

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Date: April 15, 1998 Revised: _____

Subject: Inland Navigation Districts

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	Gee	Voigt	NR	Favorable/CS
2.				
3.				
4.				
5.				

I. Summary:

This bill authorizes inland navigation districts (districts) to enter into cooperative agreements with the Federal Government and participate with the U. S. Army Corps of Engineers (Corps) in waterway maintenance projects and anchorage management programs. It authorizes districts to enter into ecosystem management agreements with the Department of Environmental Protection (DEP) and provides matching funds exceptions to financial assistance provisions. The bill provides a supplemental process for the issuance of joint coastal permits and environmental resource permits.

This bill amends sections 374.976 and 403.061, and repeals section 374.976(5), Florida Statutes.

II. Present Situation:

The Florida Inland Navigation District (FIND) was created by the Florida Legislature in 1927 to perform the requirements of a local sponsor for the Atlantic Intracoastal Waterway project. The FIND was created as a multi-county special district encompassing eleven east coast counties from Duval County south to Dade County.

The district is governed by a board of commissioners appointed by the Governor, one from each county in the district. The district levies an ad valorem tax in the eleven member counties to provide funding for legislatively authorized programs.

The primary mission of the FIND is to perform the functions of a local sponsor of the Atlantic Intracoastal Waterway project. In this capacity, the FIND provides all lands required for the navigation project, including rights of way and lands for the management of dredged materials removed from the waterway channel during dredging activities.

The West Coast Inland Navigation District (WCIND) was created by the Florida Legislature in 1947 as a local sponsor for the Gulf Intracoastal Waterway project. The WCIND and the FIND function in the same manner and have similar responsibilities. The WCIND encompasses the four counties of Manatee, Sarasota, Charlotte and Lee.

Pursuant to s. 374.976, F.S., both districts have been authorized to undertake programs intended to alleviate problems associated with their waterways. Under this authority, the districts operate matching grant programs to assist local governments, as well as other programs involving the state.

Pursuant to s. 374.976(5), F.S., the FIND is authorized to furnish assistance and support to seaports relating to dredged material management projects and other environmental mitigation projects. This section was amended twice in much the same manner by the 1996 Legislature. The Florida Statutes contain a footnote to this effect. It appears that the repeal of this subsection would revive the 1996 amendment that was intended to be the final expression of the Legislature.

Currently, both agencies work closely with the DEP. Section 161.055, F.S., authorizes the DEP to issue a single permit called a joint coastal permit, by rule, for beach and shore preservation. The joint coastal permit may be granted when an activity for which a permit is required under s. 161.055, F.S., also requires an environmental resource permit or a dredge and fill permit under part IV of chapter 373.

Section 403.075, F.S., identifies “ecosystem management” as a concept that includes coordinating the planning activities of state and other governmental units, land management, environmental permitting and regulatory programs, and voluntary programs, together with the needs of the business community, private landowners and the public as partners in a streamlined and effective program for the protection of the environment.

III. Effect of Proposed Changes:

Section 1. Section 374.976, F.S., is amended to authorize a district to aid and cooperate with the federal government in planning and carrying out local and regional anchorage management and beach renourishment projects, enter into cooperative agreements with the Corps, and enter into ecosystem management agreements with the DEP under s. 403.075, F.S.

The section clarifies that a district may waive the requirements for matching funds on a project from members counties and local governments for the following activities:

- Enhancement of public navigation
- Law enforcement on the waterways
- Environmental education projects within the district

- During a state of emergency

Section 2. This section repeals s. 374.976(5), F.S., as amended by ch. 96-320, L.O.F.

Section 3. Section 403.061, F.S., is amended to delete an obsolete reference and authorize the DEP to enter into interlocal agreements, under ch. 163, F.S., with the FIND, the WCIND, or their successor agencies to provide a supplemental process for issuing joint coastal permits under s. 161.055, F.S., or environmental resource permits under part IV of chapter 373, F.S., for regional waterway management activities including, but not limited to, maintenance dredging, spoil disposal, public recreation, inlet management, beach nourishment, and environmental protection directly related to public navigation and the construction, maintenance, and operation of the state's inland waterways.

Section 4. Section 311.105, F.S., is amended to correct cross-references.

Section 5. The act will take effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Changes authorized by this bill will enable navigational districts to better serve the populations within their areas that use the facilities managed by these districts.

C. Government Sector Impact:

To the extent that the districts take advantage of the joint permitting process created, there may be some increased efficiencies associated with long term planning and permitting for the management of inland waterways.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
