

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

MEETING DATE: Wednesday, February 6, 2013
TIME: 3:00 —5:00 p.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Office Building

MEMBERS: Senator Dean, Chair; Senator Abruzzo, Vice Chair; Senators Altman, Bullard, Gardiner, Grimsley, Latvala, Simpson, and Soto

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 244 Dean (Identical H 7)	Water Management Districts; Providing for the adoption of certain reservations and minimum flows and levels by the Department of Environmental Protection; requiring water management districts to apply, without adopting by rule, the reservations, minimum flows and levels, and recovery and prevention strategies adopted by the department; requiring a regional water supply authority and the applicable water management district to jointly develop the water supply component of the regional water supply plan, etc. EP 02/06/2013 Favorable GO	Favorable Yeas 9 Nays 0
2	SB 326 Hays (Compare H 4007)	Powers and Duties of the Department of Environmental Protection; Removing an obsolete reference for purposes of calculating the reimbursement for transportation and utility crossings of greenways lands in Marion County; repealing a specified provision relating to additional powers and duties of the Department of Environmental Protection to dispose of surplus lands that were for the construction, operation, or promotion of a canal across the peninsula of the state and refund payments to counties, etc. EP 02/06/2013 Favorable CU AGG AP	Favorable Yeas 9 Nays 0
3	SB 364 Hays (Similar H 109)	Consumptive Use Permits for Development of Alternative Water Supplies; Revising conditions for issuance of permits; providing for the issuance, extension, and review of permits approved on or after a certain date, etc. EP 02/06/2013 Favorable CA AGG AP	Favorable Yeas 9 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Environmental Preservation and Conservation
Wednesday, February 6, 2013, 3:00 —5:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 412 Detert (Identical H 147)	Governing Board of the Southwest Florida Water Management District; Revising the number of governing board members and the membership residency requirements, etc. EP 02/06/2013 Temporarily Postponed CA RC	Temporarily Postponed

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.			
Environmental Regulation Commission			
5	Bauer, Michael R. (Naples)	07/01/2013	Recommend Confirm Yeas 9 Nays 0
6	Joyce, Joseph C. (Gainesville)	07/01/2015	Recommend Confirm Yeas 9 Nays 0
Governing Board of the South Florida Water Management District			
7	Waldman, Glenn J. (Weston)	03/01/2014	Recommend Confirm Yeas 9 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
	Other related meeting documents		

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 Committee on Environmental Preservation and Conservation

BILL: SB 244

INTRODUCER: Senator Dean

SUBJECT: Water Management Districts

DATE: February 5, 2013 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hinton	Uchino	EP	Favorable
2.	_____	_____	GO	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill provides the water management districts (WMDs, districts) with guidance concerning minimum flows and levels (MFLs), water reservations, and recovery or prevention strategies and multi-district projects by:

- requiring proposed water reservations and water bodies that may be affected by water withdrawals in an adjacent water management district to be identified on a district’s annual MFL priority list and schedule;
- directing the WMDs to provide technical information and staff support to the Department of Environmental Protection (DEP, department) when the department proposes adoption of a reservation, MFL, or recovery or prevention strategy by rule;
- requiring the WMDs to apply any reservation, MFL, or recovery or prevention strategy adopted by the DEP to the applicable water body without having to adopt its own district rules;
- granting authorization for the WMDs to enter into interagency agreements designating a single district to conduct or fund non-regulatory water management activities or projects that cross district boundaries;
- providing for joint regional water supply planning between WMDs and affected regional water supply authorities; and
- providing that WMD cooperative funding programs are not subject to rulemaking requirements.

This bill substantially amends the following sections of the Florida Statutes: 373.042, 373.046, 373.171, and 373.709.

II. Present Situation:

MFL Priority Lists and Rules

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 rulemaking 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 DEP or WMDs to establish MFLs for priority water bodies to prevent significant harm from water withdrawals. While the DEP has the authority to adopt MFLs under ch. 373, F.S., the WMDs have the primary responsibility for MFL adoption and all MFL adoption to date has been by the WMDs. The WMDs submit annual MFL priority lists and schedules to the DEP for review and approval. MFLs are considered rules by the WMDs and are subject to ch. 120, F.S., challenges. MFLs are established using the best available data and are subject to independent scientific peer review at the election of the WMD, or, if requested, by a third party.

Interagency Agreements

Section 373.046(6), F.S., currently provides that when the geographic area of a project or local government crosses WMD boundaries, the affected districts may enter into an interagency agreement that designates a single district to implement the regulatory responsibilities under ch. 373, F.S. However, no similar authority explicitly exists for designating a single district to implement non-regulatory water management activities or responsibilities that cross district boundaries. In addition, a WMD may not fund resource management activities in another WMD even if some benefits inure to it from the activities.

Cooperative Funding Programs

Section 373.171, F.S., authorizes WMD governing boards to adopt rules affecting the use of water pursuant to ch. 120, F.S. The WMDs currently operate cooperative funding programs including programs related to water supply development. The districts generally do not have rules relating to the operation of these programs.

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 plan¹. 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 Water Management District (SWFWMD) is required to jointly develop the water supply development component with a regional water supply authority.³

III. Effect of Proposed Changes:

Section 1 amends s. 373.042(2), F.S., to require the WMDs to include proposed water reservations and water bodies that may be affected by water withdrawals in an adjacent district on their annual MFL priority lists and schedules. The bill also adds a new section requiring a WMD to provide technical information and staff support to the DEP when the department proposes adoption by rule of a reservation, MFL, or recovery or prevention strategy. In addition, a WMD must apply any reservation, MFL, or recovery or prevention strategy adopted by the DEP to the applicable water body without having to adopt its own rules concerning that water body.

Section 2 amends s. 373.046 F.S., to provide clear legislative authority for 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 section 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 bill also clarifies that it does not impair any interagency agreement in effect on July 1, 2013.

Section 3 amends s. 373.171, F.S., to clarify that a WMD's cooperative funding programs are not subject to ch. 120, F.S., rulemaking requirements. However, parties may challenge the

¹ See s. 373.709, F.S.

² Section 373.709(2), F.S.

³ Section 373.709(3), F.S.

program pursuant to s. 120.569, F.S., if any part of the program affects their substantial interests. The bill is not expected to change the existing situation.

Section 4 amends s. 373.709, F.S., to broaden the existing provision that requires joint water supply planning between the SWFWMD and affected regional water supply authorities to apply statewide. Since the two active regional water supply authorities in the state are located within the SWFWMD, and all the WMDs currently closely coordinate with affected utilities in the development of their regional water supply plans, this section is not expected to substantially change the existing situation.

Section 5 provides an effective date of July 1, 2013.

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:

When a district provides staff support to the DEP for the department's adoption of a reservation, MFL, or recovery or prevention strategy, the district will pay the salaries of the employees who provide assistance. This may reduce the amount of salary dollars available for other planned projects within the district. Because the department adopted rule can be used by all affected WMDs without additional rulemaking, there will be an indeterminate savings of rulemaking costs.

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.

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

By Senator Dean

5-00393-13

2013244

1 A bill to be entitled
2 An act relating to water management districts;
3 amending s. 373.042, F.S.; requiring water management
4 districts to include certain reservations and water
5 bodies in priority lists and schedules; providing for
6 the adoption of certain reservations and minimum flows
7 and levels by the Department of Environmental
8 Protection; requiring water management districts to
9 apply, without adopting by rule, the reservations,
10 minimum flows and levels, and recovery and prevention
11 strategies adopted by the department; amending s.
12 373.046, F.S.; authorizing water management districts
13 to enter into interagency agreements for resource
14 management activities under specified conditions;
15 providing applicability; amending s. 373.171, F.S.;
16 exempting cooperative funding programs from certain
17 rulemaking requirements; amending s. 373.709, F.S.,
18 relating to regional water supply planning; removing a
19 reference to the Southwest Florida Water Management
20 District; requiring a regional water supply authority
21 and the applicable water management district to
22 jointly develop the water supply component of the
23 regional water supply plan; providing an effective
24 date.

25
26 Be It Enacted by the Legislature of the State of Florida:
27

28 Section 1. Subsections (4) and (5) of section 373.042,
29 Florida Statutes, are renumbered as subsections (5) and (6),

5-00393-13

2013244

30 respectively, a new subsection (4) is added to that section, and
31 subsection (2) of that section is amended, to read:

32 373.042 Minimum flows and levels.—

33 (2) By November 15, 1997, and annually thereafter, each
34 water management district shall submit to the department for
35 review and approval a priority list and schedule for the
36 establishment of minimum flows and levels for surface
37 watercourses, aquifers, and surface waters within the district.
38 The priority list and schedule shall ~~also~~ identify those listed
39 water bodies for which the district will voluntarily undertake
40 independent scientific peer review; any reservations proposed by
41 the district to be established pursuant to s. 373.223(4); and
42 those listed water bodies that have the potential to be affected
43 by withdrawals in an adjacent district for which the
44 department's adoption of a reservation pursuant to s. 373.223(4)
45 or a minimum flow or level pursuant to subsection (1) may be
46 appropriate. By March 1, 2006, and annually thereafter, each
47 water management district shall include its approved priority
48 list and schedule in the consolidated annual report required by
49 s. 373.036(7). The priority list shall be based upon the
50 importance of the waters to the state or region and the
51 existence of or potential for significant harm to the water
52 resources or ecology of the state or region, and shall include
53 those waters which are experiencing or may reasonably be
54 expected to experience adverse impacts. Each water management
55 district's priority list and schedule shall include all first
56 magnitude springs, and all second magnitude springs within state
57 or federally owned lands purchased for conservation purposes.
58 The specific schedule for establishment of spring minimum flows

5-00393-13

2013244

59 and levels shall be commensurate with the existing or potential
60 threat to spring flow from consumptive uses. Springs within the
61 Suwannee River Water Management District, or second magnitude
62 springs in other areas of the state, need not be included on the
63 priority list if the water management district submits a report
64 to the Department of Environmental Protection demonstrating that
65 adverse impacts are not now occurring nor are reasonably
66 expected to occur from consumptive uses during the next 20
67 years. The priority list and schedule is ~~shall~~ not be subject to
68 any proceeding pursuant to chapter 120. Except as provided in
69 subsection (3), the development of a priority list and
70 compliance with the schedule for the establishment of minimum
71 flows and levels pursuant to this subsection satisfies ~~shall~~
72 ~~satisfy~~ the requirements of subsection (1).

73 (4) A water management district shall provide the
74 department with technical information and staff support for the
75 development of a reservation, minimum flow or level, or recovery
76 or prevention strategy to be adopted by the department by rule.
77 A water management district shall apply any reservation, minimum
78 flow or level, or recovery or prevention strategy adopted by the
79 department by rule without the district's adoption by rule of
80 such reservation, minimum flow or level, or recovery or
81 prevention strategy.

82 Section 2. Subsection (7) is added to section 373.046,
83 Florida Statutes, to read:

84 373.046 Interagency agreements.—

85 (7) If the geographic area of a resource management
86 activity, study, or project crosses water management district
87 boundaries, the affected districts may designate a single

5-00393-13

2013244

88 affected district to conduct all or part of the applicable
89 resource management responsibilities under this chapter, with
90 the exception of those regulatory responsibilities that are
91 subject to subsection (6). If funding assistance is provided to
92 a resource management activity, study, or project, the district
93 providing the funding must ensure that some or all of the
94 benefits accrue to the funding district. This subsection does
95 not impair any interagency agreement in effect on July 1, 2013.

96 Section 3. Subsection (5) is added to section 373.171,
97 Florida Statutes, to read:

98 373.171 Rules.—

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

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

105 373.709 Regional water supply planning.—

106 (3) The water supply development component of a regional
107 water supply plan which deals with or affects public utilities
108 and public water supply for those areas served by a regional
109 water supply authority and its member governments ~~within the~~
110 ~~boundary of the Southwest Florida Water Management District~~
111 shall be developed jointly by the authority and the applicable
112 water management district. In areas not served by regional water
113 supply authorities, or other multijurisdictional water supply
114 entities, and where opportunities exist to meet water supply
115 needs more efficiently through multijurisdictional projects
116 identified pursuant to paragraph (2) (a), water management

5-00393-13

2013244__

117 districts are directed to assist in developing
118 multijurisdictional approaches to water supply project
119 development jointly with affected water utilities, special
120 districts, and local governments.

121 Section 5. This act shall take effect July 1, 2013.

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 326

INTRODUCER: Senator Hayes

SUBJECT: Powers and Duties of the Department of Environmental Protection

DATE: February 5, 2013 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Gudeman	Uchino	EP	Favorable
2.			CU	
3.			AGG	
4.			AP	
5.				
6.				

I. Summary:

The bill removes an obsolete reference relating to right-of-way access in Marion County across portions of the Cross Florida Greenway (CFG) and repeals the surplus and exchange procedures specific to CFG lands. The repeal of the specific CFG surplus and exchange procedures will allow the Department of Environmental Protection’s (DEP) Office of Greenways and Trails to follow current DEP Division of State Lands procedures for the surplus and exchange of conservation lands.

The bill amends s. 253.7827 and repeals s. 253.783(2), of the Florida Statutes.

II. Present Situation:

Cross Florida Greenway

The Cross Florida Barge Canal Project originated in 1933. Thousands of acres of land were acquired to create a commercial shipping channel across the Florida peninsula connecting the Atlantic Ocean to the Gulf of Mexico. There were two major efforts to construct the canal, first from 1933 to 1935, and then from 1964 to 1990. The canal was never completed due to insufficient funds and concerns over potential environmental impacts. Congress officially de-authorized the project in 1990 and all federal canal lands and structures were transferred to the state to be managed as a conservation and recreation area. The canal land was officially named the Marjorie Harris Carr Cross Florida Greenway and is now managed by the Office of

Greenways and Trails. The CFG is a multi-use area and provides natural resource based recreation including fishing, camping, hunting, boating, bicycling, and horseback riding.¹

Right of Way Access in Marion County

The CFG extends through portions of Marion County, requiring that Marion County receive right-of-way access across portions of the CFG. Section 253.7827(3), F.S., provides that Marion County may purchase right-of-way access at fair market value, or that the value of the right-of-way be subtracted from the amount of reimbursement due to the county, pursuant to s. 253.783, F.S. Marion County is no longer subject to reimbursement, therefore this provision is obsolete.²

Water Resource Development Act of 1990

Section 402 of the Water Resources Development Act of 1990 (Act) amends Sec. 1114(b)(5) of the Water Resources Development Act of 1986.³ In addition to de-authorizing the project, the Act transfers all federal lands, interests, and facilities to the state without consideration, provided the state:

- Holds the federal government harmless for claims arising from operation of federal lands and facilities;
- Maintains the corridor as a public greenway for compatible recreation purposes, including specified areas;
- Agrees to preserve, enhance, interpret, and manage the natural and cultural resources contained in specified areas;
- Pays Citrus, Clay, Duval, Levy, Marion, and Putnam Counties a minimum aggregate sum of \$32 million, or at the option of the counties, payment by conveyance of surplus barge canal lands selected by the state at current appraised values;
- Uses any remaining funds generated from the sale of surplus CFG lands to acquire fee title or easements to other lands along the project route. Any remaining funds generated from the sale of surplus CFG lands *must* be used for the improvement and management of the greenway corridor. It does not dictate the procedures the state must use to surplus CFG lands, only how the funds from the sale of surplus land are to be managed.⁴

The Act provides for certain legal remedies if the State fails to comply with the above requirements.⁵

¹ DEP, *Marjorie Harris Carr Cross Florida Greenway Management Plan*, (June 15, 2007), http://www.dep.state.fl.us/gwt/cfg/Plan_PDF/CFG_LMP_Final.pdf (last visited Feb. 4, 2013).

² Email from Pierce Schuessler, Legislative Affairs Director, DEP, (Feb. 4, 2013)(on file with the Senate Committee on Environmental Preservation and Conservation).

³ U.S. Fish & Wildlife Service, *Water Resource Development Acts*, <http://www.fws.gov/habitatconservation/Omnibus/WRDA1990.pdf> (last visited Feb. 5, 2013).

⁴ *Supra* note 2.

⁵ *See* Sec. 1114(d) of the Water Resource Development Act of 1986 as amended by Sec. 402 of the Water Resource Development Act of 1990, available at <http://www.fws.gov/habitatconservation/Omnibus/WRDA1990.pdf> (last visited Feb. 5, 2013).

Cross Florida Greenway Surplus Procedures

CFG lands are subject to specific surplus procedures that were created in order to generate funds needed to refund counties the ad valorem taxes that the counties paid to the Cross Florida Canal Navigation District.⁶ Section 253.783(2), F.S., provides the following CFG-specific surplus procedures:⁷

- The county where the surplus land is located has the first right of refusal to acquire the land at current appraised value by buying it or subtracting the value from its reimbursement;
- The original owner of the land or the original owner's heirs have second right of refusal to acquire the land at current appraised value;
- Any person having a leasehold interest in the land has the third right of refusal to acquire the land at current appraised value;
- Surplus land that is not acquired as stated above is offered in a public sale to the highest bidder. The minimum acceptable bid is the current appraised value;
- Proceeds from the sale of CFG land are refunded to the counties for ad valorem taxes paid by the counties to the Cross Florida Canal Navigation District;
- Interest refunded to the counties is compounded annually at rates specified in s. 253.0783(2)(f), F.S.; and
- Any excess funds from the sale of surplus lands *may* be used for the maintenance of the greenway corridor, which is in conflict with the requirements of the Act.

All counties within the CFG corridor have been fully reimbursed; therefore, the reimbursement procedures contained in this section are obsolete.⁸

Conservation Land Surplus Procedures

The Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) has the authority to surplus conservation land if it is determined that the land is no longer needed for conservation purposes. Section 253.034(6), F.S., outlines the surplus procedures for conservation lands as follows:⁹

- The Acquisition and Restoration Council must first confirm that the request to surplus conservation land is consistent with the resource values and management objectives of the land;
- The Board of Trustees approves the surplus by a vote of at least three members;
- State agencies, colleges and universities are given priority to lease the surplus land;
- State, county, or local governments are offered second right of refusal to purchase the surplus land;
- If government agencies, colleges and universities opt out of purchasing surplus land, then the land is available for sale on the private market;
- The sale price is negotiated or competitively bid (determined by market value) pursuant to s. 253.034(6)(g), F.S., and Rule 18-2.020, F.A.C.; and

⁶ *Supra* note 2.

⁷ *Sees* s. 253.783, F.S.

⁸ *Supra* note 2.

⁹ *See* s. 253.034, F.S.

- Proceeds from the sale of surplus land are deposited into the fund from which the lands were acquired. If the trust fund from which the lands were acquired no longer exists, the funds are deposited into an appropriate account to be used for land management.

III. Effect of Proposed Changes:

Section 1 amends s. 253.7827(3), F.S., deleting the option of Marion County to subtract the fair market value of lands or right-of-ways needed to expand 60th Avenue. All reimbursement funds have been repaid to Marion County, therefore this option is obsolete.

Section 2 repeals s. 253.783(2), F.S., and allows the surplus procedures of CFG lands to be consistent with current Board of Trustees surplus procedures. This provides for better management of CFG lands and will close ownership gaps within the CFG boundary. The repeal provides consistency between the federal requirements for the funds acquired from the surplus of CFG lands and the manner in which the state manages the funds.¹⁰

Section 3 provides an effective date of July 1, 2013.

Other Potential Implications:

The repeal of s. 253.0783(2) F.S., implies that the sale and exchange of surplus CFG lands may continue under the existing process for conservation lands titled in the Board of Trustees as outlined in s. 253.034(6), F.S.; however, the bill does not explicitly state this.

In addition, the current surplus procedures outlined in s. 253.783(2), F.S., violates the Water Resource Development Act of 1990. The Act specifies any remaining funds from surplus lands after acquisition of fee title or easements must be used for maintenance of the greenway, while s. 253.783(2)(e), F.S., is permissive for such remaining funds. Repeal of this section remedies this violation. However, the bill does not specify that the funds generated from surplus lands must adhere to the Act's requirements when using the usual surplus procedures outlined in s. 253.034(6), F.S. As stated above, if the state fails to follow the Act's requirements, it may be subject to certain legal remedies.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹⁰ *Supra* note 2.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

There may be an indeterminate cost savings to the DEP by not having a separate procedure for surplussing CFG lands. The current procedure for surplussing CFG lands may require multiple public notices placed in newspapers and lengthy legal determinations on the rights of people claiming to be heirs or those claiming a leasehold interest in the lands.

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 Hays

11-00106A-13

2013326

1 A bill to be entitled
2 An act relating to the powers and duties of the
3 Department of Environmental Protection; amending s.
4 253.7827, F.S.; removing an obsolete reference for
5 purposes of calculating the reimbursement for
6 transportation and utility crossings of greenways
7 lands in Marion County; repealing s. 253.783(2), F.S.,
8 relating to additional powers and duties of the
9 department to dispose of surplus lands that were for
10 the construction, operation, or promotion of a canal
11 across the peninsula of the state and refund payments
12 to counties; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Subsection (3) of section 253.7827, Florida
17 Statutes, is amended to read:

18 253.7827 Transportation and utility crossings of greenways
19 lands.—

20 (3) Furthermore, the Legislature recognizes the needs
21 expressed by Marion County to provide for the southerly
22 extension of Sixtieth Avenue between State Road 200 and
23 Interstate 75 and for the extension to cross the greenways lands
24 to allow for the orderly growth and development of Marion
25 County. Right-of-way for this extension across greenways lands
26 shall be designed to mitigate the impacts to the extent
27 practical, and the value of such lands shall be paid based on
28 fair market value ~~or, at the option of Marion County, the value~~
29 ~~can be subtracted from the amount of reimbursement due the~~

11-00106A-13

2013326__

30 ~~county pursuant to s. 253.783.~~

31 Section 2. Subsection (2) of section 253.783, Florida
32 Statutes, is repealed.

33 Section 3. This act shall take effect July 1, 2013.

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 Committee on Environmental Preservation and Conservation

BILL: SB 364

INTRODUCER: Senator Hays

SUBJECT: Consumptive Use Permits for Development of Alternative Water Supplies

DATE: February 5, 2013 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hinton	Uchino	EP	Favorable
2.	_____	_____	CA	_____
3.	_____	_____	AGG	_____
4.	_____	_____	AP	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill directs that alternative water supply (AWS) development projects are eligible for consumptive use permits (CUPs) of at least 30 years. The permits are subject to compliance reports and water management district (WMD) water shortage orders. The bill provides that AWS permits may be reduced to prevent unanticipated harm to water resources or existing legal uses. The bill also specifies an AWS CUP may not be issued for nonbrackish groundwater supplies or nonalternative water supplies. Lastly, the bill clarifies that entities have the option to apply for either at least 20-year permits or at least 30-year permits.

This bill substantially amends s. 373.236, of the Florida Statutes.

II. Present Situation:

Consumptive Use Permitting

Section 373.236(5), F.S., authorizes CUPs for the development of AWS projects. A CUP establishes the duration and type of water use as well as the maximum amount that may be withdrawn. A WMD or the DEP may impose reasonable conditions as are necessary to assure that such use is consistent with the overall objectives of the issuing WMD or the DEP and is not harmful to the water resources of the area.¹

¹ Section 373.219, F.S.

To obtain a CUP, an applicant must establish that the proposed use of water satisfies the statutory test, commonly referred to as “the three-prong test.” Specifically, the proposed water use must:

- be a “reasonable-beneficial use” as defined in s. 373.019(16), F.S.;
- not interfere with any presently existing legal use of water; and
- be consistent with the public interest.²

The Three-Prong Test

“Reasonable-beneficial use,” the first prong of the test, is defined as “the use of water in such quantity as is necessary for economic and efficient utilization for a purpose and in a manner which is both reasonable and consistent with the public interest.”³ The Legislature has declared water a public resource. Therefore, wasteful uses of water are not allowed even if there are sufficient resources to meet all other demands.

To that end, the DEP has promulgated the Water Resource Implementation Rule that incorporates interpretive criteria for implementing the reasonable-beneficial use standard based on common law and water management needs.⁴ These criteria include consideration of the quantity of water requested; the need, purpose, and value of the use; and the suitability of the source. The criteria also consider the extent and amount of harm caused, whether that harm extends to other lands, and the practicality of mitigating that harm by adjusting the quantity or method of use. Particular consideration is given to the use or reuse of lower quality water, and the long-term ability of the source to supply water without sustaining harm to the surrounding environment and natural resources.⁵

The second element of the three-prong test protects the rights of existing legal uses of water for the duration of their permits.⁶ New CUPs cannot be issued if they would conflict with an existing legal use. This criterion is only protective of water users that actually withdraw water, not passive users of water resources.⁷

The final element of the three-prong test requires water use to be consistent with the “public interest.” While the DEP’s Water Resource Implementation Rule provides criteria for determining the “public interest,” determination of a public interest is made on a case-by-case basis during the permitting process.⁸ However, the WMDs and the DEP have broad authority to determine which uses best serve the public interest if there are not sufficient resources to fulfill all applicants’ CUPs. In the event that two or more competing applications are deemed to be

² Section 373.223(1)(a-c), F.S.

³ Section 373.019(16), F.S.

⁴ See Rule 62-40, F.A.C.

⁵ *Southwest Florida Water Management District v. Charlotte County*, 774 So. 2d 903, 911 (Fla. 2d DCA 2001) (upholding the WMD’s use of criteria for implementing the reasonable-beneficial use standard).

⁶ Section 373.223(1)(b), F.S.

⁷ See *Harloff v. City of Sarasota*, 575 So. 2d 1324 (Fla. 2d DCA 1991) (holding a municipal wellfield was an existing legal user and should be afforded protection). In contrast, see *West Coast Regional Water Supply Authority v. Southwest Florida Water Management District*, 89 ER F.A.L.R. 166 (Final Order, Aug. 30, 1989) (holding a farmer who passively relied on a higher water table to grow nonirrigated crops and standing surface water bodies to water cattle was not an existing legal user).

⁸ *Supra* note 4.

equally in the public interest, the particular WMD or the DEP gives preference to renewal applications.⁹

Duration of Permits and Compliance Reviews

Pursuant to s. 373.236(1), F.S., CUPs must be granted for 20 years if requested by the applicant and there is sufficient data to provide reasonable assurance that the conditions for permit issuance will be met for the duration of the permit. If either of these requirements is not met, a CUP with a shorter duration may be issued to reflect the period for which reasonable assurances can be provided. The WMDs and the DEP may determine the duration of permits based upon a reasonable system of classification according to the water source, the type of use, or both.

Pursuant to s. 373.236(4), F.S., when necessary to maintain “reasonable assurance” that initial conditions for issuance of a 20-year CUP can continue to be met, a WMD or the DEP may require a permittee to produce a compliance report every 10 years.¹⁰ A compliance report must contain sufficient data to maintain reasonable assurance that the initial permit conditions are met, including original demand projections. After reviewing a compliance report, a WMD or the DEP may modify the permit, including reductions or changes in the initial allocations of water to ensure the water use comports with initial conditions for issuance of the CUP. Permit modifications made by a WMD or the DEP during a compliance review cannot be subject to competing applications for water use if the permittee is not seeking additional water allocations or changes in water sources.

Consumptive Use Permits for the Development of Alternative Water Supplies

Section 373.019(1), F.S., defines “alternative water supplies” as:

[S]alt water; brackish surface and groundwater; surface water captured predominately during wet-weather flows; sources made available through the addition of new storage capacity for surface or groundwater, water that has been reclaimed after one or more public supply, municipal, industrial, commercial, or agricultural uses; the downstream augmentation of water bodies with reclaimed water; stormwater; and any other water supply source that is designated as nontraditional for a water supply planning region in the applicable regional water supply plan.

CUPs issued pursuant to s. 373.236(5), F.S., for the development of AWS must be issued for at least 20 years. If the permittee issues bonds to finance construction of the AWS project, the permit must be extended to expire upon retirement of the bonds if the permittee requests an extension during the term of the permit and the issuing WMD’s governing board determines the use will continue to meet the CUP’s conditions. Compliance reports may also be required every 10 years for CUPs issued for AWS projects. WMDs generally issue CUPS with a maximum term of 20 years for the development of AWS, although some 30-year CUPs for AWS projects have been issued.

⁹ See s. 373.233, F.S.

¹⁰ In limited instances, the statute authorizes more frequent “look backs”. For example, the Suwannee River WMD may require a compliance report every 5 years through July 1, 2015, after which the “look-back” period returns to 10 years.

III. Effect of Proposed Changes:

Section 1 amends s. 373.236, F.S., clarifying that AWS permits issued for at least 20 years are subject to the reasonable assurance provisions currently required by the DEP and WMDs.

It directs the DEP or the WMDs to issue permits for the development of AWS projects for at least 30 years for permits issued on or after July 1, 2013, if the proper reasonable assurance is provided. If, within 7 years from the issuance of the permit, the permittee issues bonds to finance the project, completes the project, and requests an extension of the CUP duration, the CUP must be extended for a maximum of seven years. This will allow the entity that develops the AWS project to operate the AWS project for 30 years after construction in order to repay 30-year bonds.

CUPs issued pursuant to this bill are subject to compliance reports; however, the quantity of alternative water allocated under the permit cannot be reduced during the compliance review if bonds that financed the project are outstanding. This provision does not apply to adopted districtwide water shortage orders or when an AWS permit results in unanticipated harm to water resources or existing legal uses.

The bill clarifies that CUPs cannot be issued for AWS projects for nonbrackish groundwater supplies (i.e., fresh water) or nonalternative water supplies. It also clarifies that entities may apply for an AWS permit under either s. 373.236(5)(a) or (b), F.S.

Section 2 provides an effective date of July 1, 2013.

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:

Most bonds issued to fund the capital construction costs of an AWS project are 30-year bonds; however, most AWS CUPs are only issued for 20 years. This discrepancy may

affect the interest rate the AWS developer has to pay to launch the bonds. The impact of this is indeterminate but may be significant if the uncertainty in renewing a 20-year CUP for a 30-year bond has significant weight in the rating agencies' models. For example, an A-rated \$100 million bond may cost \$7-10 million more over the life of the bond as compared to an AAA-rated bond. Also, by allowing an up to seven-year extension under certain circumstances, AWS developers will be able to operate the AWS project without having to reapply for a CUP at the end of the initial 30-year duration. This will ensure operation of the AWS project for a full 30-year term.

C. Government Sector Impact:

The bill may have a negative but indeterminate effect on permit revenues for the DEP or the WMDs; however, any impacts are expected to be met by existing staff and resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

By the Legislature's amending this section to explicitly require reasonable assurance for both the 20-year and 30-year AWS CUP, a court may find the Legislature implicitly excluded the necessity to provide reasonable assurance for a 50-year permit for certain public or government works. It would be the only permit category excluded from statutorily required reasonable assurance requirements of s. 373.236, F.S. Currently, the requirement is implicit and the WMDs require reasonable assurance for the up to 50-year permit.

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 Hays

11-00038A-13

2013364

1 A bill to be entitled
2 An act relating to consumptive use permits for
3 development of alternative water supplies; amending s.
4 373.236, F.S.; revising conditions for issuance of
5 permits; providing for the issuance, extension, and
6 review of permits approved on or after a certain date;
7 providing for applicability; providing an effective
8 date.

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

11
12 Section 1. Subsection (5) of section 373.236, Florida
13 Statutes, is amended to read:

14 373.236 Duration of permits; compliance reports.—

15 (5) (a) A permit ~~Permits~~ approved for the development of
16 alternative water supplies shall be granted for a term of at
17 least 20 years if there is sufficient data to provide reasonable
18 assurance that the conditions for permit issuance will be met
19 for the duration of the permit. However, if the permittee issues
20 bonds for the construction of the project, upon request of the
21 permittee before ~~prior to~~ the expiration of the permit, the ~~that~~
22 permit shall be extended for such additional time as is required
23 for the retirement of bonds, not including any refunding or
24 refinancing of such bonds, if ~~provided that~~ the governing board
25 determines that the use will continue to meet the conditions for
26 the issuance of the permit. The ~~Such a~~ permit is subject to
27 compliance reports under subsection (4).

28 (b)1. A permit approved on or after July 1, 2013, for the
29 development of alternative water supplies shall be granted for a

11-00038A-13

2013364

30 term of at least 30 years if there is sufficient data to provide
31 reasonable assurance that the conditions for permit issuance
32 will be met for the duration of the permit. If, within 7 years
33 after a permit is granted, the permittee issues bonds to finance
34 the project, completes construction of the project, and requests
35 an extension of the permit duration, the permit shall be
36 extended to expire upon the retirement of such bonds or 30 years
37 after the date that construction of the project is complete,
38 whichever occurs later. However, a permit's duration may not be
39 extended by more than 7 years beyond the permit's original
40 expiration date.

41 2. A permit issued under this paragraph is subject to
42 compliance reports under subsection (4). If the permittee
43 demonstrates that bonds issued to finance the project are
44 outstanding, the quantity of alternative water allocated in the
45 permit may not be reduced during a compliance report review
46 unless a reduction is needed to address unanticipated harm to
47 water resources or to existing legal uses present when the
48 permit was issued. A reduction required by an applicable water
49 shortage order applies to a permit issued under this paragraph.

50 3. A permit issued under this paragraph may not authorize
51 the use of nonbrackish groundwater supplies or nonalternative
52 water supplies.

53 (c) An entity that wishes to develop alternative water
54 supplies may apply for a permit under paragraph (a) or paragraph
55 (b).

56 Section 2. This act shall take effect July 1, 2013.

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 412

INTRODUCER: Senator Detert

SUBJECT: Governing Board of the Southwest Florida Water Management District

DATE: January 30, 2013 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Gudeman	Uchino	EP	Pre-meeting
2.			CA	
3.			RC	
4.				
5.				
6.				

I. Summary:

The bill reduces the number of Southwest Florida Water Management District (SWFWMD) Governing Board (board) members from 13 to 9 and revises residency requirements. The number of board members residing in Hillsborough, Pinellas, and Polk Counties is reduced from 2 to 1. The bill eliminates the board member from Hillsborough and Pinellas County. Sarasota and Manatee Counties will have one board member appointed at large, and Desoto and Charlotte Counties will have one board member appointed at large. The revisions to the board membership are specific to the SWFWMD board and do not apply to current board members until their terms are complete.

The bill substantially amends section 373.073, F.S., and creates an unnumbered section of law.

II. Present Situation:

The SWFWMD board includes 13 members, which is greater than the other four water management districts that have 9 board members. The SWFWMD board members establish policies for the 16-county district and have experience in areas including, but not limited to, agriculture, development, local governments, water utilities, law, civil engineering, environmental science, hydrology, accounting, and finance.¹

¹ See s. 373.073, F.S.

In 1988 chapter 88-242, Laws of Florida, was enacted, which expanded the SWFWMD board from 9 board members to 11 effective July 1, 1990.² In 2007 the Legislature voted to add two additional seats for a total of 13 board members.³

The increase in membership was the result of water supply conflicts in Tampa Bay that date back to the 1970s. In an effort to resolve these issues, Tampa Bay Water (formerly the West Coast Regional Water Supply Authority) was created in 1998 through an interlocal agreement between the cities of New Port Richey, St. Petersburg, and Tampa, and Hillsborough, Pinellas, and Pasco Counties. The cities and counties are now working collaboratively under Tampa Bay Water to provide water to the area in a reliable, cost-effective, and environmentally sound manner.⁴

The board membership is filled according to the following residency requirements:

- Two board members from Hillsborough County;
- One board member from the area consisting of Hillsborough and Pinellas Counties;
- Two board members from in Pinellas Counties;
- One board member from Manatee County;
- Two board members from Polk County;
- One board member from Pasco County;
- One board member appointed at large from Levy, Citrus, Sumter, and Lake Counties;
- One board member appointed at large from Hardee and Highlands Counties;
- One board member appointed at large from Marion and Hernando Counties; and
- One board member appointed at large from Sarasota and Charlotte Counties.

New gubernatorial appointments will begin in 2014.

III. Effect of Proposed Changes:

Section 1 amends s. 373.073, F.S.;

- Decreasing the overall number of SWFWMD board members from 13 to 9 by:
- Decreasing the number of board members from Polk County from 2 to 1;
- Decreasing the number of board members from Hillsborough County from 2 to 1;
- Decreasing the number of board members from Pinellas County from 2 to 1;
- Requiring one board member appointed at large from Sarasota and Manatee Counties, which eliminates the single board member from Manatee county;
- Requiring one board member appointed at large from Desoto and Charlotte Counties.
- Eliminating the board member from Hillsborough and Pinellas County;
- Requiring one board member appointed at large from Hardee and Highlands Counties;
- There are no changes to the board member from Pasco County;
- There are no changes to the board member from Marion and Hernando Counties; and
- There are no changes to the board member from Levy, Citrus, Sumter, and Lake Counties.

² Chapter 88-242, L.O.F.

³ *Supra* note 1.

⁴ Tampa Bay Water, *About Tampa Bay Water*, <http://www.tampabaywater.org/about-tampa-bay-water.aspx> (last visited Jan. 31, 2013).

Section 2 creates an unnumbered section of law clarifying that the residency requirements do not apply to an incumbent member of the board until the member's term has expired and that the residency requirements only apply to the SWFWMD board.

Section 3 provides an effective date of July 1, 2013.

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 current SWFWMD budget allows for \$1,345 each year per board member to cover travel expenses, cost of training, and conferences. It costs approximately \$260 per year to print and mail the monthly board meeting materials. A reduction in board members from 13 to 9 would provide a cost savings of \$6,420.⁵

The SWFWMD dedicates an average of 187 hours of staff time to each board member a month. A reduction in board members would reduce the amount of staff time spent with board member to an average of 119 hours per month.⁶

VI. Technical Deficiencies:

None.

⁵ E-mail from Colleen Thayer, Bureau Chief, Public Affairs, SWFWMD, (Jan. 30, 2013) (on file with the Senate Committee on Environmental Preservation and Conservation).

⁶ *Id.*

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.

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

By Senator Detert

28-00762-13

2013412

1 A bill to be entitled
2 An act relating to the governing board of the
3 Southwest Florida Water Management District; amending
4 s. 373.073, F.S.; revising the number of governing
5 board members and the membership residency
6 requirements; providing for applicability; providing
7 an effective date.

8
9 Be It Enacted by the Legislature of the State of Florida:

10
11 Section 1. Subsection (1) and paragraph (e) of subsection
12 (2) of section 373.073, Florida Statutes, are amended to read:
13 373.073 Governing board.—

14 (1) (a) The governing board of each water management
15 district shall be composed of 9 members who shall reside within
16 the district, ~~except that the Southwest Florida Water Management~~
17 ~~District shall be composed of 13 members who shall reside within~~
18 ~~the district.~~ Members of the governing boards shall be appointed
19 by the Governor, subject to confirmation by the Senate at the
20 next regular session of the Legislature, and the refusal or
21 failure of the Senate to confirm an appointment creates a
22 vacancy in the office to which the appointment was made. The
23 term of office for a governing board member is 4 years and
24 commences on March 2 of the year in which the appointment is
25 made and terminates on March 1 of the fourth calendar year of
26 the term or may continue until a successor is appointed, but not
27 more than 180 days. Terms of office of governing board members
28 shall be staggered to help maintain consistency and continuity
29 in the exercise of governing board duties and to minimize

28-00762-13

2013412__

30 disruption in district operations.

31 (b) Commencing January 1, 2014 ~~2011~~, the Governor shall
32 appoint the following number of governing board members in each
33 year of the Governor's 4-year term of office:

34 1. In the first year of the Governor's term of office, the
35 Governor shall appoint ~~four members to the governing board of~~
36 ~~the Southwest Florida Water Management District and appoint~~
37 three members to the governing board of each ~~other~~ district.

38 2. In the second year of the Governor's term of office, the
39 Governor shall appoint ~~three members to the governing board of~~
40 ~~the Southwest Florida Water Management District and two members~~
41 to the governing board of each ~~other~~ district.

42 3. In the third year of the Governor's term of office, the
43 Governor shall appoint ~~three members to the governing board of~~
44 ~~the Southwest Florida Water Management District and two members~~
45 to the governing board of each ~~other~~ district.

46 4. In the fourth year of the Governor's term of office, the
47 Governor shall appoint ~~three members to the governing board of~~
48 ~~the Southwest Florida Water Management District and two members~~
49 to the governing board of each ~~other~~ district.

50
51 For any governing board vacancy that occurs before the date
52 scheduled for the office to be filled under this paragraph, the
53 Governor shall appoint a person meeting residency requirements
54 of subsection (2) for a term that will expire on the date
55 scheduled for the term of that office to terminate under this
56 subsection. In addition to the residency requirements for the
57 governing boards as provided by subsection (2), the Governor
58 shall consider appointing governing board members to represent

28-00762-13

2013412

59 an equitable cross-section of regional interests and technical
60 expertise.

61 (2) Membership on governing boards shall be selected from
62 candidates who have significant experience in one or more of the
63 following areas, including, but not limited to: agriculture, the
64 development industry, local government, government-owned or
65 privately owned water utilities, law, civil engineering,
66 environmental science, hydrology, accounting, or financial
67 businesses. Notwithstanding the provisions of any other general
68 or special law to the contrary, vacancies in the governing
69 boards of the water management districts shall be filled
70 according to the following residency requirements, representing
71 areas designated by the United States Water Resources Council in
72 United States Geological Survey, River Basin and Hydrological
73 Unit Map of Florida-1975, Map Series No. 72:

74 (e) Southwest Florida Water Management District:

75 1. One member ~~Two members~~ shall reside in Hillsborough
76 County.

77 ~~2. One member shall reside in the area consisting of
78 Hillsborough and Pinellas Counties.~~

79 ~~2.3.~~ One member ~~Two members~~ shall reside in Pinellas
80 County.

81 ~~4. One member shall reside in Manatee County.~~

82 ~~3.5.~~ One member ~~Two members~~ shall reside in Polk County.

83 ~~4.6.~~ One member shall reside in Pasco County.

84 5. One member shall be appointed at large from Sarasota and
85 Manatee Counties.

86 ~~6.7.~~ One member shall be appointed at large from Levy,
87 Citrus, Sumter, and Lake Counties.

28-00762-13

2013412__

88 7.8. One member shall be appointed at large from Hardee,
89 ~~DeSoto~~, and Highlands Counties.

90 8.9. One member shall be appointed at large from Marion and
91 Hernando Counties.

92 9.10. One member shall be appointed at large from DeSoto
93 ~~Sarasota~~ and Charlotte Counties.

94 Section 2. The amendments made by this act to s. 373.073,
95 Florida Statutes, do not apply to:

96 (1) An incumbent member of the governing board of the
97 Southwest Florida Water Management District until expiration of
98 the member's current term of office.

99 (2) The governing board of a water management district
100 other than the Southwest Florida Water Management District.

101 Section 3. This act shall take effect July 1, 2013.

760

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

I, Ken Detzner, Secretary of State,
do hereby certify that

Michael R. Bauer

is duly appointed a member of the
Environmental Regulation Commission

for a term beginning on the
Twenty-Third day of April, A.D., 2012,
until the First day of July, A.D., 2013
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 Fourteenth day of May, A.D., 2012.*

Ken Detzner

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.



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE

2012 APR 23 PM 2:43

DIVISION OF ELECTIONS
TALLAHASSEE, FL

April 23, 2012

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 20.255(7), Florida Statutes:

Mr. Michael R. Bauer
735 Eighth Street South
Naples, Florida 34112

as a member of the Environmental Regulation Commission, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending July 1, 2013.

Sincerely,

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

Rick Scott
Governor

RS/nj

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by 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 blue or black ink.

MAY 7, 2012

Date Completed

1. Name: BAUER MICHAEL ROBERT
Mr. Mrs./Ms. Last First Middle/Maiden

2. Business Address: 735 8th STREET SOUTH, NAPLES
Street Office # City
FLORIDA 34102 239 213-1031
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 109 DEBRON DRIVE, NAPLES, COLLIER
Street City County
FLORIDA 34112 239 530-0061
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
<u>109 DEBRON DRIVE</u>	<u>NAPLES</u>	<u>JAN. 2000</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>606 PRESTON AVENUE</u>	<u>BLACKSBURG, VA</u>	<u>1996</u>	<u>2000</u>
<u>8281 WILSON CREEK RD</u>	<u>ELLENSBURG, WA</u>	<u>1990</u>	<u>1996</u>
<u>1209 NE 155th ST</u>	<u>SEATTLE, WA</u>	<u>1985</u>	<u>1990</u>
<u>5 WALNUT AVE</u>	<u>HAMPTON, NH</u>	<u>1980</u>	<u>1982</u>
<u>319 42nd ST. S.W.</u>	<u>EVERETT, WA</u>	<u>1982</u>	<u>1985</u>

5. Date of Birth: 06/06/1951 Place of Birth: PRESQUE ISLE, MAINE

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? 2000

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

A. County of Registration: COLLIER

B. Current Party Affiliation: NONE

12. Education

A. High School: RANTOUL H.S., RANTOUL, IL Year Graduated: 1969
(Name and Location)

B. List all postsecondary educational institutions attended:

Name & Location	Dates Attended	Certificates/Degrees Received
<u>VIRGINIA TECH</u>	<u>1996-2001</u>	<u>Ph. D.</u>
<u>U OF WASHINGTON</u>	<u>1985-1988</u>	<u>J. D.</u>
<u>COLORADO STATE</u>	<u>1977-1977</u>	<u>M. S.</u>
<u>U OF NEW BRUNSWICK</u>	<u>1973-1976</u>	<u>B. S.</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>CITY OF NAPLES, FL</u>	<u>MUNICIPALITY</u>	<u>NATURAL RESOURCES MGR</u>	<u>2/2015 - PRESENT</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>LEAK PROJECT MGR.</u>	<u>SOUTH FLORIDA WATER MGT. DIST</u>	<u>2003-2004</u>

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

BIOLOGIST,
WILDLIFE BIOLOGIST,
ASST. NATIONAL REFUGE MANAGER,
ENVIRONMENTAL ATTORNEY,
NATURAL RESOURCES MANAGER,
... OVER A 30 YEAR ENVIRONMENTAL CAREER.

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:

Ph.D. - ENVIRONMENTAL POLICY AND PLANNING
J.D.
M.S. - WILDLIFE BIOLOGY
B.S. - BIOLOGY

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

FLORIDA LOCAL ENVIRONMENTAL RESOURCES AGENCIES 2009
ENVIRONMENTAL LEADERSHIP AWARD

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

SW FLORIDA WATERSHED COUNCIL - PRESIDENT
ROCKLEY BAY NATIONAL ESTUARINE RESEARCH RESERVE
- FRIENDS BOARD
SW FLORIDA LAND TRUST - BOARD
WATER RESOURCES ADVISORY COMMITTEE
WATER SYMPOSIUM BOARD MEMBER

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
N/A			

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).

<u>Meetings Attended</u>	<u>Meetings Missed</u>	<u>Reason for Absence</u>
N/A		

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:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>

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 Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</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:

<u>Name of Business</u>	<u>Your Relationship to Business</u>	<u>Business' Relationship to Agency</u>
CITY OF NAPLES	MANAGER	PERMITTING WITH FDEP.

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>
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.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
KATIE LAAKKONEN			
JON ILLIHAART			
GARY LYTON			

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>
FRIENDS OF ROOKERY BAY, NAPLES, FL			2003 - 2007
SW FLORIDA LAND TRUST, NAPLES, FL		VICE PRESIDENT	2008 - 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

Bauer

CERTIFICATION

STATE OF FLORIDA, COUNTY OF Collier

Before me, the undersigned Notary Public of Florida, personally appeared MICHAEL R. BAUER, 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.

Michael R. Bauer
Signature of Applicant-Affiant

Sworn to and subscribed before me this 7th day of May, 2012.

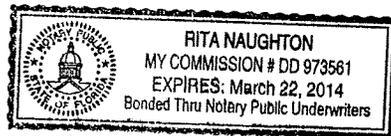
Rita Naughton
Signature of Notary Public-State of Florida

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

My commission expires: March 22, 2014

Personally Known OR Produced Identification

Type of Identification Produced _____



(seal)

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

760

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

I, Ken Detzner, Secretary of State,
do hereby certify that

Joseph C. Joyce

is duly appointed a member of the

Environmental Regulation Commission

for a term beginning on the
Twenty-Third day of April, A.D., 2012,
until the First day of July, 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 Tenth day of May, A.D., 2012.*

Ken Detzner

Secretary of State

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



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE

2012 APR 23 PM 2:43

DIVISION OF ELECTIONS
TALLAHASSEE, FL

April 23, 2012

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 20.255(7), Florida Statutes:

Dr. Joseph C. Joyce Sr.
P.O. Box 110180
Gainesville, Florida 32611

as a member of the Environmental Regulation Commission, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending July 1, 2015.

Sincerely,

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

Rick Scott
Governor

RS/nj

100267

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the 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 blue or black ink.

October 24, 2011

Date Completed

1. Name: Dr. Joyce Joseph Clarence
MR./MRS./MS. LAST FIRST MIDDLE/MAIDEN

2. Business Address: 1008 McCarty Hall-D Gainesville
STREET OFFICE # CITY

PO Box 110180 Florida 32611-0180 352-392-1971
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

3. Residence Address: 9916 SW 13th Place Gainesville Alachua
STREET CITY COUNTY

Florida 32607 352-332-7439
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

Specify the preferred mailing address: Business Residence Fax # 352-392-6932
(optional)

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

ADDRESS	CITY & STATE	FROM	TO
<u>9916 SW 13th Place</u>	<u>Gainesville, Florida</u>	<u>1989</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>N/A</u>			

5. Date of Birth: December 10, 1948 Place of Birth: Jacksonville, 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 _____

RECEIVED
DEPARTMENT OF STATE
2012 MAY -9 AM 7:46
DIVISION OF ELECTIONS
TALLAHASSEE, FL

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? 1954

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: Paxon Sr., Jacksonville, Florida Year Graduated: 1966

(NAME AND LOCATION)

B. List all postsecondary educational institutions attended:

NAME & LOCATION	DATES ATTENDED	CERTIFICATES/DEGREES RECEIVED
<u>Univ of Alabama</u>	<u>1966-1971</u>	<u>BS, MS</u>
<u>Univ of Florida</u>	<u>1979-1982</u>	<u>PhD</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: 1972-2001

B. Branch or Component: U.S. Army Reserves

C. Date & type of discharge: Currently in In-active reserves as Brig. General

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
<u>N/A</u>			

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>Univ of Florida/IFAS PO Box 110180 Gainesville, FL 32611-0180</u>	<u>Education</u>	<u>Exec. Assoc. Vice Pres.</u>	<u>1983-present</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>See #15</u>		

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

See attached sheet

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. - Biology/Chemistry Major

M.S. - Limnology/sanitary engineering

PhD. - Natural Resources Conservation

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:

N/A

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

(1) Lake Okeechobee 1987-89 2 years Speaker of House

Technical Advisory Council (LOTAC)

(2) Environmental Regulation Commission 3 years Governor

(ERC)

Response to question #17

My education and career have focused on freshwater ecosystem and natural resources management. My professional career at the Institute of Food and Agricultural Sciences (IFAS) at the University of Florida (UF) has demonstrated to me the interconnection of our agricultural and natural resources industries with Florida's environment. In my former positions as Director of the Center for Aquatic and Invasive Plants, Interim Dean for Research, Acting Vice President, and now as Executive Associate Vice President, I have become keenly aware of the diversity and uniqueness of Florida natural resources policy and scientific issues. The experience I have gained through Leadership Florida has also broadened my insight into the social and political connections with natural resources management. Agriculture and natural resources industries understand the need for sound policy to ensure Florida's economic and environmental sustainability. My 23-year relationship with the industry leaders and an understanding of their issues will allow me to bring a balanced approach to the development of regulations designed to protect Florida's environment and to sustain its economic base. The University of Florida has many scientists working on cutting edge research projects that provide data and insight into current and emerging environmental policy issues. I believe my participation on the ERC could bring this expertise to bear in the discussion and resolution of these issues. (see attached resume).

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

(1) How frequently were meetings scheduled: approximately monthly

(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
(LOTAC)	20	2	Army Reserves Commitment
(ERC)	10	0	

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: Commissioner, Environmental Regulation Commission
B. Term of Appointment: 3 years
C. Confirmation results: Confirmed

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
Public Pesticide Application Certificate	1983	DACS	N/A

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

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
Mike Joyner			
John Hoblick			
Marty Fiorentino			

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
Aquatic Plant Mgmt Soc	PO Box 821265		
	Vicksburg, MS 39182	President 1990-91	1976-Present
Leadership Florida	PO Box 11309		
	Tallahassee, FL 32302		2004-Present
Florida Aquatic Plant			
	Mgmt Society PO Box 560700, Orlando	President-1981	1976-Present
	32856		

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

Joyce

CERTIFICATION

STATE OF FLORIDA, COUNTY OF Alachua

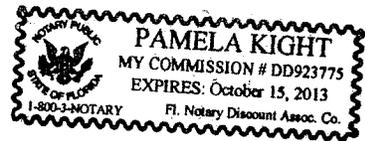
Before me, the undersigned Notary Public of Florida, personally appeared Joseph C. Joyce, who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (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 8 day of May, 2012

[Signature]
Signature of Notary Public-State of Florida

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



My commission expires: _____

Personally Known OR Produced Identification

Type of Identification Produced _____

(seal)

RECEIVED
DEPARTMENT OF STATE
2012 MAY -9 AM 7:46
DIVISION OF ELECTIONS
TALLAHASSEE, FL

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

✓ 2/5

A black and white copy of this document is not official

2435

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

I, Ken Detzner, Secretary of State,
do hereby certify that

Glenn Jerrold Waldman

is duly appointed a member of the

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

for a term beginning on the
Twenty-Third day of April, A.D., 2012,
until the First day of March, A.D., 2014
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 Tenth day of May, A.D., 2012.*

Ken Detzner

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

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.



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2012 APR 23 PM 2:45

DIVISION OF ELECTIONS
TALLAHASSEE, FL

April 23, 2012

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

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

Mr. Glenn J. Waldman
2200 North Commerce Parkway
Suite 202
Weston, Florida 33326

as a member of the Governing Board, South Florida Water Management District, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending March 1, 2014.

Sincerely,

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

Rick Scott
Governor

RS/nj

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by 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 blue or black ink.

5-3-12

1. Name: WALDMAN GLENN JERROLD
Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: 2200 N. COMMERCE PARKWAY #202 WESTON
Street Office # City
FL 33326 954-467-8600
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 2694 CYPRESS LANE WESTON BROWARD
Street City County
FL 33332 954-389-3707
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
<u>2694 CYPRESS LANE</u>	<u>WESTON, FL</u>	<u>3/1994</u>	<u>- CURRENT</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>NONE</u>			

5. Date of Birth: 03-24-1960 Place of Birth: DANBURY, CT

6. Social Security Number: _____

7. Driver License Number: _____ Issuing State: FL

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

[Signature]

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? 1961

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

A. County of Registration: BROWARD B. Current Party Affiliation: REPUBLICAN

12. Education

A. High School: NORTH MIAMI SR. HIGH Year Graduated: 1977
(Name and Location)

B. List all postsecondary educational institutions attended:

<u>Name & Location</u>	<u>Dates Attended</u>	<u>Certificates/Degrees Received</u>
<u>UNIVERSITY OF FLORIDA</u>	<u>9/77 - 5/80</u>	<u>B.A. (ECONOMICS)</u>
<u>UNIVERSITY OF FLORIDA</u>	<u>1/81 - 5/83</u>	<u>J.D. (LAW DEGREE)</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:

<u>Date</u>	<u>Place</u>	<u>Nature</u>	<u>Disposition</u>
<u>NO</u>			

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.

<u>Employer's Name & Address</u>	<u>Type of Business</u>	<u>Occupation/Job Title</u>	<u>Period of Employment</u>
<u>WALDMAN TRIGOBOFF ET AL., P.A.</u>	<u>LAW FIRM</u>	<u>MANAGING SHAREHOLDER</u>	<u>7/91 - CURRENT</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:

<u>Position</u>	<u>Employing Agency</u>	<u>Period of Employment</u>

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

I HAVE BEEN A GOVERNING BOARD MEMBER SINCE MARCH 2010

I AM AN ATTORNEY, MEDIATOR AND ARBITRATOR OF COMMERCIAL, ENVIRONMENTAL AND LAND USE MATTERS

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:

LAW DEGREE

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:

UNIVERSITY OF FLORIDA LAW SCHOOL BOARD MEMBER, ENVIRONMENTAL & LAND USE LAW PROGRAM ADVISORY BOARD

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
FOURTH DISTRICT COURT OF APPEALS MEMBER OF JUDICIAL NOMINATING COMMISSION		2010-2014	

UNIV. OF FLORIDA LAW SCHOOL BOARD OF TRUSTEES - 2011 - CURRENT

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

- (1) How frequently were meetings scheduled: SFWMD/MONTHLY: UF BOARD/2-3 TIMES YR.
JNC/AS NEEDED
- (2) If you missed any of the regularly scheduled meetings, state the number of meetings you missed, and the reasons(s) for your absence(s).

<u>Meetings Attended</u>	<u>Meetings Missed</u>	<u>Reason for Absence</u>
<u>I HAVE NEVER MISSED ONE MEETING ON ANY BOARD TO WHICH I HAVE BEEN APPOINTED</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:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>

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: SFWMD GOVERNING BOARD

B. Term of Appointment: 2010-2014

C. Confirmation results: APPOINTMENT CONFIRMED

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 Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>
<u>0374113</u>	<u>10/83</u>	<u>FLORIDA SUPREME COURT</u>	<u>- NONE</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:

<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 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>
① JAY MARTUS			
② EILEEN PARSONS II			
③ CRAIG TRIGOBOFF			

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>
	NONE EXCEPT FOR THE BOARDS LISTED ABOVE AND MY SYNAGOGUE (TEMPLE DOR DORIM LOCATE IN WESTON, FL)		

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

[Handwritten signature]

CERTIFICATION

STATE OF FLORIDA, COUNTY OF BROWARD

Before me, the undersigned Notary Public of Florida, personally appeared GLENN TERROLD HALDMAN, 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 3RD day of MAY, 2012.

[Handwritten Signature]

Signature of Notary Public, State of Florida

NOTARY PUBLIC STATE OF FLORIDA
Stacey I. Maler
Commission #DD807496
Expires: SEP. 08, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

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

My commission expires: _____

Personally Known OR Produced Identification H/A

Type of Identification Produced _____

(seal)

[Handwritten Signature]

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





308 N. Monroe Street
Tallahassee, FL 32301
Tel. (850) 222-2473
fl.audubon.org
audubonoffloridanews.org

February 4, 2013

Senator Charlie Dean
Chair, Committee on Environmental Preservation and Conservation
302 Senate Office Building
404 South Monroe Street
Tallahassee, Florida 32399-1100

Subject: South Florida Water Management District Governing Board Confirmation of Glenn Waldman

Dear Chairman Dean:

On February 6, the Senate Environmental Preservation and Conservation Committee will hold confirmation hearings on Governor Scott's appointments to the water management districts. We wish to convey to you our support for confirmation of South Florida Water Management District Governing Board Member Glenn Waldman.

We have had the opportunity to work with Mr. Waldman over the course of his term as a Governing Board member. We have found him to be both committed to the mission of the South Florida Water Management District and open to the views of the public on water management decisions. His expertise in law and mediation and keen ability to understand complex issues contribute to thoughtful dialogue during Governing Board meetings.

Mr. Waldman gives valuable representation to the residents of Broward County and brings awareness to the region's ecological and economic needs.

We heartily recommend his approval.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric Draper".

Eric Draper

THE FLORIDA SENATE
APPEARANCE RECORD

1

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

2/6/13
Meeting Date

Topic WATER MANAGEMENT DIST

Bill Number 244
(if applicable)

Name STEPHEN JAMES

Amendment Barcode _____
(if applicable)

Job Title _____

Address 100 S. MONROE
Street
TALLAHASSEE
City State Zip

Phone (850) 922-4300

E-mail _____

Speaking: For Against Information

Representing FLA ASSOC. OF COUNTIES

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

TAB 1

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

February 6, 2013

Meeting Date

Topic Water Management Districts

Bill Number SB 244
(if applicable)

Name Steven Minnis

Amendment Barcode _____
(if applicable)

Job Title Director of Governmental Affairs and Communications

Address 9225 CR 49
Street

Phone 386.362.1001

Live Oak FL 32060
City State Zip

E-mail sam@srwmd.org

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.

S-001 (10/20/11)

(NO)

TAB 2

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/6/2013

Meeting Date

Topic POWERS OF DEP

Bill Number 326
(if applicable)

Name WELLINGTON MEFFERT

Amendment Barcode _____
(if applicable)

Job Title VOLUNTEER

Address E18 ENGLISIDE AVE.

Phone ESD: 591-1778

Street

TALLAHASSEE FL 32303

E-mail wellingtouni2@comcast.net

City

State

Zip

Speaking: For Against Information

Representing FLORIDA GREENWAYS & TRAILS FOUNDATION

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

3

2/6/13

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

Meeting Date

Topic CONSUMPTIVE USE

Bill Number 364
(if applicable)

Name STEPHEN JAMES

Amendment Barcode _____
(if applicable)

Job Title _____

Address 100 S. MONROE

Phone (850) 922-4300

Street
TALLAHASSEE, FL 32301

E-mail _____

City State Zip

Speaking: For Against Information

Representing FLA ASSOC. OF COUNTIES

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

3

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

2/6/13

Meeting Date

Topic

CUP

Bill Number

364

(if applicable)

Name

DAVID CULLEN

Amendment Barcode

(if applicable)

Job Title

Address

1674 UNIVERSITY PKWY #296

Street

Phone

941-323-2404

City

SARASOTA

State

FL

Zip

34243

E-mail

cullenasea@aol.com

Speaking:

For

Against

Information

Representing

SIERRA CLUB FL

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

TAB 3

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

~~2/16/13~~ 2/16/13

Meeting Date

Topic CURs for Development of Alt. Water Supplies

Bill Number 364
(if applicable)

Name LAURA LENHART

Amendment Barcode _____
(if applicable)

Job Title Governmental Affairs Coordinator

Address _____

Phone 850-521-1292

Street

E-mail LLENHART@FLChamber.com

City

State

Zip

Speaking: For Against Information

Representing Florida Chamber of Commerce

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

3

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

2-6-13

Meeting Date

Topic CWP - AWS

Bill Number 364
(if applicable)

Name Doug Mann

Amendment Barcode _____
(if applicable)

Job Title -

Address 318 W. College Ave

Phone 222-7535

Street
Tallahassee, FL 32301
City State Zip

E-mail _____

Speaking: For Against Information

Representing ASS-Industries of FL

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

3

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

4-6-13

Meeting Date

Topic CUPS for Alternative Water Supply

Bill Number 364
(if applicable)

Name Lee Killinger

Amendment Barcode _____
(if applicable)

Job Title _____

Address 324 E. Virginia St.
Street
Tallahassee FL 32308
City State Zip

Phone 850-322-8907

E-mail lecoanfield@florida.com

Speaking: For Against Information

Representing Florida Section of the American Waterworks Association (AWWA)

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

3

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

Feb 6, 2013
Meeting Date

Topic CUPs for alt water supplies

Bill Number 364
(if applicable)

Name David Childs

Amendment Barcode _____
(if applicable)

Job Title Attorney

Address 119 S Monroe Street
Street
Tallahassee FL 32301
City State Zip

Phone 850 222-7570

E-mail DAVIDC@HOSLAW.COM

Speaking: For Against Information

Representing Florida Chamber of Commerce

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

3

2/6/13

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

Meeting Date

Use

Topic Consumptive Permitting

Bill Number 304
(if applicable)

Name Ryan Matthews

Amendment Barcode _____
(if applicable)

Job Title FL League of Cities

Address PO Box 1757

Phone 850-227-9684

Street
Tallahassee FL 32302
City *State* *Zip*

E-mail rmatthews@flcities.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.

CourtSmart Tag Report

Room: EL 110

Case:

Caption: Senate Environmental Preservation & Conservation Committee

Type:

Judge:

Started: 2/6/2013 3:07:15 PM

Ends: 2/6/2013 3:25:36 PM Length: 00:18:22

3:07:20 PM Chair Dean calls the meeting to order
3:07:26 PM CAA calls roll
3:07:35 PM Stand for pledge
3:08:03 PM Chair Dean remarks
3:08:35 PM Chair Dean notes that SB 412 is TP
3:08:45 PM Vice Chair Abruzzo recognizes Chair Dean to explain SB 244
3:09:03 PM Chair Dean presents SB 244 - Water Management Districts
3:10:21 PM Senator Soto question
3:10:35 PM Chair Dean response
3:10:53 PM Steven Minnis, Suwanee River Water Management District waives in support
3:11:08 PM Stephen James, Florida Association of Counties waives in support
3:11:23 PM Chair Dean closes
3:11:38 PM CAA calls roll on SB 244
3:11:57 PM SB 244 passes favorably
3:12:03 PM Tab 3 - SB 364 by Senator Hays
3:12:35 PM Chair Dean recognizes Senator Hays' aide, Nanci Cornwell
3:13:01 PM Nanci Cornwell presents SB 364
3:13:19 PM David Childs, Florida Chamber of Commerce waives in support
3:13:37 PM Lee Killinger, AWWA waives in support
3:13:42 PM Doug Mann, Associated Industries of Florida waives in support
3:13:48 PM Laura Lenhart, Florida Chamber of Commerce waives in support
3:13:52 PM David Cullen speaks on behalf of the Sierra Club
3:14:26 PM Stephen James, Florida Association of Counties waives in support
3:14:59 PM CAA calls roll on SB 364
3:15:23 PM Tab 2 - SB 326 Powers and Duties of DEP
3:15:41 PM Senator Hays' aide Jessica Crawford presents SB 326
3:16:19 PM Senator Latvala with question
3:16:44 PM Response from Committee Staff Director, Pepper Uchino
3:18:02 PM Follow up from Senator Latvala
3:18:26 PM Jessica Crawford with response
3:19:06 PM Follow up from Senator Latvala
3:19:20 PM Vice Chair Abruzzo with response
3:19:38 PM Senator Altman with comment
3:20:01 PM Jessica Crawford with comment
3:20:07 PM Senator Dean with question
3:20:35 PM Senator Bullard with question
3:21:03 PM Senator Gardiner with remarks
3:21:44 PM Chair Dean with remarks
3:21:56 PM Jessica Crawford closes
3:22:01 PM CAA calls roll on SB 326
3:22:21 PM SB 326 fails
3:22:28 PM Senator Latvala moves for verification of roll call
3:22:56 PM Chair Dean asks for revote
3:23:03 PM CAA calls roll
3:23:17 PM SB 326 passes favorably
3:23:27 PM Tabs 5, 6, 7 - Office Appointments
3:23:57 PM Michael Bauer, Environmental Regulation Commission
3:24:14 PM Joseph Joyce, Environmental Regulation Commission
3:24:21 PM Glenn Waldman, Governing Board of South Florida Water Management District
3:24:44 PM Senator Bullard makes a motion of confirmation
3:24:54 PM Adopted
3:24:59 PM CAA calls roll

3:25:10 PM Chair Dean and the Committee recommend them favorably
3:25:28 PM Senator Simpson moves to rise