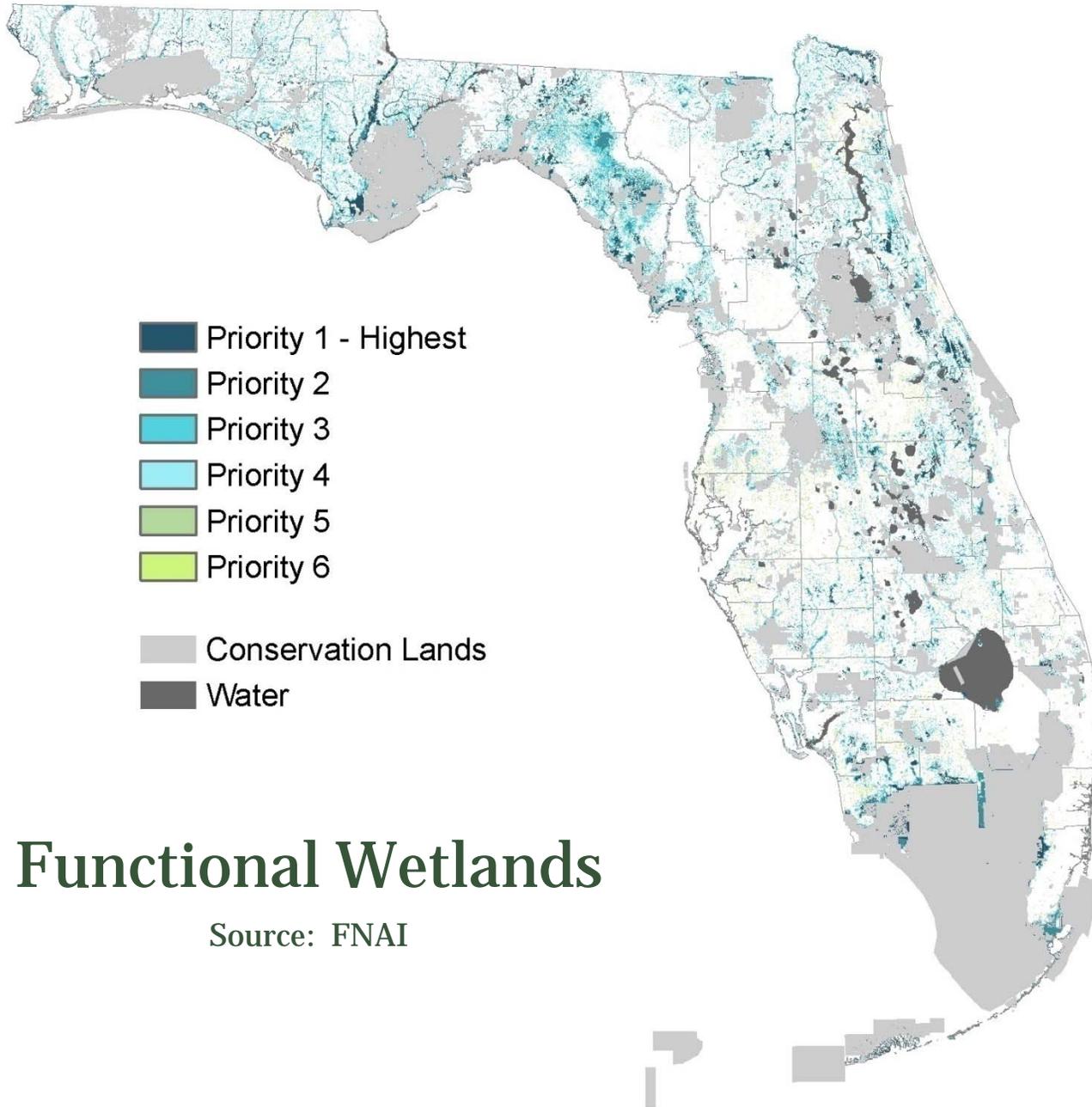
Natural Floodplain

Source: FNAI



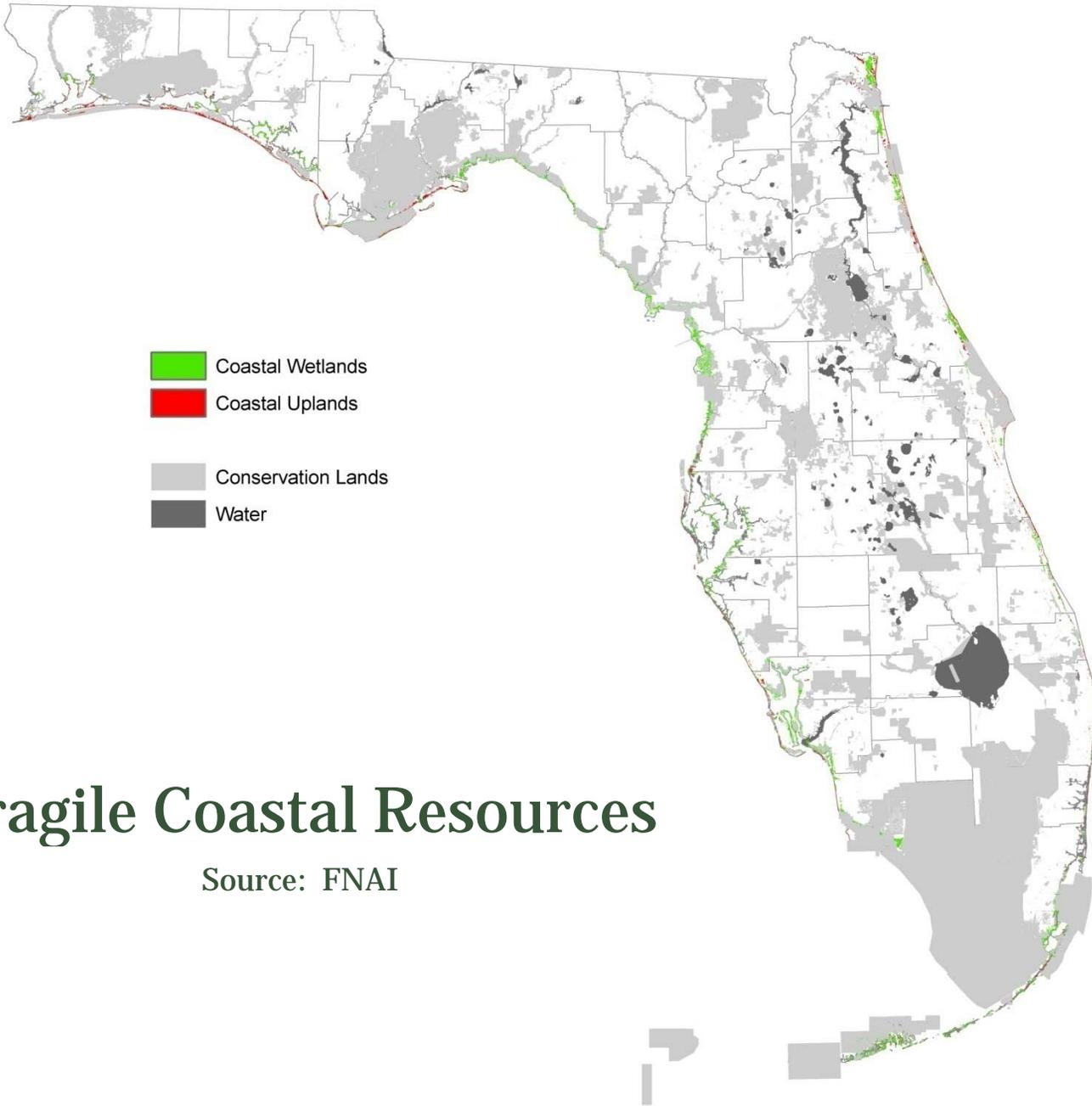
Significant Surface Waters

Source: FNAI



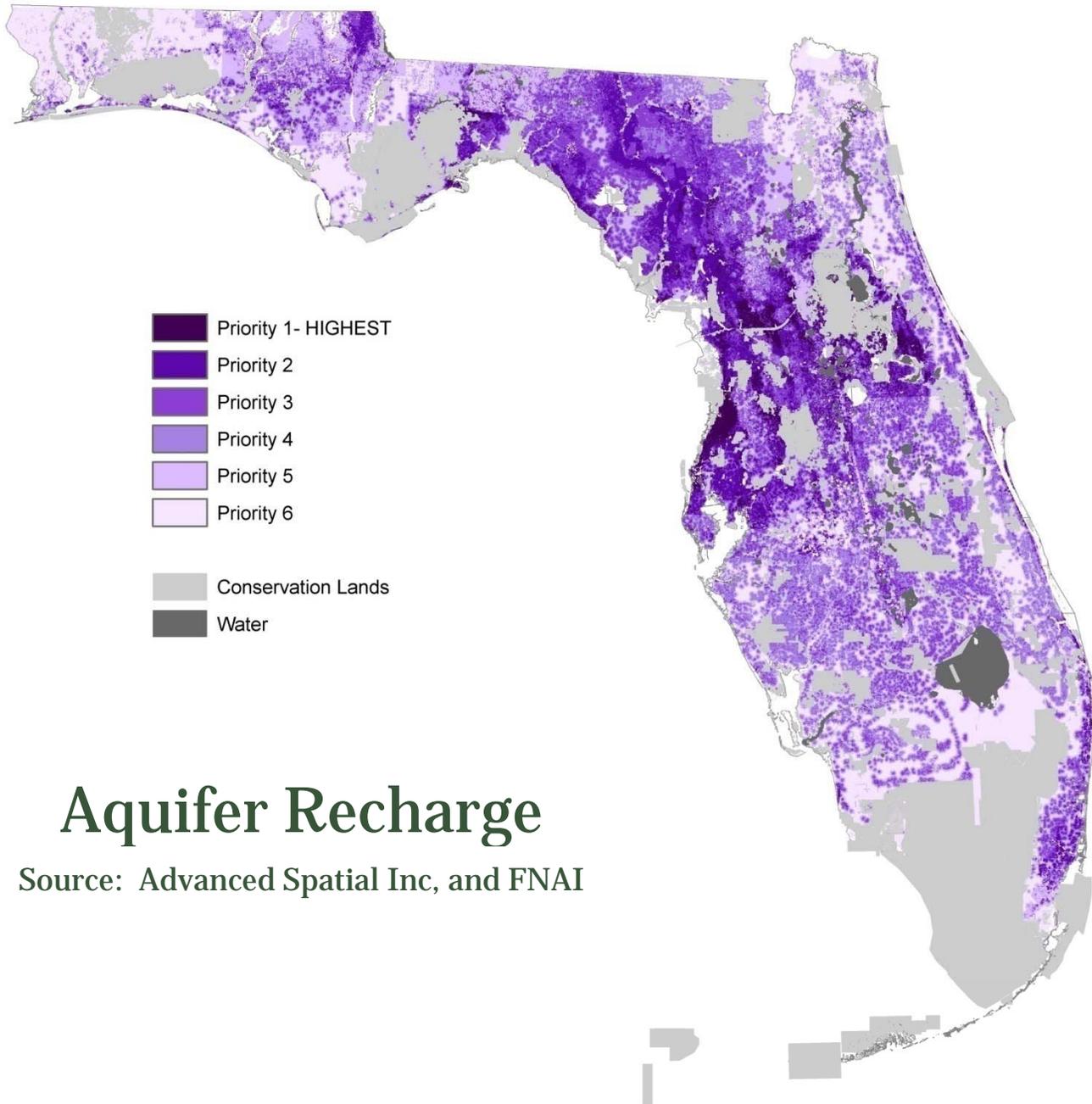
Functional Wetlands

Source: FNAI



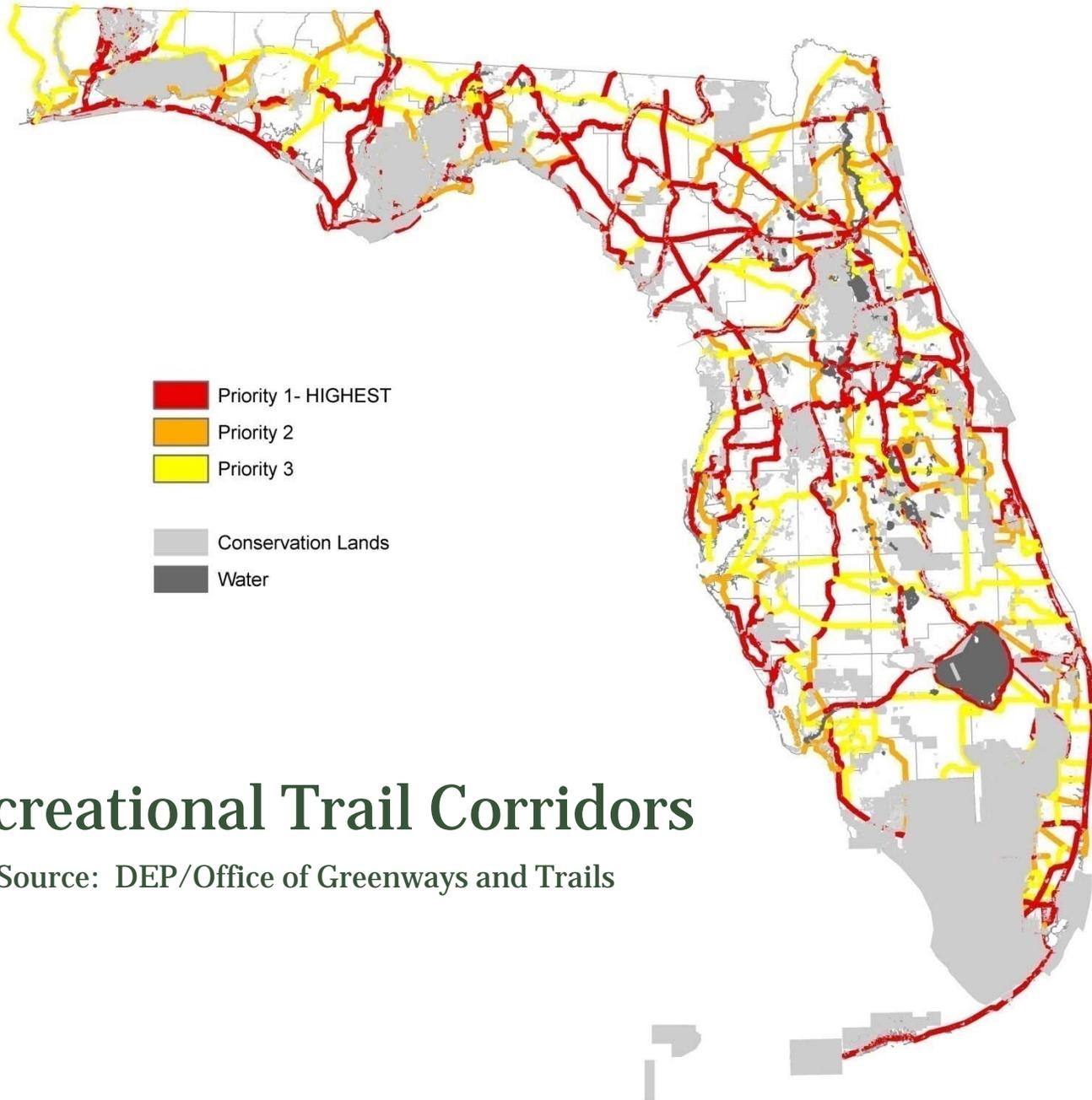
Fragile Coastal Resources

Source: FNAI



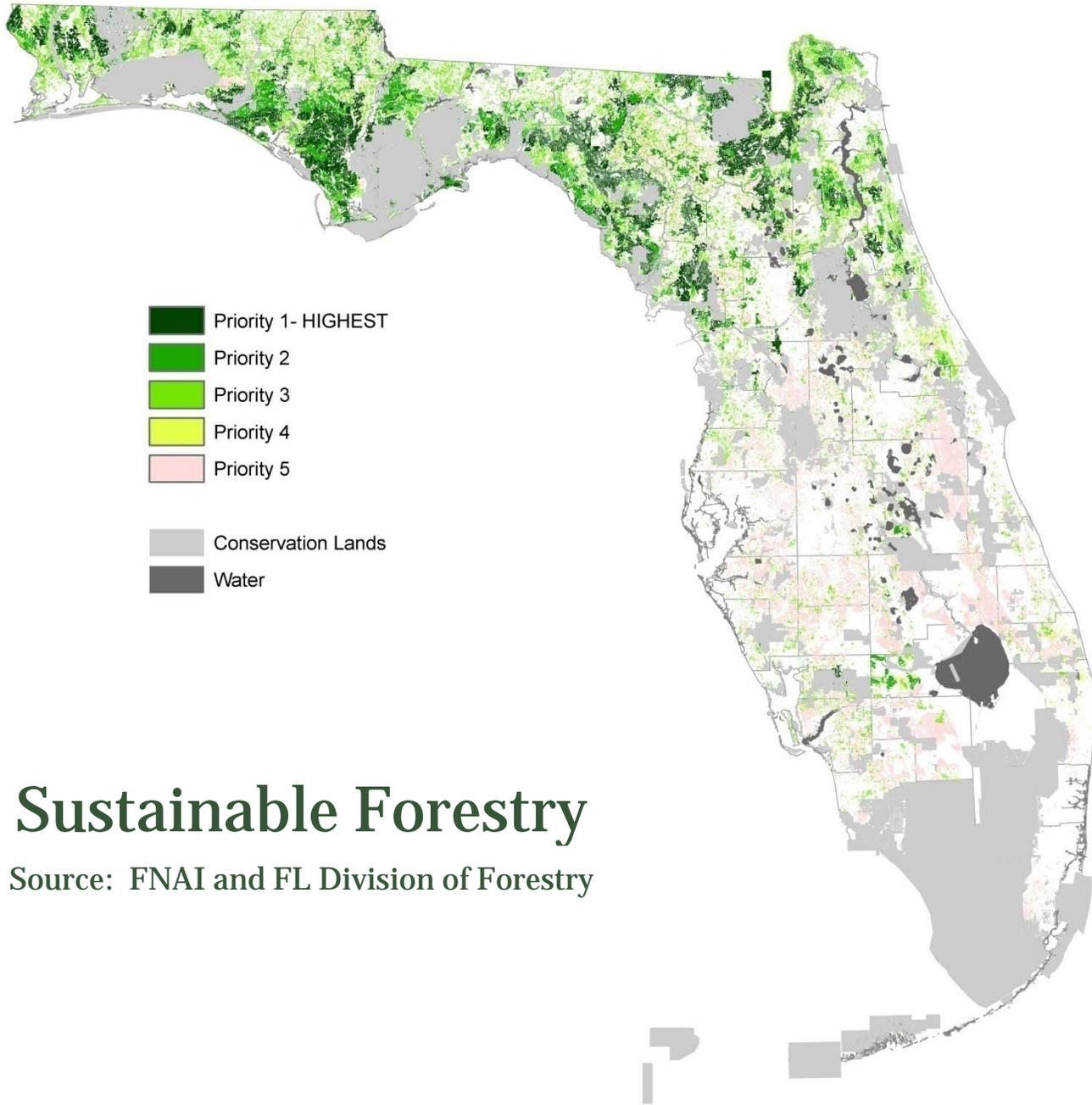
Aquifer Recharge

Source: Advanced Spatial Inc, and FNAI



Recreational Trail Corridors

Source: DEP/Office of Greenways and Trails



Sustainable Forestry

Source: FNAI and FL Division of Forestry

F-TRAC

*Florida Forever Tool for Efficient
Resource Acquisition and Conservation*

- Rigorous analysis that identifies the places that best meet the overall set of Florida Forever resource goals for the least area
 - 50 separate runs of 1 billion iterative comparisons

Florida Natural Areas Inventory

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Florida Forever Natural Resource Acquisition Progress Report

November 2011

Prepared by the
Florida Natural Areas Inventory
for the
Florida Department of Environmental Protection
Division of State Lands



This is the twentieth Progress Report for the Florida Forever environmental land acquisition program. The reports are produced at the request of the Florida Department of Environmental Protection (DEP), Division of State Lands, as part of the Florida Natural Areas Inventory's contract to provide scientific expertise and analysis to inform the Florida Forever program.

These reports document the progress of Florida Forever Board of Trustees (FFBOT), water management district (FFWMD), Florida Communities Trust (FCT) and other Florida Forever program acquisitions toward meeting the goals and measures of the Florida Forever program. Progress is measured using the natural resource data layers developed or compiled by the Florida Natural Areas Inventory and presented in the Conservation Needs Assessment Summary and Technical Reports (available online at www.fnai.org/FIForever.cfm).

For this report, Florida Forever acquisitions include those properties for which transactions have closed from the inception of the program in July 2001 through September 2011. The following table lists total acquisitions through September 2011. Note that acreages are calculated in GIS for parcels with digital boundaries and do not include all small parcels. Parcels that FFBOT or FFWMD acquired in combination with non-Florida Forever funds (e.g., a separate agency funding source or another funding partner) are counted entirely as Florida Forever purchases.

Program	Acres acquired		
	July 2001 - September 2011		
	Full Fee	Less-than-Fee	Total
FFBOT	283,031	67,954	350,985
FFWMD	178,490	100,018	278,508
FCT		-	40,600
Inholdings and Additions (I&A)			
DEP/Office of Greenways and Trails	2,369	-	2,369
DEP/Division of Recreation and Parks	5,262	-	5,262
FDACS/Florida Forestry Service	17,385	1,378	18,763
Florida Fish and Wildlife Conservation Commission	11,801	-	11,801
Rural and Family Lands Protection Program (included with I&A in attached table)	-	2,850	2,850
Stan Mayfield Working Waterfronts (not included in attached table)	5	-	5
Total Florida Forever Acquisitions	538,944	172,199	711,143

The attached Florida Forever Summary of Resource Acres Protected on Conservation Lands (Summary) shows the baseline of natural resources protected on conservation lands at the onset of the Florida Forever program. The baseline represents the starting point from which Florida Forever's progress will be measured. The Summary also reports additional acreage of each resource acquired by the Florida Forever program as of September 2011.

The Florida Natural Areas Inventory updates our managed areas database quarterly with the latest information available from land managing agencies. We also maintain a separate parcel database of Florida Forever acquisitions. The September 2011 updates to the managed areas and Florida Forever acquired parcel databases were used to calculate acquisitions since the onset of the Florida Forever program for this report. In addition to Florida Forever acquisitions, many parcels were added to managed areas boundaries as part of the continual building and maintenance of the database. These lands may represent federal, local, or private acquisitions, other state acquisition programs, or revisions to existing managed areas boundaries. These lands are split into two columns in the Summary: Other Lands Acquired within FL Forever Projects (223,701 total acres) and Other Lands Added to the FNAI Database since July 2001 (428,028 total acres).

MEASURES	Natural Resource Priorities	Total Statewide Acres	Resource Acres Protected								Percent Protected	
			Baseline	FL Forever Programs as of Sep 2011				Other Lands		Remaining Acres	July 2001	Sep 2011
			At start of FL Forever July 2001	OGT, A&I				Acquired within FL Forever Projects	Added to FNAI Database since July 2001			
			BOT	WMDs	RFLPP	FCT						
B1: Strategic Habitat Conservation Areas	Priority 1	1,455,780	828,710	14,280	3,790	1,120	1,540	13,050	16,810	576,480	57%	60%
	Priority 2	11,617,870	6,902,810	295,370	195,010	31,890	20,230	165,490	216,320	3,790,750	59%	67%
	Priority 3	4,191,230	764,670	6,030	14,890	2,140	6,680	8,310	49,830	3,338,680	18%	20%
	Priority 4	81,630	19,690	660	1,020	140	230	790	2,840	56,260	24%	31%
	Priority 5	1,138,910	80,390	3,270	6,460	580	2,410	5,340	13,540	1,026,920	7%	10%
	Total 2009^a	18,485,430	8,596,270	319,620	221,170	35,880	31,090	192,980	299,340	8,789,080	47%	52%
Total 1994^a	4,037,790	332,240	166,380	78,720	10,950	10,840	89,870	59,790	3,289,000	8%	19%	
B2: FNAI Habitat Conservation Priorities	Priority 1	430,820	159,560	5,350	1,360	430	0	4,200	2,000	257,920	37%	40%
	Priority 2	876,640	448,180	17,660	3,470	970	630	7,070	7,590	391,070	51%	55%
	Priority 3	4,638,090	2,077,990	56,590	33,040	4,320	7,760	33,050	79,630	2,345,710	45%	49%
	Priority 4	4,841,460	1,945,590	66,250	41,480	5,730	6,920	48,070	71,100	2,656,320	40%	45%
	Priority 5	4,500,730	1,694,920	92,260	53,950	11,810	6,200	53,450	56,380	2,531,760	38%	44%
	Priority 6	1,654,830	406,230	19,360	17,160	1,920	3,390	8,180	18,000	1,180,590	25%	29%
Total	16,942,580	6,732,470	257,460	150,460	25,180	24,900	154,010	234,720	9,363,380	40%	45%	
B3: Ecological Greenways	Priority 1 Critical Linkages	8,148,900	5,560,540	201,500	94,280	16,550	810	60,530	83,750	2,130,940	68%	74%
	Priority 2 Critical Linkages	2,310,580	1,162,720	48,970	34,060	6,060	20	37,220	16,780	1,004,750	50%	57%
	Priority 1	1,386,850	384,750	8,970	5,810	330	5,210	19,380	16,490	945,910	28%	32%
	Priority 2	2,525,850	501,380	29,700	58,530	3,190	6,670	50,610	39,220	1,836,550	20%	27%
	Priority 3	1,237,230	229,240	8,260	45,040	3,210	1,160	8,320	13,550	928,450	19%	25%
	Priority 4	1,028,510	164,000	30,400	8,480	2,010	1,030	12,280	8,810	801,500	16%	22%
	Priority 5	1,165,320	198,060	8,570	8,630	1,690	10,490	2,550	19,410	915,920	17%	21%
Priority 6	4,078,040	507,210	10,360	12,170	4,850	7,280	26,940	114,530	3,394,700	12%	17%	
Total	21,881,260	8,707,900	346,730	267,000	37,900	32,680	217,830	312,550	11,958,670	40%	45%	
B4: Under-represented Natural Communities	Upland Glade (G1)	40	3	0	0	0	0	0	0	37	8%	8%
	Pine Rockland (G1)	16,640	15,460	100	0	0	0	10	150	920	93%	94%
	Scrub (G2)	510,960	356,720	5,200	940	740	990	4,530	5,240	136,600	70%	73%
	Rockland Hammock (G2)	19,190	15,110	220	0	0	10	410	90	3,350	79%	83%
	Dry Prairie (G2)	154,050	90,510	2,570	440	140	0	1,500	160	58,730	59%	62%
	Seepage Slope (G2)	6,620	6,510	0	0	0	0	0	0	110	98%	98%
	Sandhill (G3)	814,370	479,560	8,830	3,510	1,250	130	2,340	7,510	311,240	59%	62%
	Sandhill Lake (G3)	69,880	11,870	120	60	10	0	130	460	57,230	17%	18%
	Upland Hardwood (G5)	429,010	34,410	430	1,470	640	1,660	90	3,030	387,280	8%	10%
	Pine Flatwoods (G4)	2,288,530	1,018,520	56,360	24,640	3,460	5,250	25,600	27,890	1,126,810	45%	51%
Total	4,309,280	2,028,680	73,840	31,060	6,250	8,030	34,610	44,530	2,082,280	47%	52%	
B5: Landscape-sized Protection Areas	<i>Acres acquired within contiguous conservation lands ≥ 50,000 acres</i>	n/a	5,806,300	240,990	159,030	25,890	13,290	120,840	177,610	n/a	n/a	n/a

^aThe FWC completed a major revision to the SHCAs in 2009; however, the original 1994 SHCAs have been used to inform Florida Forever acquisition decisions from 2001 - 2007; therefore, we report acquisition progress for both the original and revised strategic habitats.

MEASURES	Natural Resource Priorities	Total Statewide Acres	Resource Acres Protected							Remaining Acres	Percent Protected	
			At start of FL Forever July 2001	FL Forever Programs as of Sep 2011				Acquired within FL Forever Projects	Added to FNAI Database since July 2001		July 2001	Sep 2011
				BOT	WMDs	OGT, A&I, RFLPP	FCT					
C3: Natural Floodplain Function	Priority 1	1,380,430	629,460	23,440	24,290	1,520	1,400	16,590	9,360	674,370	46%	51%
	Priority 2	449,440	104,510	2,970	6,500	1,330	1,110	2,660	12,190	318,170	23%	29%
	Priority 3	687,770	241,800	5,440	11,430	1,490	1,140	3,300	15,910	407,260	35%	41%
	Total	2,517,640	975,770	31,850	42,220	4,340	3,650	22,550	37,470	1,399,790	39%	44%
C4: Surface Water Protection	Priority 1	1,202,050	670,930	3,730	6,580	820	3,980	6,530	44,030	465,450	56%	61%
	Priority 2	7,333,560	3,904,850	102,350	71,760	10,420	8,180	64,310	137,540	3,034,150	53%	59%
	Priority 3	2,345,550	342,800	47,630	26,910	1,680	2,620	7,780	29,440	1,886,690	15%	20%
	Priority 4	11,464,620	2,778,910	147,560	121,560	21,330	14,880	99,380	115,930	8,165,070	24%	29%
	Priority 5	2,095,250	183,510	6,380	9,650	390	3,420	7,620	8,440	1,875,840	9%	10%
	Priority 6	4,729,060	756,470	36,420	32,270	3,950	7,540	29,290	22,330	3,840,790	16%	19%
	Priority 7	2,527,570	76,100	6,180	7,020	440	300	5,190	10,120	2,422,220	3%	4%
	Total	31,697,660	8,713,570	350,250	275,740	39,020	40,920	220,090	367,830	21,690,240	27%	32%
C5: Minimize Damage from Flooding		14,310,380	6,041,180	163,300	150,860	17,970	18,530	122,700	225,360	7,570,480	42%	47%
C6: Fragile Coastal Resources	Wetlands	730,150	574,030	1,660	2,490	40	1,650	3,390	27,700	119,190	79%	84%
	Uplands	133,150	87,710	1,240	10	70	410	680	3,050	39,980	66%	70%
	Total	863,300	661,740	2,900	2,500	110	2,060	4,070	30,750	159,170	77%	82%
C7: Functional Wetlands	Priority 1	5,051,380	4,325,650	32,600	49,330	7,040	4,650	36,450	31,050	564,610	86%	89%
	Priority 2	1,954,970	762,850	28,120	31,370	3,890	1,870	31,670	92,070	1,003,130	39%	49%
	Priority 3	2,310,350	347,070	57,660	35,800	2,580	5,890	35,780	37,560	1,788,010	15%	23%
	Priority 4	1,425,480	72,240	16,900	10,250	1,190	3,620	13,030	21,900	1,286,350	5%	10%
	Priority 5	298,040	9,470	2,370	1,480	160	500	300	4,570	279,190	3%	6%
	Priority 6	286,430	6,600	1,060	390	20	470	180	3,690	274,020	2%	4%
	Total	11,326,650	5,523,880	138,710	128,630	14,870	17,010	117,410	190,840	5,195,300	49%	54%
D3: Aquifer Recharge	Priority 1	1,005,960	193,370	5,700	5,250	670	390	2,260	5,920	792,400	19%	21%
	Priority 2	3,253,840	444,050	11,420	19,630	4,120	2,910	10,390	23,630	2,737,690	14%	16%
	Priority 3	6,226,790	901,090	38,570	49,510	5,660	6,880	42,220	45,040	5,137,820	14%	17%
	Priority 4	7,579,290	1,276,940	101,310	71,410	7,390	11,790	55,150	63,300	5,992,000	17%	21%
	Priority 5	6,736,140	1,392,880	103,540	61,750	5,930	9,380	53,650	61,900	5,047,110	21%	25%
	Priority 6	8,626,370	3,809,600	81,530	55,630	10,670	7,880	41,050	138,250	4,481,760	44%	48%
Total	33,428,390	8,017,930	342,070	263,190	34,440	39,240	204,710	338,040	24,188,770	24%	28%	
E2: Recreational Trails	Priority 1	6,310	1,570	40	40	10	10	30	70	4,540	25%	28%
	Priority 2	2,440	530	30	40	10	0	30	20	1,780	22%	27%
	Priority 3	3,840	760	30	30	0	10	10	40	2,960	20%	23%
	Total	12,590	2,860	100	110	20	20	70	130	9,280	23%	26%
F2: Archaeological Sites	reported as number of sites	31,223	13,099	220	230	65	42	171	493	16,797	42%	46%

			Resource Acres Protected							Percent Protected		
			Baseline	FL Forever Programs as of Sep 2011				Other Lands				
			At start of FL Forever July 2001	BOT	WMDs	OGT, A&I, RFLPP	FCT	Acquired within FL Forever Projects	Added to FNAI Database since July 2001			Remaining Acres
MEASURES	Natural Resource Priorities	Total Statewide Acres										
G1: Sustainable Forestry	Priority 1	1,685,620	737,690	55,600	2,820	3,040	10	9,190	9,530	867,740	44%	49%
	Priority 2	2,278,850	826,850	51,260	11,900	5,830	790	19,320	10,900	1,352,000	36%	41%
	Priority 3	4,991,590	1,065,250	67,990	63,530	8,610	8,220	42,250	50,830	3,684,910	21%	26%
	Priority 4	39,920	18,510	520	0	0	150	560	190	19,990	46%	50%
	Priority 5	3,609,380	165,480	37,020	21,550	2,990	5,550	22,960	34,380	3,319,450	5%	8%
	Total	12,605,370	2,813,790	212,390	99,800	20,460	14,720	94,270	105,830	9,244,110	22%	27%
H1: Urban Service Areas		4,026,710	123,190	2,510	550	490	7,750	4,570	17,010	3,870,640	3%	4%

		Number of Imperiled Species Protected							TOTAL ^b	
		Baseline	FL Forever Programs as of Sep 2011				Other Lands			
		At start of FL Forever July 2001	BOT	WMDs	OGT, A&I, RFLPP	FCT	Acquired within FL Forever Projects	Added to FNAI Database since July 2001		
B6: Imperiled Species										
	Species occurrences^c	14,229	502	139	93	79	357	678	761	15,515
	Species with at least 1 occurrence on conservation lands	891	214	82	58	40	121	245	281	917
	federal or state endangered	349	95	27	31	13	69	117	120	361
	federal or state threatened	89	42	12	10	9	28	51	51	90
	state special concern	36	16	9	3	10	7	22	20	36

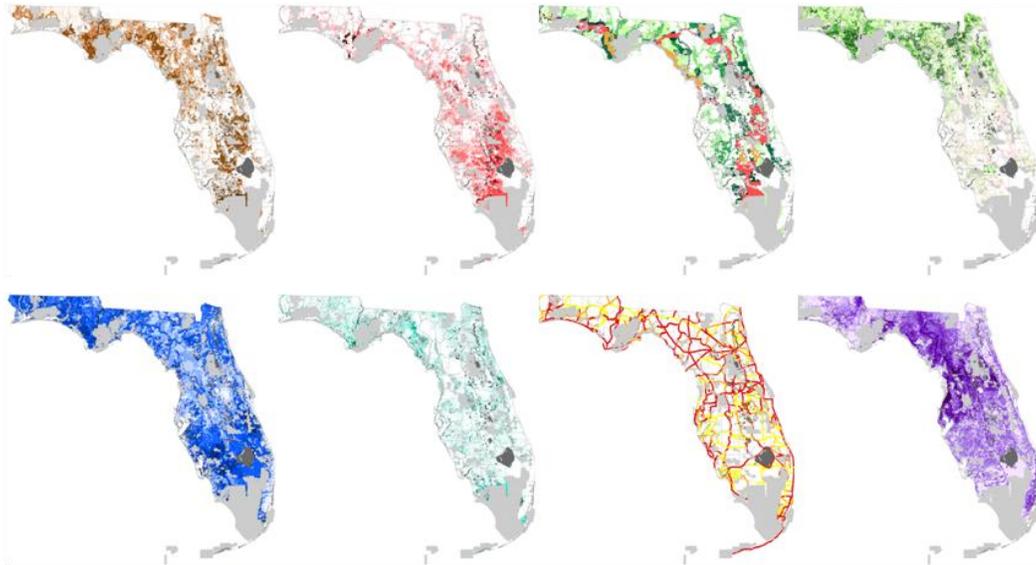
^bTOTAL numbers are less than the sum of all programs because numbers may overlap between programs.

^cAn FNAI species occurrence typically represents an ecologically distinct population. A population is intended to be ecologically viable and persisting over time in order to meet the standard for an occurrence counted here. FNAI data come from many sources, including field surveys, published reports, museum collections, and other resource experts. Not all areas of the state have been surveyed for all species. The rarest elements of biodiversity are given greater emphasis in data collection efforts.

Florida Forever Conservation Needs Assessment Overview Maps

Prepared by Florida Natural Areas Inventory, November 2011

The maps in this document are derived from the Florida Forever Conservation Needs Assessment, an analysis of the geographic distribution of certain natural resources and resource-based land uses that have been identified in the Florida Forever Act (F.S. 259.105) as needing increased conservation attention. Data for the Needs Assessment are maintained and updated by Florida Natural Areas Inventory under contract to the Florida Department of Environmental Protection and in collaboration with many partners. The data represent a statewide view of resource distributions and are intended to inform state conservation priorities and measure progress of the Florida Forever program in protecting these resources.



Florida Forever Conservation Needs Assessment Overview Maps

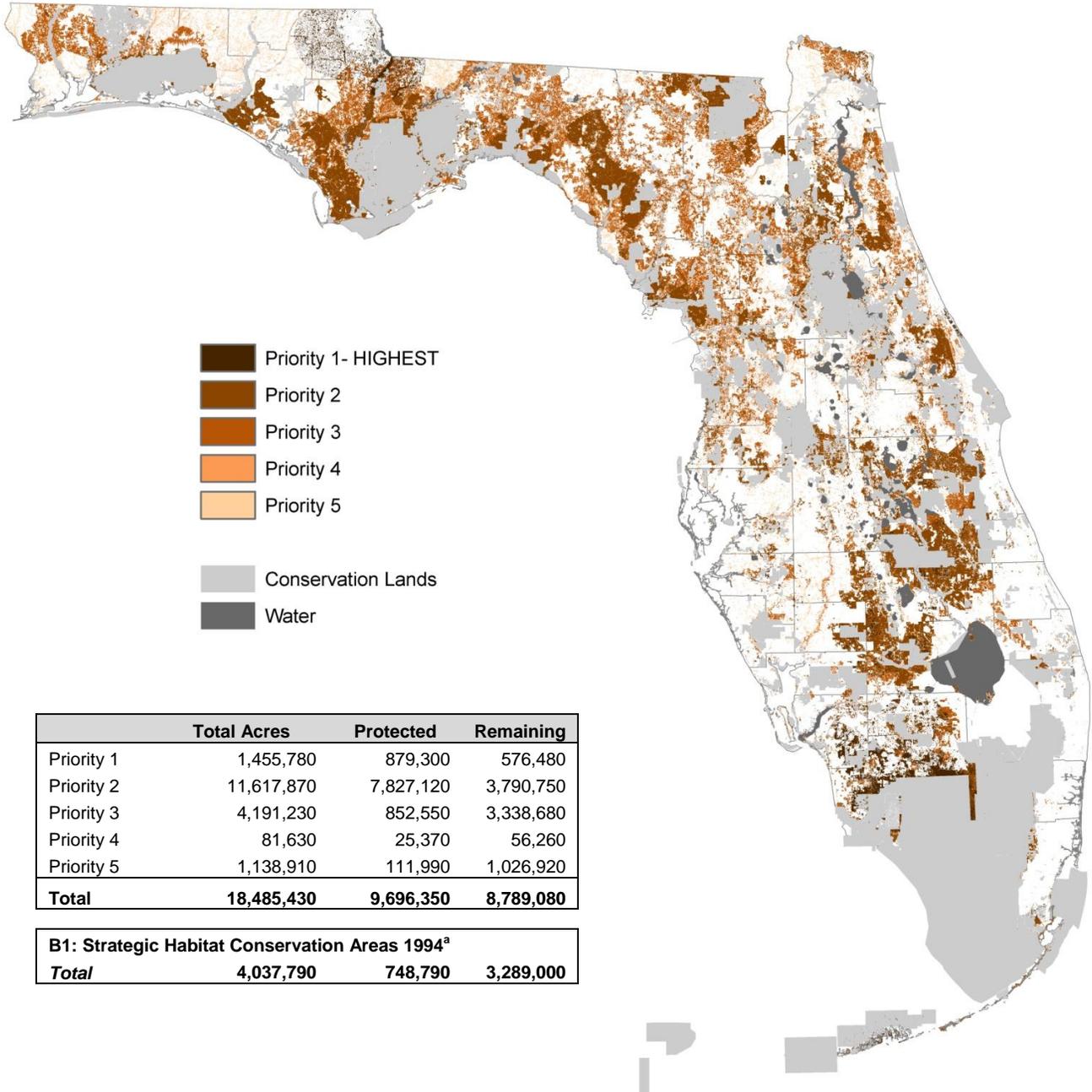
Conservation Needs Assessment Maps

Strategic Habitat Conservation Areas	Map 1
FNAI Rare Species Habitat Conservation Priorities	Map 2
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Decision Support Combined Maps

Species	Map 13
Combined: Strategic Habitat Conservation Areas Rare Species Habitat Conservation Priorities	
Natural Communities	Map 14
Combined: Under-represented Ecosystems Fragile Coastal Resources - Uplands	
Surface Waters	Map 15
Combined: Natural Floodplain Function Surface Water Protection	

Strategic Habitat Conservation Areas (modified for Florida Forever Needs Assessment)



	Total Acres	Protected	Remaining
Priority 1	1,455,780	879,300	576,480
Priority 2	11,617,870	7,827,120	3,790,750
Priority 3	4,191,230	852,550	3,338,680
Priority 4	81,630	25,370	56,260
Priority 5	1,138,910	111,990	1,026,920
Total	18,485,430	9,696,350	8,789,080

B1: Strategic Habitat Conservation Areas 1994^a			
Total	4,037,790	748,790	3,289,000

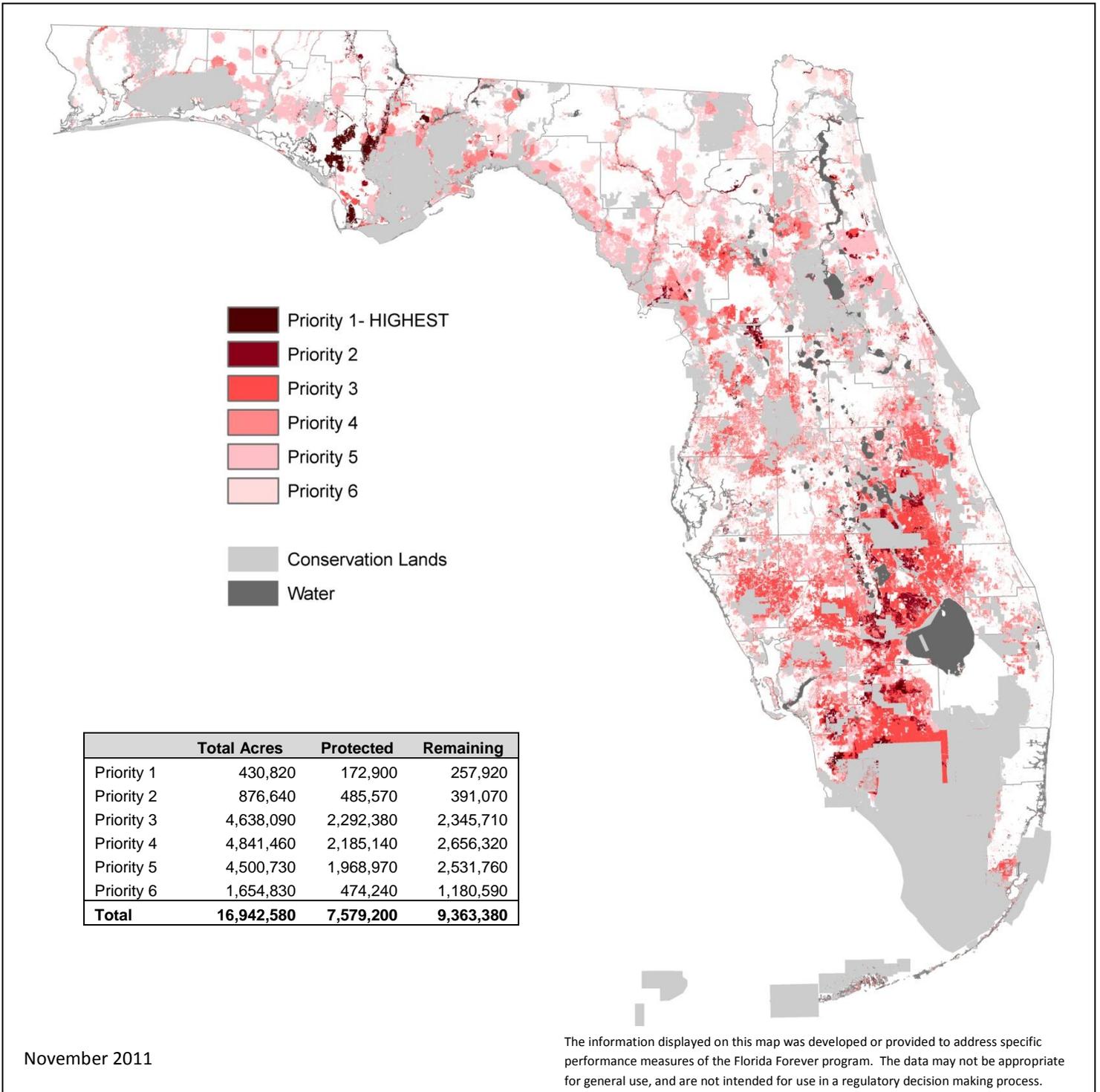
The information displayed on this map was developed or provided to address specific performance measures of the Florida Forever program. The data may not be appropriate for general use, and are not intended for use in a regulatory decision making process.

November 2011

Primary Source: Florida Fish and Wildlife Conservation Commission

Description: The 2009 SHCAs identify areas of habitat on private lands that are essential to sustain a minimum viable population for focal species of terrestrial vertebrates that are not adequately protected on existing conservation lands. To more adequately represent habitat within existing conservation lands, FNAI worked with FWC to augment the original SHCA dataset to include potential habitat within conservation lands for all 62 focal species. The modified SHCAs include habitat data for 62 terrestrial vertebrate species and are prioritized into five priority classes based on rarity (FNAI State and Global ranks). For more information on the modified SHCAs, see the Cons. Needs Assessment Tech. Report: <http://www.fnai.org/FlForever.cfm>. Note that the 2009 SHCAs constitute a significant revision of the original SHCAs published in 1994 which identified approximately 4 million acres for 30 focal vertebrate species. For more information: http://research.myfwc.com/features/view_article.asp?id=29815.

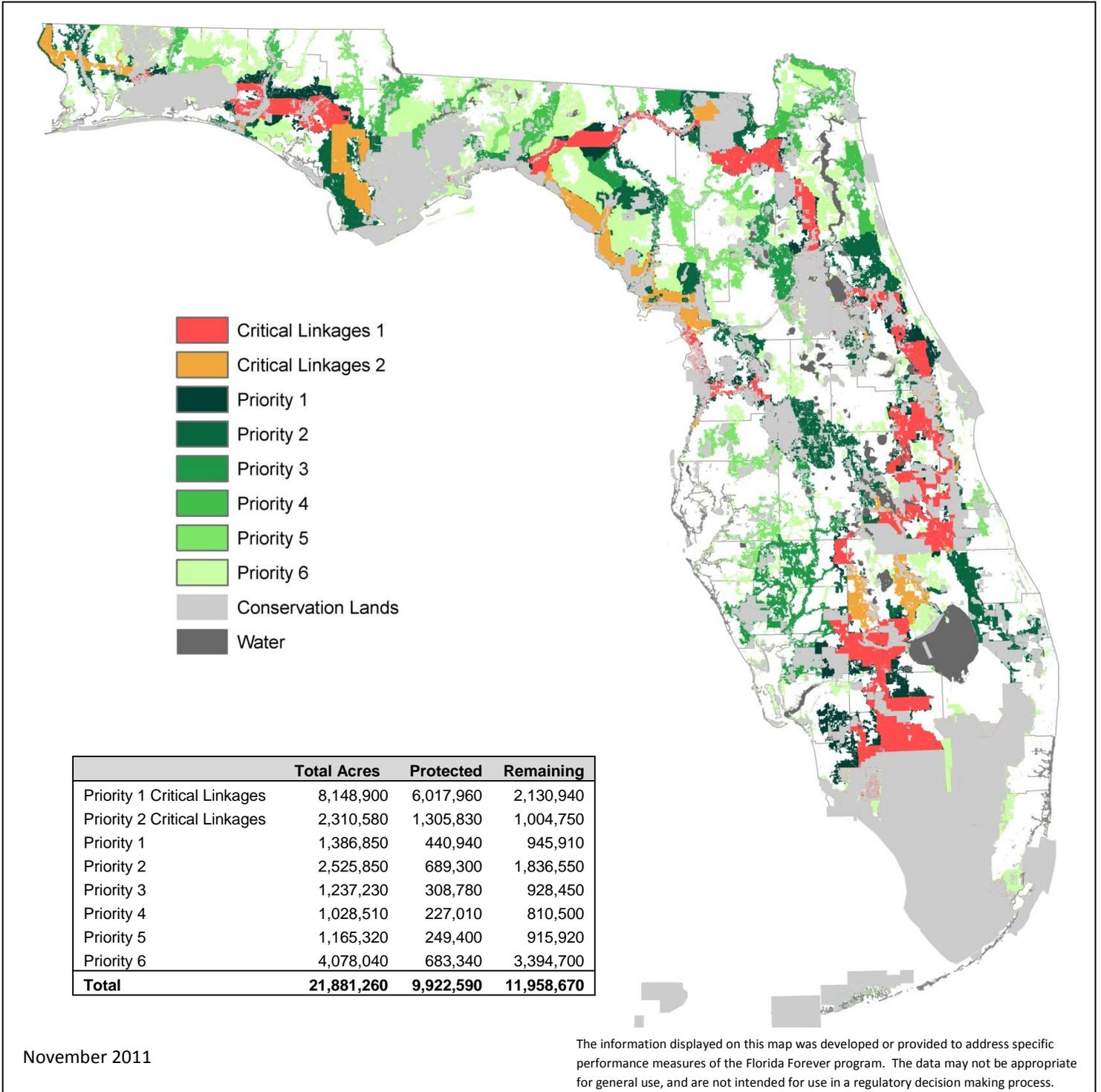
Rare Species Habitat Conservation Priorities



Primary Source: Florida Natural Areas Inventory

Description: The Rare Species Habitat Conservation Priorities data layer includes occurrence-based habitat for 248 species with a high conservation need including plants, invertebrates, and vertebrates. Individual species maps are weighted according to conservation need and overlaid to reflect values for both rarity and richness. The final layer prioritizes places on the landscape that would protect both the greatest number of rare species and those species with the greatest conservation need. For more information see the Conservation Needs Assessment Technical Report: <http://www.fnai.org/FIForever.cfm>.

Landscape Linkages



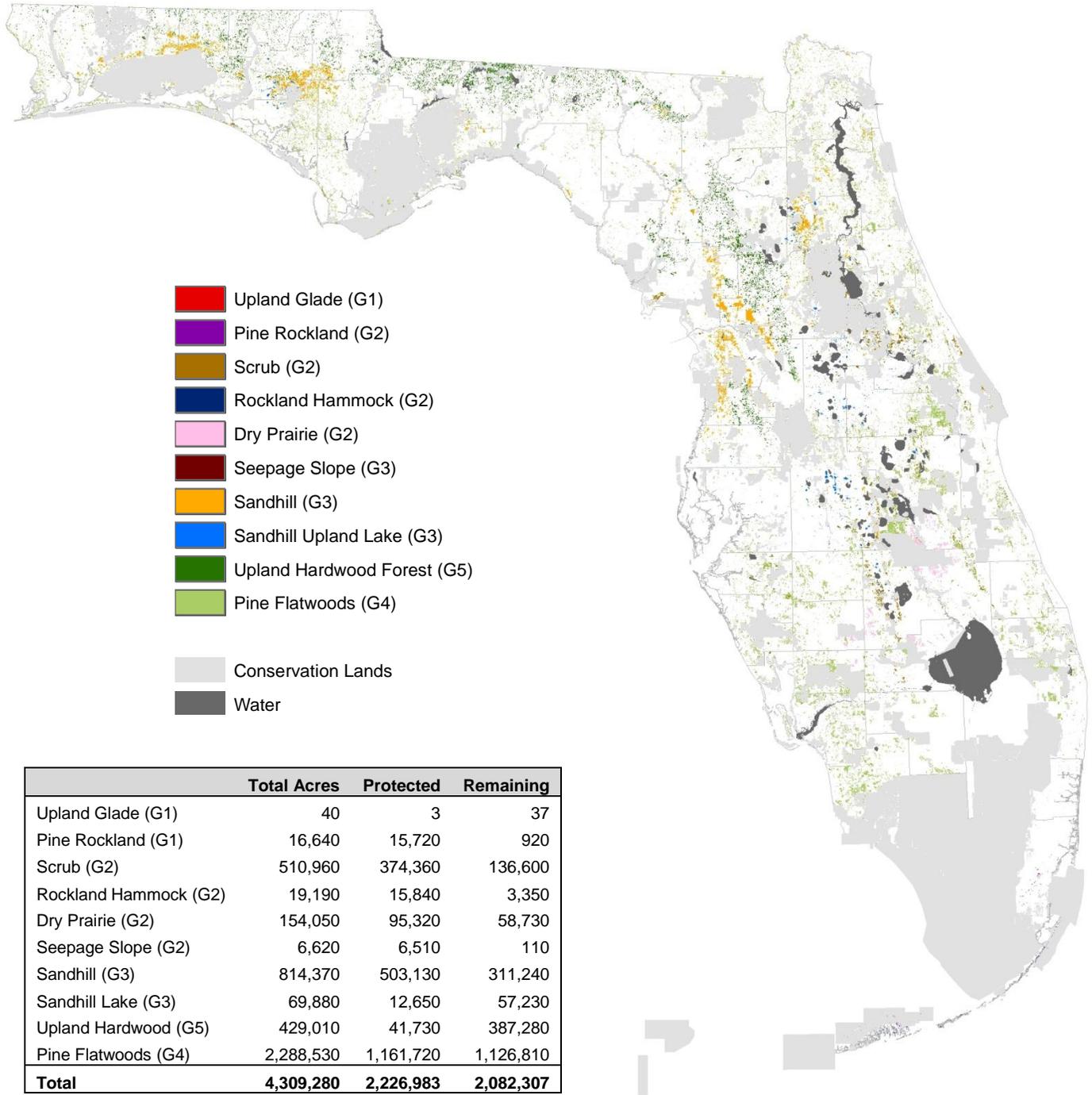
November 2011

The information displayed on this map was developed or provided to address specific performance measures of the Florida Forever program. The data may not be appropriate for general use, and are not intended for use in a regulatory decision making process.

Primary Source: University of Florida; FDEP/Office of Greenways and Trails

Description: Landscape Linkages is represented by the Ecological Greenways Network, a statewide system of landscape hubs, linkages, and conservation corridors. Prioritization is based on factors such as importance for wide-ranging species, importance for maintaining a connected reserve network, and riparian corridors. Critical Linkages are considered most important for completing a statewide ecological network of public and private conservation lands. For more information: <http://www.dep.state.fl.us/gwt/network/network.htm>

Under-represented Ecosystems



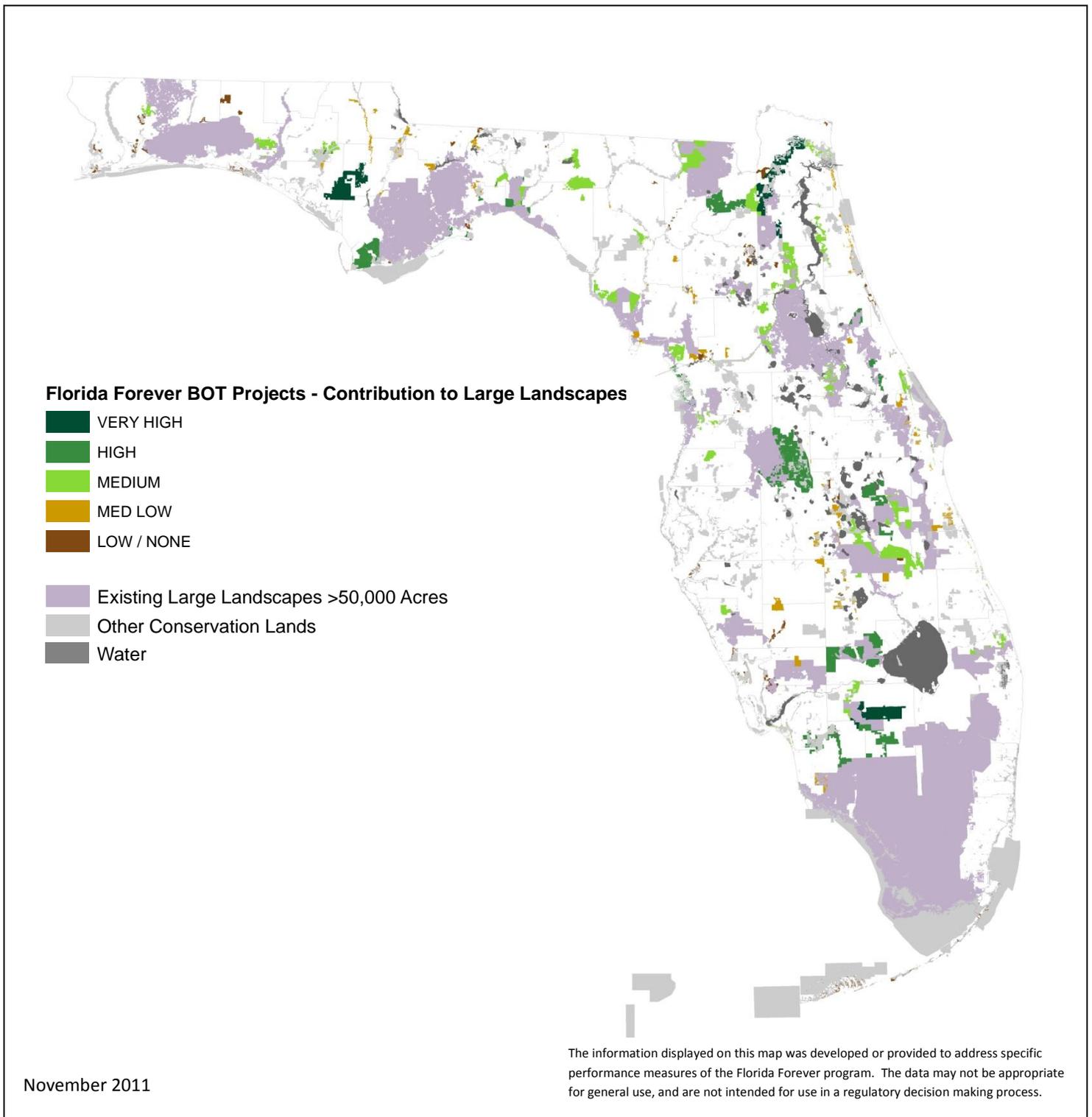
November 2011

The information displayed on this map was developed or provided to address specific performance measures of the Florida Forever program. The data may not be appropriate for general use, and are not intended for use in a regulatory decision making process.

Primary Source: Florida Natural Areas Inventory

Description: This data layer includes natural communities that are inadequately represented on conservation lands. A natural community generally is considered under-represented if less than 15% of the original extent of that community in Florida is currently found on existing conservation lands. The natural communities are prioritized by rarity (FNAI Global rank). For more information see the Conservation Needs Assessment Technical Report: <http://www.fnai.org/FlForever.cfm>.

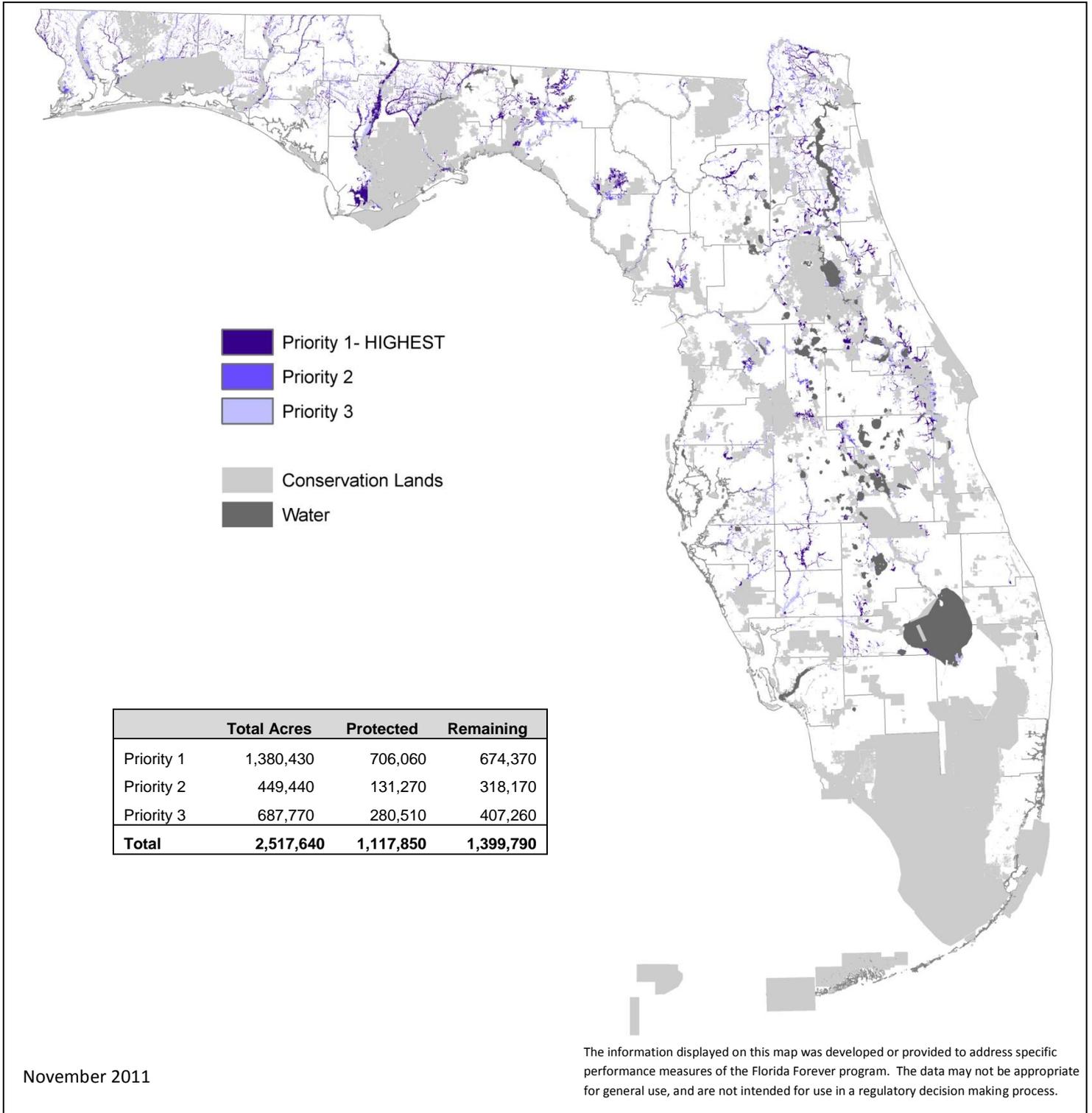
Large Landscapes



Primary Source: Florida Natural Areas Inventory

Description: The Large Landscapes dataset depicts existing conservation land complexes that comprise contiguous areas of >50,000 acres. Current Florida Forever BOT Projects are prioritized based on their potential contribution to large landscapes >50,000 acres. Protection of these areas would contribute to maintenance of ecosystem processes on a landscape level. For more information see the Conservation Needs Assessment Technical Report: <http://www.fnai.org/FIForever.cfm>.

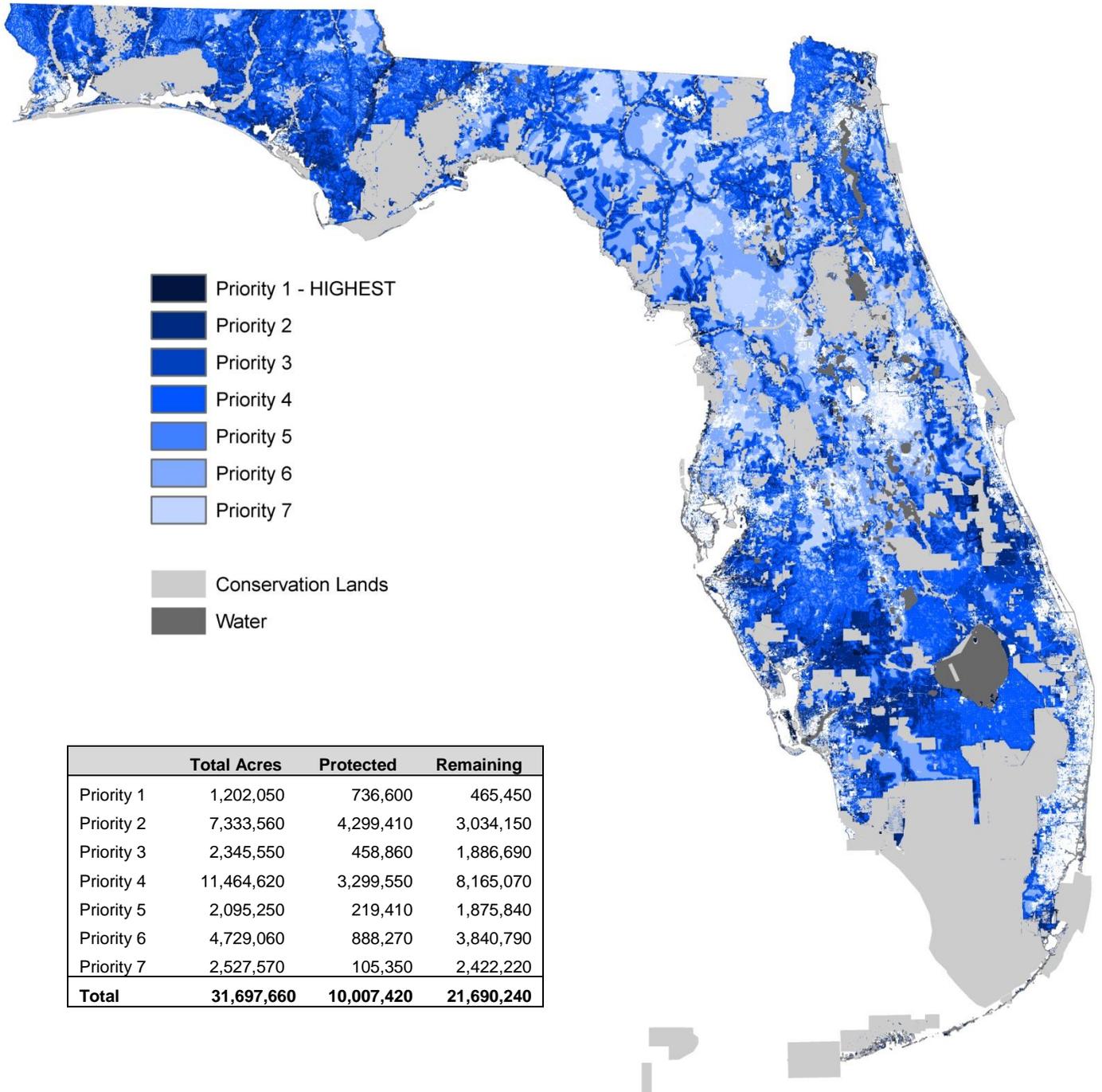
Natural Floodplain Function



Primary Source: Florida Natural Areas Inventory

Description: This data layer identifies natural floodplain of major rivers and their tributaries based on 2003 FWC Landsat land cover data and to a lesser degree Water Management District land use/land cover data. The data were prioritized based on the degree of “naturalness” of the floodplain, which was estimated through the use of FNAI Potential Natural Areas (PNA). For more information see the Conservation Needs Assessment Technical Report: <http://www.fnai.org/FIForever.cfm>.

Surface Water Protection



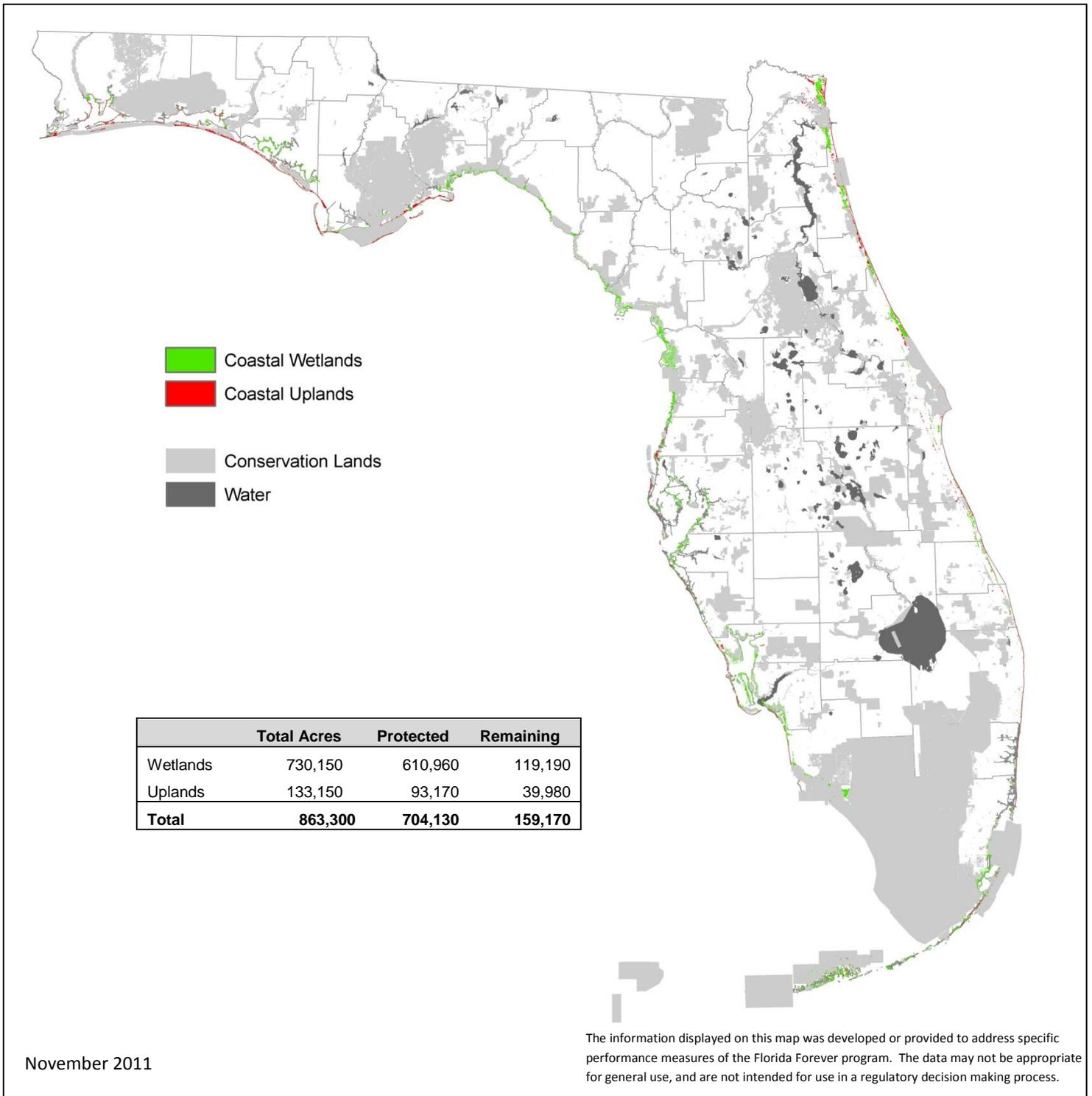
The information displayed on this map was developed or provided to address specific performance measures of the Florida Forever program. The data may not be appropriate for general use, and are not intended for use in a regulatory decision making process.

November 2011

Primary Source: Florida Natural Areas Inventory in collaboration with water resource experts

Description: The surface water data identifies significant high quality surface waters of the state, which include the following: Outstanding Florida Waters, National Scenic Waters and National Estuaries, shellfish harvesting areas, seagrass beds, springs, water supply and waters important for imperiled fish. The data are prioritized based on proximity to a water body, stream order, downstream length, basin size and other factors. For more information see the Conservation Needs Assessment Technical Report: <http://www.fnai.org/FLForever.cfm>.

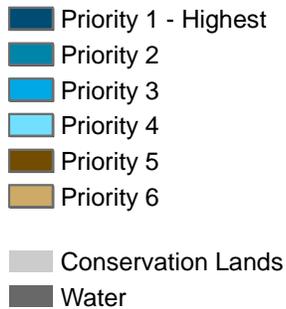
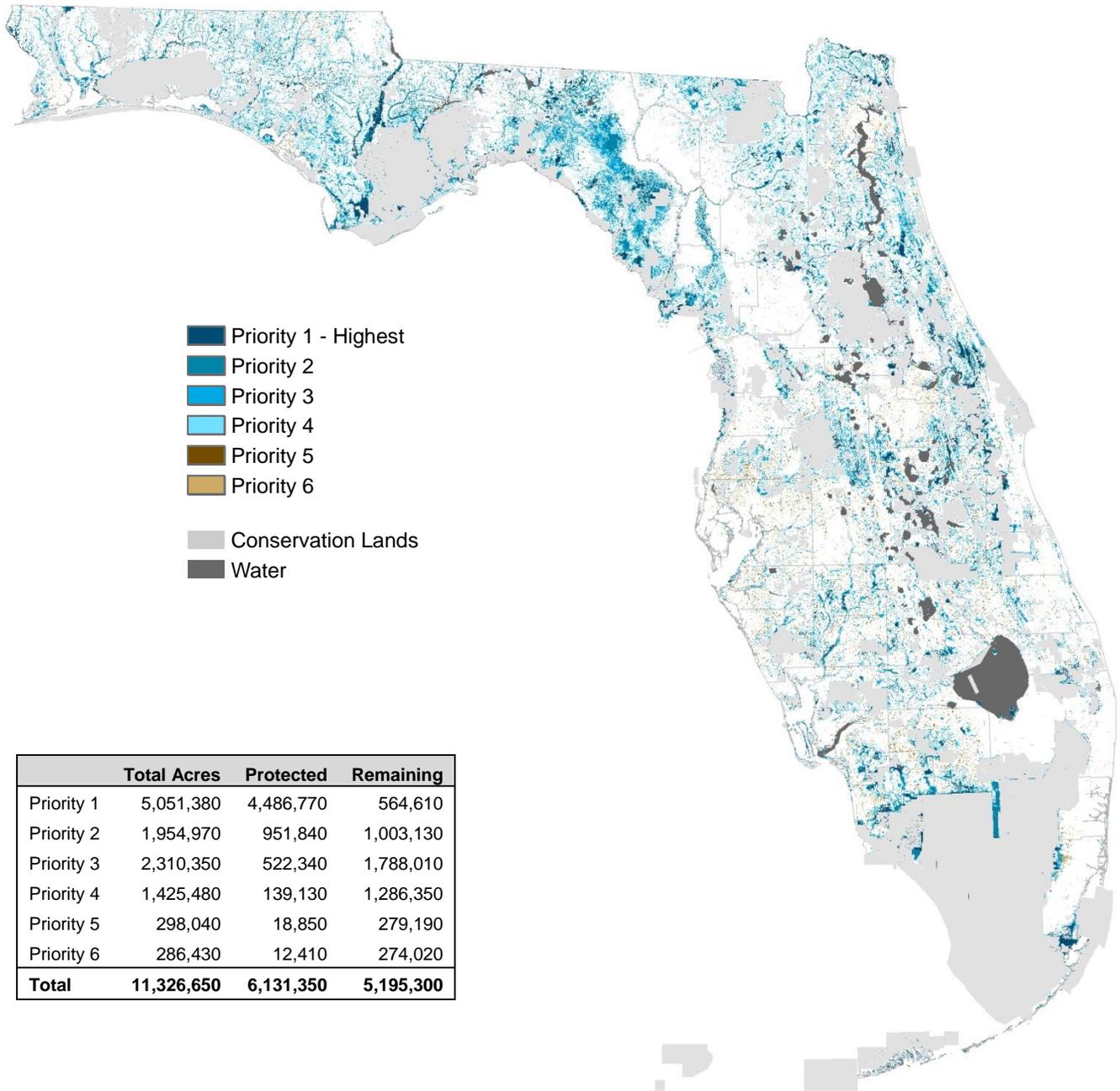
Fragile Coastal Resources



Primary Source: Florida Natural Areas Inventory

Description: The fragile coastal resources data layer identifies natural communities within one mile of the coast that are most vulnerable to disturbance or development including beach dune (G3), coastal scrub (G2), coastal grasslands (G3), coastal strand (G2), maritime hammock (G3), mangrove wetlands (G5) and salt marsh (G5). For more information see the Conservation Needs Assessment Technical Report: <http://www.fnai.org/FIForever.cfm>.

Functional Wetlands



	Total Acres	Protected	Remaining
Priority 1	5,051,380	4,486,770	564,610
Priority 2	1,954,970	951,840	1,003,130
Priority 3	2,310,350	522,340	1,788,010
Priority 4	1,425,480	139,130	1,286,350
Priority 5	298,040	18,850	279,190
Priority 6	286,430	12,410	274,020
Total	11,326,650	6,131,350	5,195,300

November 2011

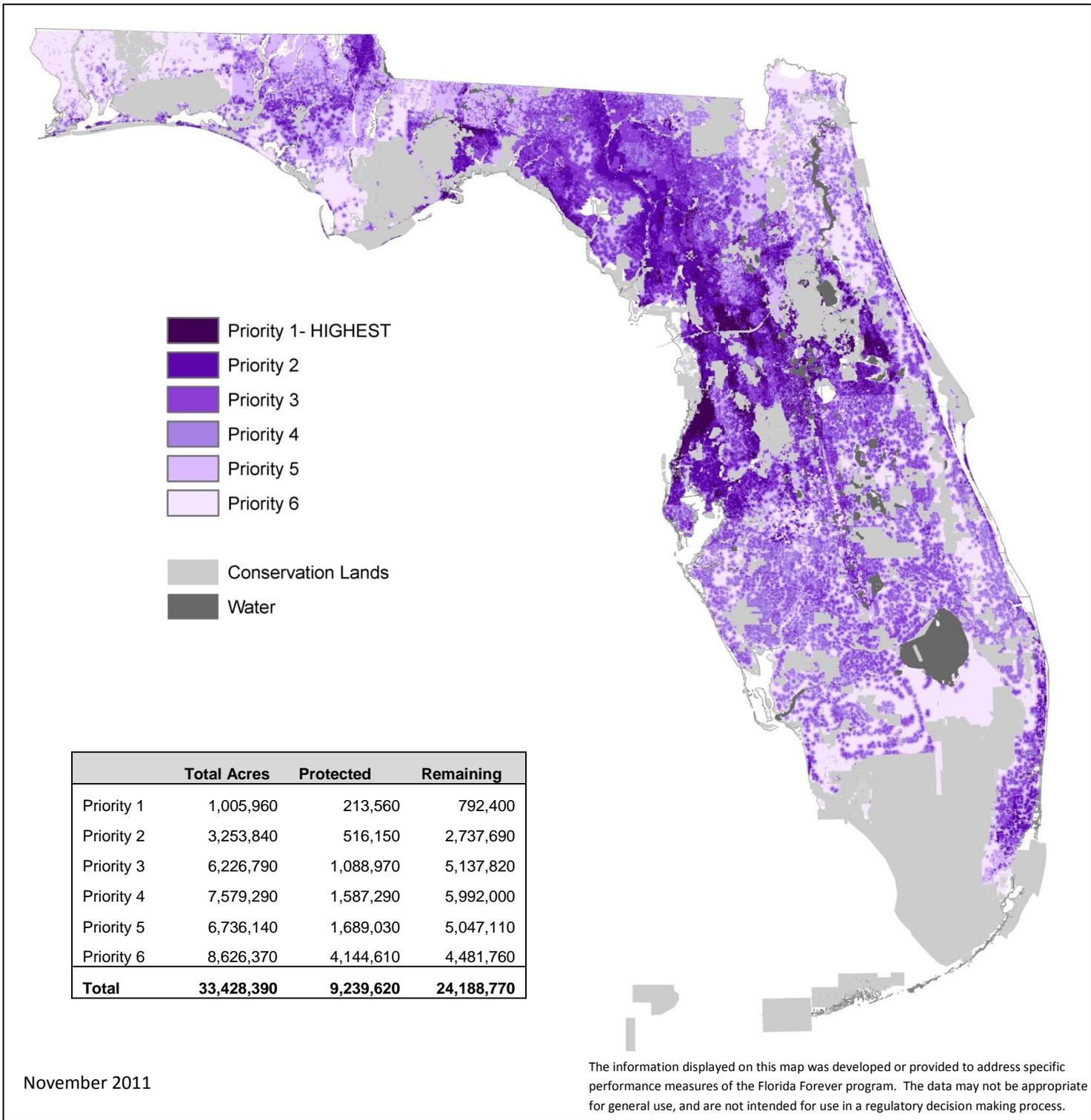
The information displayed on this map was developed or provided to address specific performance measures of the Florida Forever program. The data may not be appropriate for general use, and are not intended for use in a regulatory decision making process.

Primary Source: Florida Natural Areas Inventory

Description: The Functional Wetlands data layer is based on wetlands identified in the Cooperative Land Cover Map. Functional wetlands are defined as those in a more natural state and the prioritization is based on overlap with Land Use Intensity index and FNAI Potential Natural Areas. For more information see the Conservation Needs Assessment Technical Report:

<http://www.fnai.org/FIForever.cfm>.

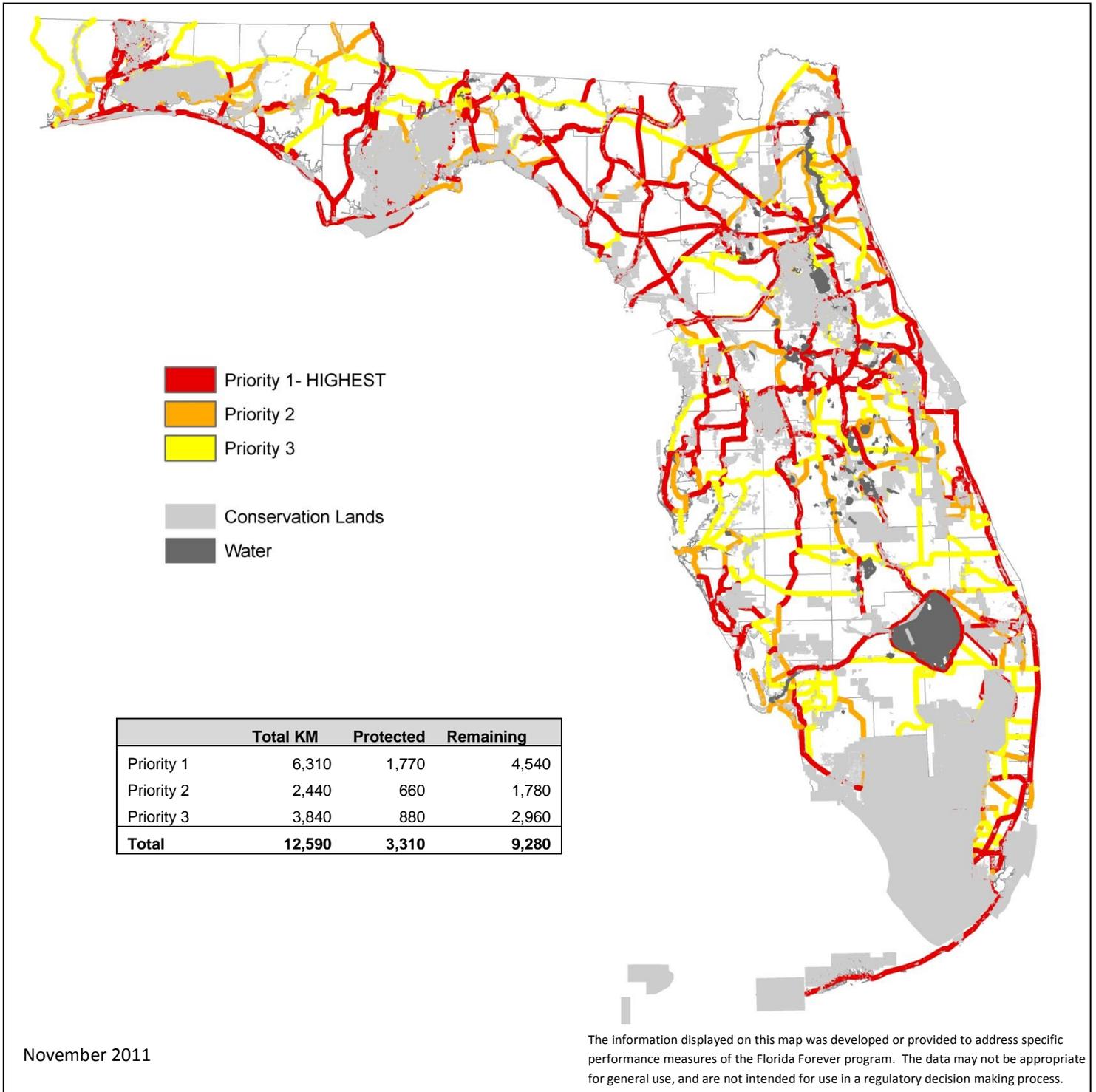
Groundwater Recharge



Primary Source: Advanced Geospatial, Inc; Florida Natural Areas Inventory

Description: The ground water recharge data layer identifies areas of potential recharge important for natural systems and human use. The data are prioritized based on features that contribute to aquifer vulnerability such as thickness of the intermediate aquifer confining unit and closed topographical depressions, as well as areas within springshed protection zones and in proximity to public water supply wells. For more information see the Conservation Needs Assessment Technical Report: <http://www.fnai.org/FIForever.cfm>.

Recreational Trails

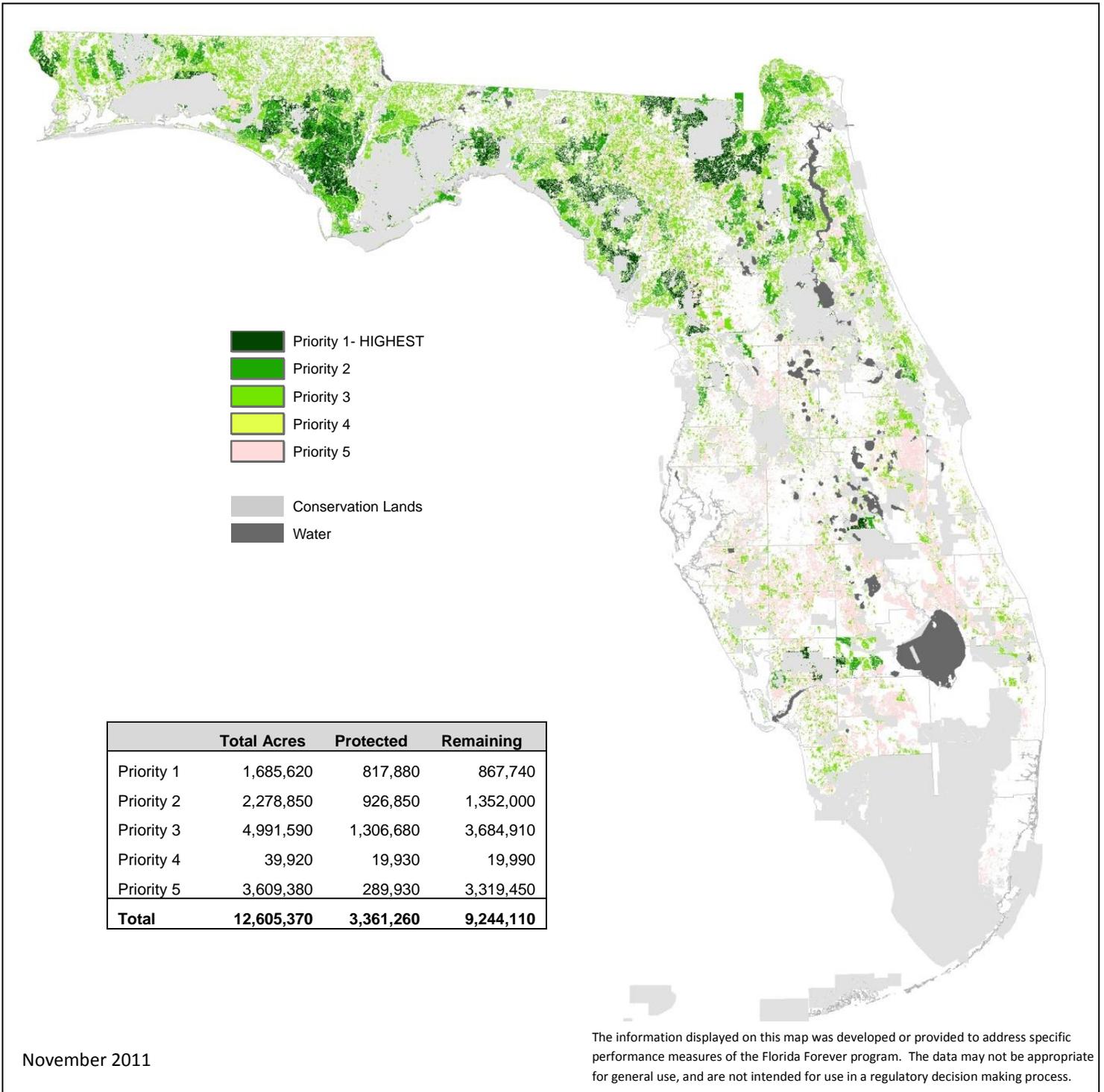


Primary Source: DEP/Office of Greenways and Trails

Description: The Trails data layer is based on the Trail Opportunities Network developed as part of the Florida Greenways and Trails System to identify a set of potential trail corridors that provide a connected set of linear recreational opportunities statewide. Sub-network corridors for hiking (primarily the Florida National Scenic Trail) and multi-use are included and prioritization is based on the 2008 Update and Prioritization of Florida’s Trail Network. For more information:

<http://www.dep.state.fl.us/gwt/network/network.htm>

Sustainable Forestry



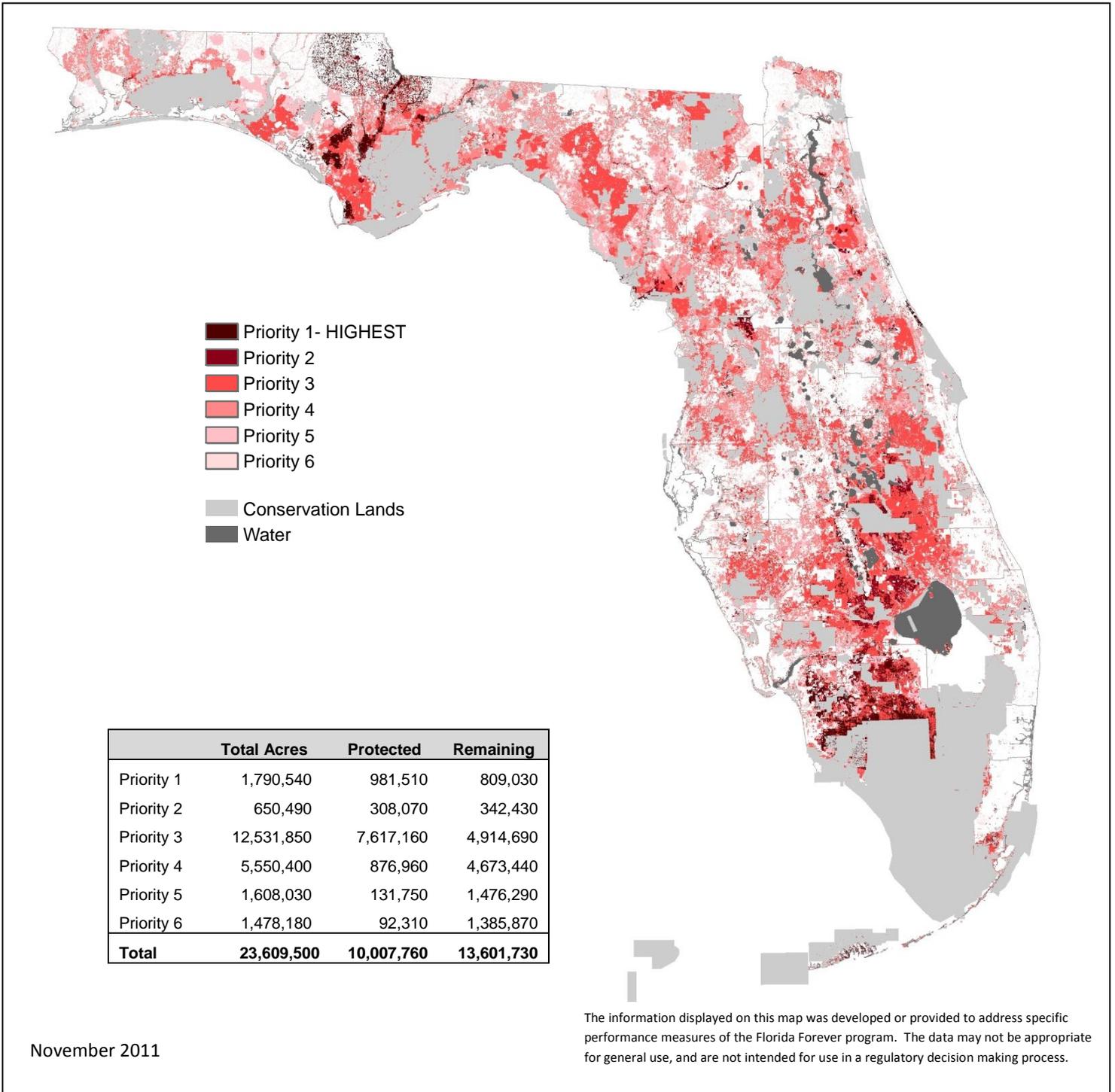
Primary Source: Florida Forest Service; Florida Natural Areas Inventory

Description: The Sustainable Forestry data layer identifies existing pinelands (natural and planted) and former pinelands that are potentially available for forest management. Prioritization is based on 4 criteria set by the Florida Forest Service: whether trees are natural or planted, size of tract, distance to market, and hydrology. Large tracts of natural pine on mesic soils (versus very dry or wet) that are within 50 miles of a mill receive the highest priority. Former pinelands that currently do not have trees receive the lowest priority. For more information see the Conservation Needs Assessment Technical Report:

<http://www.fnai.org/FIForever.cfm>.

Species

Combined Strategic Habitat Conservation Areas and Rare Species Habitat Conservation Priorities

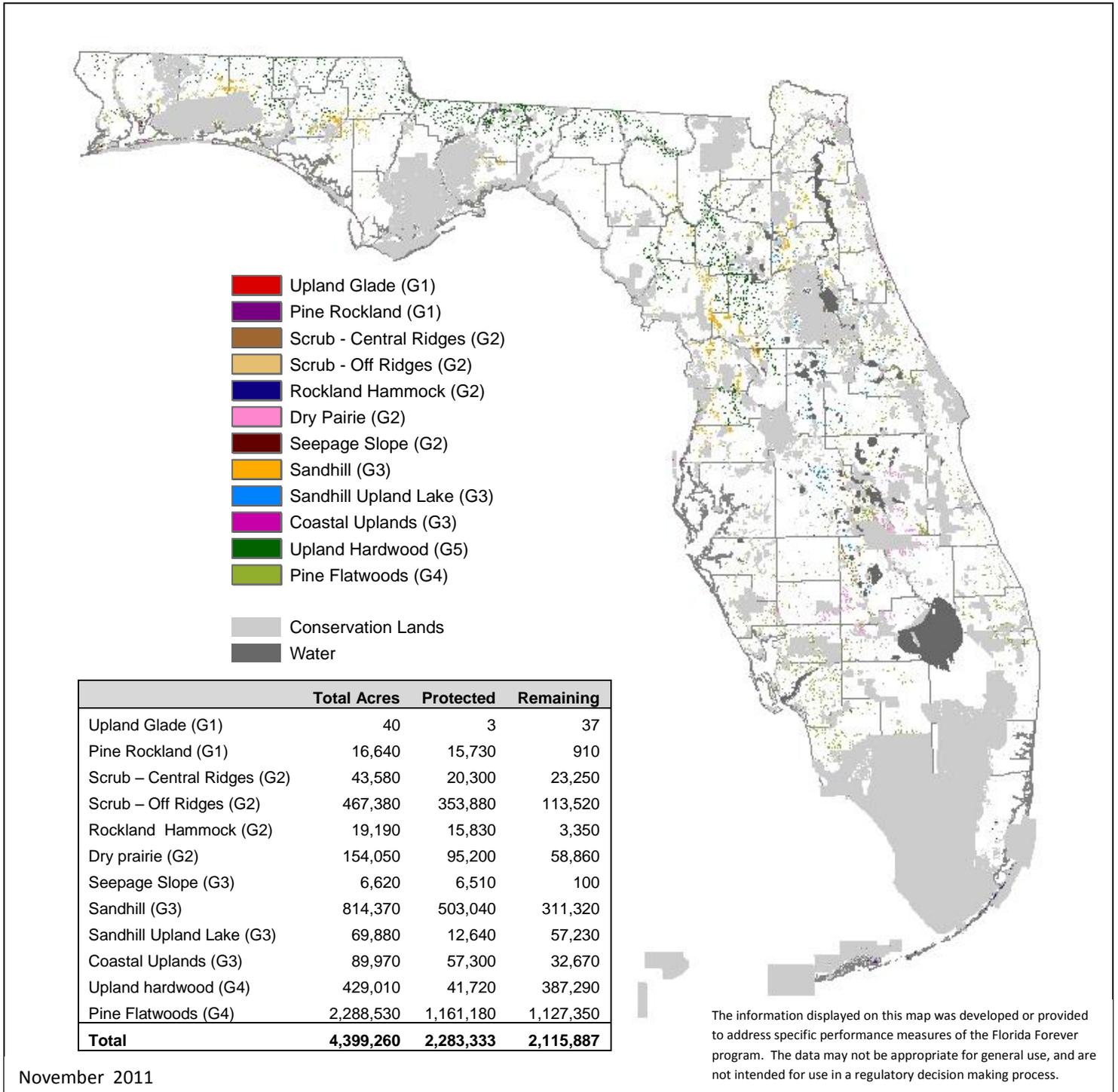


Primary Sources: Florida Fish and Wildlife Conservation Commission; Florida Natural Areas Inventory

Description: The Strategic Habitat Conservation Areas and FNAI Habitat Conservation Priorities identify habitat for some of the same species. Twenty-eight species were included in both the final SHCA and FNAI habitat analyses. In order to minimize this redundancy the Species data layer combines information from these two layers. Please refer to the Decision Support Data Documentation (<http://www.fnai.org/FIForever.cfm>) for an explanation of how priority classes were assigned in the combination of the two data layers.

Natural Communities

Combined Under-represented Ecosystems and Fragile Coastal Resources (Uplands)



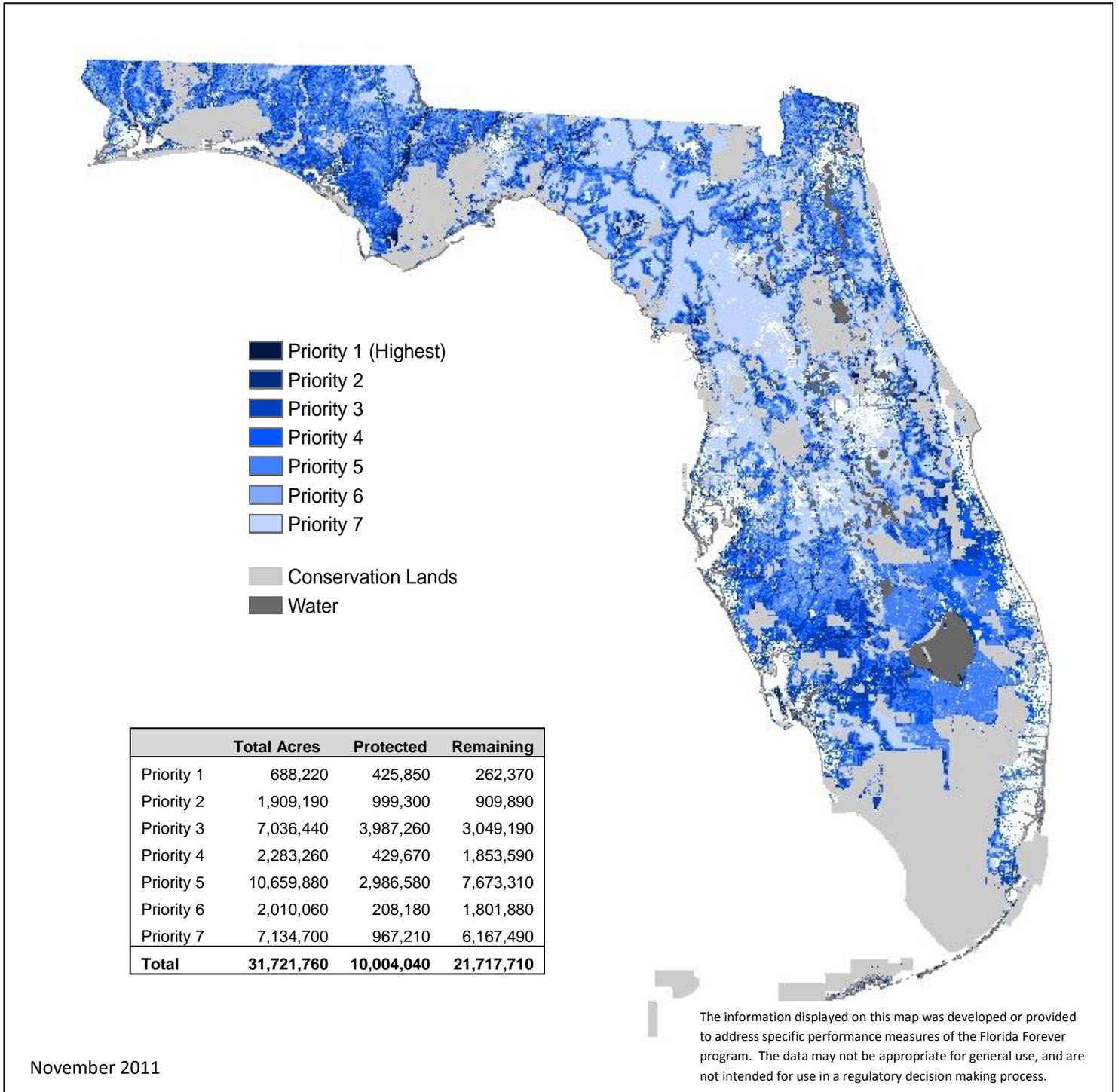
November 2011

Primary Source: FNAI

Description: The Natural Community data layer is made up of natural communities under-represented on conservation lands, which include upland glades, pine rocklands, scrub, rockland hammock, dry prairie, seepage slope/bog, sandhill, sandhill upland lake, upland hardwood forest, and pine flatwoods; and fragile coastal upland resources, which include beach dune, coastal scrub, coastal grasslands, coastal strand, maritime hammock. Mangrove and Salt Marsh (G5) are included in the Functional Wetlands data layer. This data layer is prioritized based on the Global Rank of the natural communities.

Surface Waters

Combined Natural Floodplain and Significant Surface Waters



Primary Source: FNAI

Description: The Surface Waters data layer identifies lands that protect natural floodplain and significant surface waters of the state, which include Outstanding Florida Waters, National Scenic Waters and National Estuaries, shellfish harvesting areas, seagrass beds, springs, water supply and waters important for imperiled fish. Please refer to the Decision Support Data Documentation (<http://www.fnai.org/FIForever.cfm>) for an explanation of how priority classes were assigned in the combination of the floodplain and surface waters data layers.

KRISTINA JANOLO, MISS FLORIDA 2011

Kristina Janolo was crowned Miss Florida 2011 at the 76th Annual Miss Florida Pageant, July 9, 2011 in St. Petersburg, Florida winning preliminary Interview, Swimsuit, and Evening Wear. She will advance to the Miss America Pageant to represent the Sunshine State in Las Vegas, Nevada, January 14, 2012. Kristina has competed in the Miss America Scholarship Organization for five years and has earned over \$30,000 in scholarship money for use in obtaining her higher education. She is currently a senior at the University of Central Florida majoring in Marketing. Her career goal is to become an executive director for a non-profit organization.

Kristina's platform is America's Wake Up Call – Protect Our Environment and she is focused on reminding Americans that we all must protect the air we breathe, the water we drink, and the natural areas we treasure. As a spokesperson for Florida's Everglades, Kristina will advocate the protection and restoration of one of the world's unique natural ecosystems that provides economic, recreational and life-sustaining benefits to the millions of people who depend on its future health.

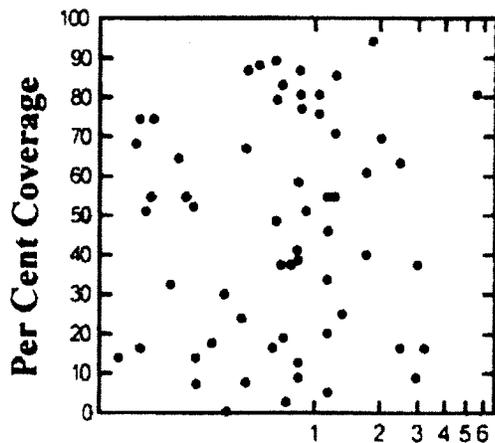
Kristina is the first Filipino American to win the title of Miss Florida and hopes to be the second Asian crowned as Miss America.



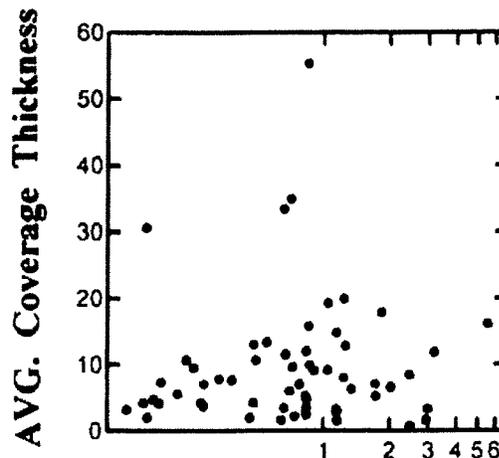
-----EXCERPTS FROM-----

R. Jan Stevenson, et all, "Ecological Condition of Algae and Nutrients in Florida Springs" June 8, 2004 DEP Contract Number WM 858

The scatter graphs below are the result of sampling 59 sites at 28 major Florida Springs.



TN mg/L Fig. 2.10



TN mg/L Fig. 2.11

Notes;

1; Obvious is the complete scatter of the real readings and lack of correlation for both the % Cover or Matt Density

2; There is no obvious trend indicating that lower Nitrogen levels would result in less alga.

-----In the "Executive Summary" the Author, Jan Stevenson clearly indicates-----

"Regulation of Nitrogen "MAY" control macroalgal growths in Florida Springs, "BUT" **more evidence** is required for development of specific nutrient criteria".

JB 2/25/07

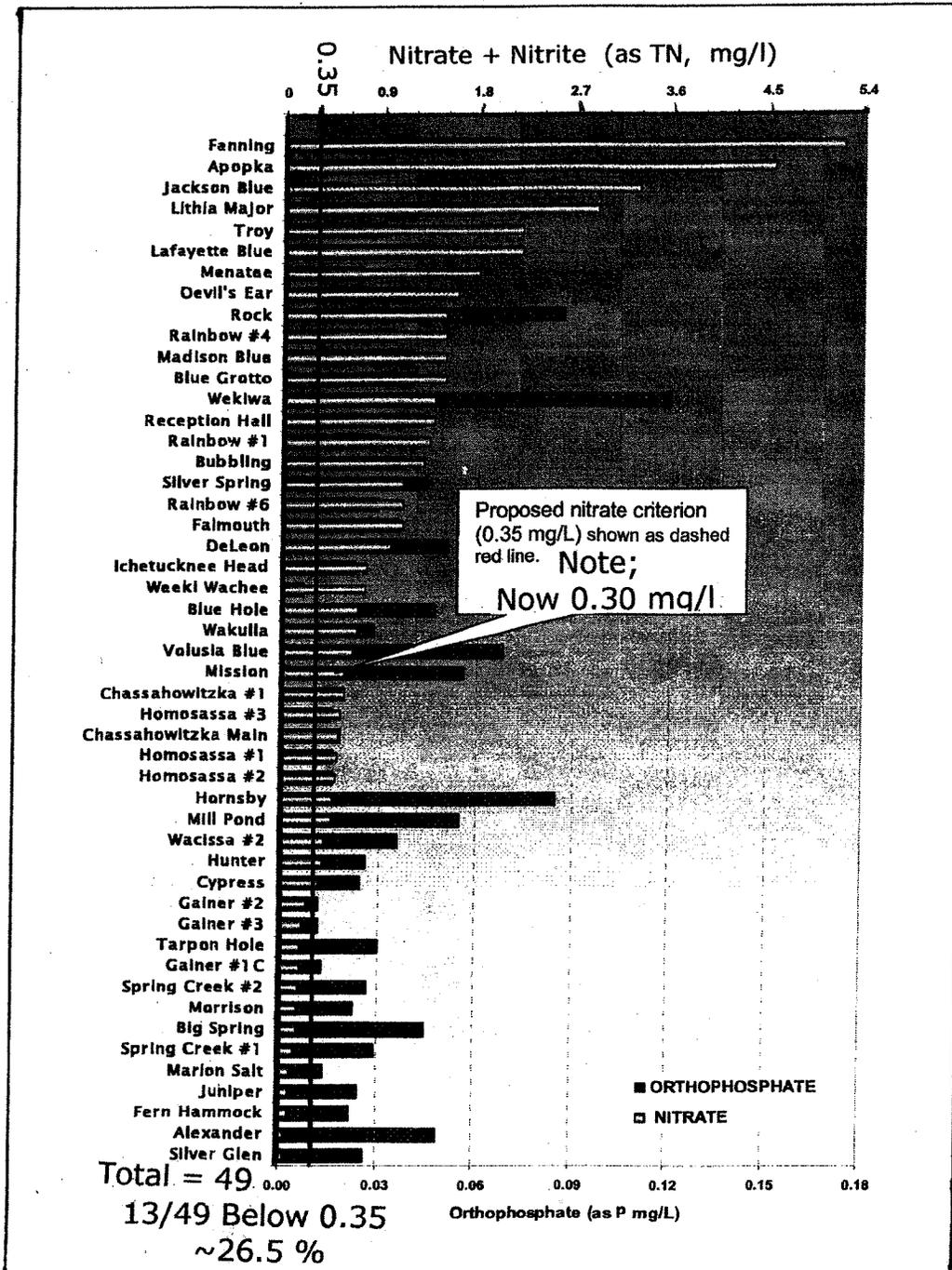
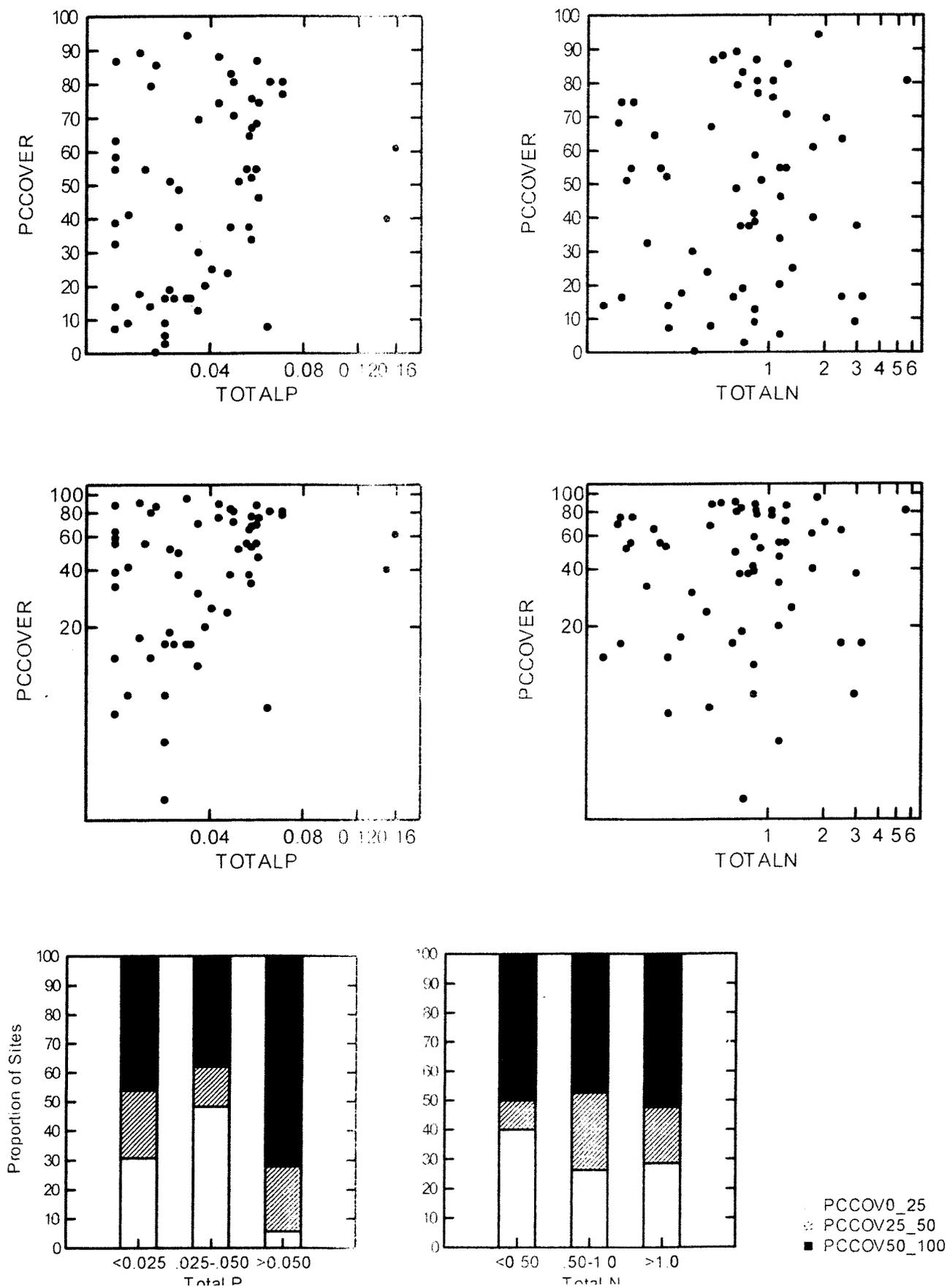
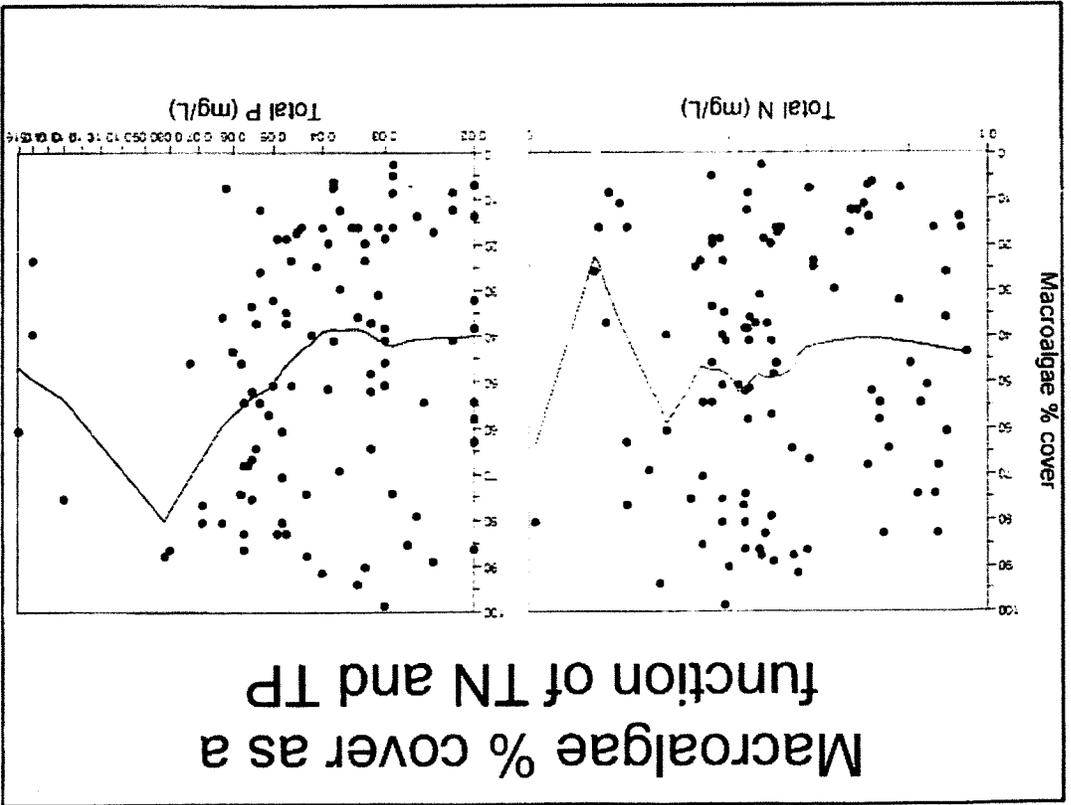
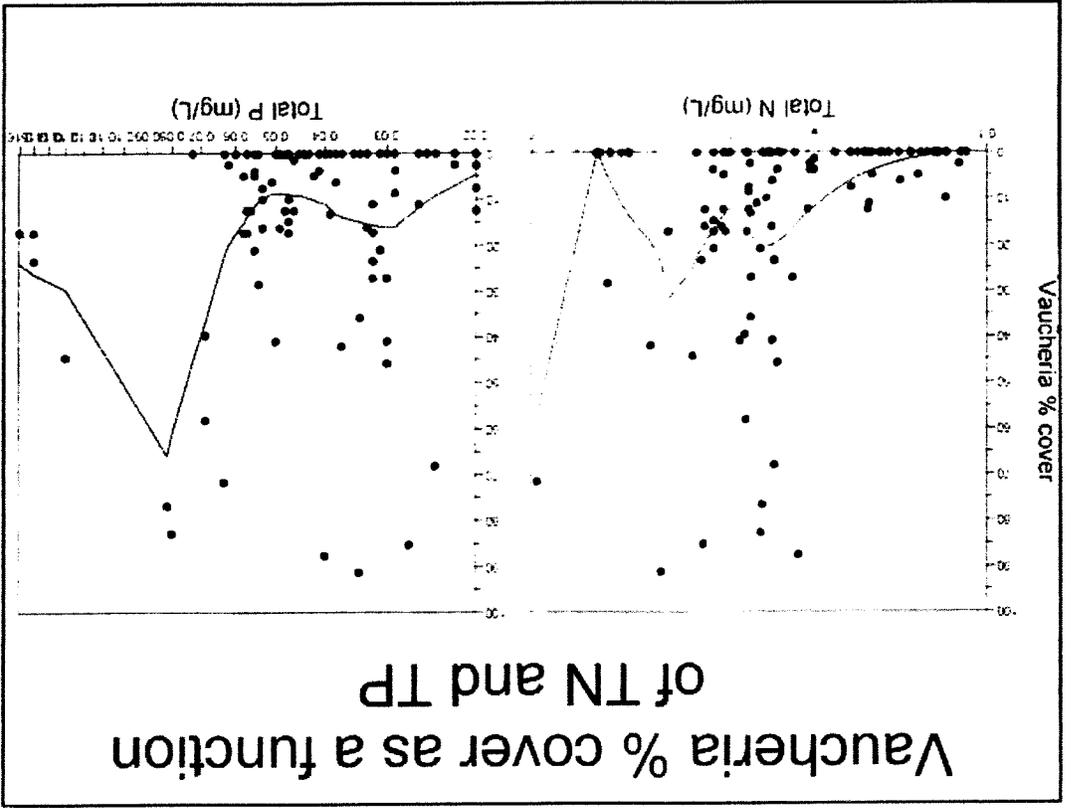


Figure 8: Nitrate and Orthophosphate in Network Springs (2001-2006)

Figure 2.10

Macroalgae percent cover (PCCOVER) as a function of water TN and TP for all sites (scatter plots) and grouped into 3 categories: 0-25%, 25-50% and over 50% (bar plots) in the fall.





CourtSmart Tag Report

Room: EL 110 Case:
Caption: Senate Environmental Preservation and Conservation

Type:
Judge:

Started: 12/6/2011 9:32:51 AM
Ends: 12/6/2011 11:25:50 AM Length: 01:53:00

9:33:20 AM Call to order
9:33:32 AM Roll Call
9:35:38 AM Tab 2 - SB 804
9:36:00 AM Vice-chair takes the chair
9:36:11 AM Senator Dean presents SB 804
9:36:49 AM Introduction of amendment to SB 804
9:36:59 AM Senator Dean explains amendment
9:37:45 AM Amendment adopted
9:37:53 AM Second amendment introduced
9:37:59 AM Senator Dean presents amendment
9:38:37 AM Senator Rich question
9:39:01 AM Senator Dean responds
9:39:18 AM Jackie Falls (Fish and Wildlife Commission) responds to Senator Rich's question
9:40:09 AM Senator Sobel question
9:40:48 AM Follow up question
9:40:56 AM Ms. Fauls responds
9:41:27 AM Chair comments
9:42:21 AM Ms. Fauls responds
9:42:57 AM Colonel Jim Brown testifies
9:43:40 AM Call for questions/discussion
9:43:56 AM Senator Rich
9:44:31 AM Call for vote on amendment
9:44:46 AM Amendment adopted
9:44:52 AM Third amendment introduced by Senator Dean
9:46:30 AM Call for discussion
9:46:34 AM Senator Sobel
9:46:54 AM Senator Dean
9:47:31 AM Senator Sobel
9:47:55 AM Senator Dean
9:48:39 AM Question from the chair
9:48:47 AM Senator Dean responds
9:49:28 AM Call for speakers
9:49:40 AM Colleen Dunne - Assistant state's attorney
9:53:22 AM Colonel Jim Brown
9:54:39 AM Dennis Ward
9:54:54 AM (State attorney for Florida Keys)
9:56:49 AM Question from the vice-chair (Senator Oelrich)
9:57:38 AM Jerry Sansom
10:01:34 AM Senator Sobel
10:02:06 AM Senator Latvala
10:02:56 AM Mr. Sansom responds
10:04:30 AM Senator Oelrich comments
10:05:19 AM Jerry Sansom (spelled correctly) responds
10:05:44 AM Chair calls for vote on amendment
10:05:57 AM Amendment adopted
10:06:03 AM (back on the bill as amended)
10:06:15 AM Senator Jones comment
10:07:29 AM Chair comments
10:07:59 AM Jackie Falls comments on killing the Fish and Wildlife publication
10:08:40 AM Senator Jones
10:08:57 AM Ms. Fauls responds
10:10:13 AM Lane Stephens testifies

10:12:27 AM Senator Rich comments
10:13:09 AM Senator Dean closes
10:13:41 AM Roll Call on SB 804
10:14:07 AM Bill passes
10:14:10 AM Senator Dean has the chair again
10:14:22 AM Tab 1
10:14:25 AM Senator Storms presents SB 602
10:17:40 AM Call for questions
10:17:44 AM Senator Latvala
10:18:15 AM Senator Storm responds
10:18:37 AM Senator Latvala
10:18:56 AM Pepper Wakeman responds
10:19:46 AM Senator Latvala follows up with Pepper
10:20:31 AM Pepper responds
10:20:47 AM Senator Latvala responds
10:22:16 AM Senator Rich question
10:22:34 AM Senator Storm responds
10:24:58 AM Senator Rich
10:25:24 AM Pepper responds
10:25:48 AM Senator Rich comments
10:26:06 AM Mr. Stephens asked by chair to comment
10:27:13 AM Senator Latvala
10:28:25 AM Chair comments
10:28:49 AM Ryan Mathews comments
10:29:41 AM Senator Latvala
10:29:49 AM Senator Oelrich question
10:31:25 AM Senator Rich comment
10:32:20 AM Senator Storms invited to close
10:32:36 AM Roll Call vote on SB 602
10:33:03 AM Chair is passed to Senator Oelrich
10:33:11 AM Tab 3
10:33:15 AM Senator Dean recognized to explain bill
10:34:39 AM Chair
10:35:42 AM 1st amendment is introduced by Senator Dean
10:37:27 AM Senator Detert question
10:37:51 AM Senator Dean responds
10:38:54 AM Frank Matthews comments
10:40:59 AM Ms. Bowman with Nature Conservancy comments on amendment to amendment
10:42:07 AM Senator Latvala
10:43:03 AM Ms. Bowman responds
10:44:32 AM Senator Dean comments
10:45:59 AM Ms. Bowman responds
10:46:22 AM Amendment to amendment adopted
10:47:19 AM David Cullen testifies
10:48:37 AM Frank Bernardino for Polk County testifies
10:51:56 AM Senator Dean comments
10:52:49 AM Mr. Bernardino comments
10:53:51 AM Senator Dean comments
10:54:50 AM Joe Bourassa comments
10:57:45 AM Senator Oelrich
10:58:04 AM Mr. Bourassa responds
10:58:28 AM Senator Oelrich responds
10:59:09 AM Vote on amendment as amended
10:59:17 AM Amendment adopted
10:59:24 AM Discussion of bill as amended
10:59:35 AM Senator Dean waives his closing
10:59:49 AM Roll Call vote on CS 560
11:00:07 AM Bill passes
11:00:20 AM Tab 4 - confirmation hearing for members of board of water management district
11:01:07 AM Mr. Daniels for confirmation to SJRWMD
11:01:54 AM Senator Jones moves for confirmation
11:02:01 AM Vote on confirmation - passes

11:02:16 AM Tab 5 - confirmation of Juan Portoundo to SFWMD
11:02:51 AM Mr. Portuondo testifies
11:03:57 AM Senator Latvala moves for confirmation
11:04:03 AM Roll call vote on confirmation - passes
11:04:22 AM Tab 6 - Confirmation of Kevin Brown as Suwannee River WMD
11:06:55 AM Senator Oelrich moves for confirmation
11:07:04 AM Roll call vote on confirmation - passes
11:07:20 AM Tab 7 - presentation by Rich Budell
11:11:25 AM Senator Oelrich comments
11:12:10 AM Mr. Budell responds
11:12:53 AM Senator Oelrich question
11:13:06 AM Mr. Budell responds
11:17:27 AM Mr. Budell closes
11:17:36 AM Senator Oelrich question
11:18:25 AM Kristina Janolo testifies
11:20:51 AM Chair comments
11:21:09 AM Joe Bourassa comments
11:21:23 AM Senator Detert registers positive vote for SB 560
11:21:52 AM Back to Mr. Bourassa
11:25:30 AM Chair calls for other business
11:25:39 AM Senator Rich moves to close