

Section 373.451, F.S., directed each water management district to develop and maintain a priority list of water bodies within each water management district. For each priority water body, a SWIM restoration plan had to be developed. Section 373.453, F.S., provided that in developing their respective priority lists, water management districts were to give consideration to certain named water bodies. Those named water bodies include Lake Okeechobee, Biscayne Bay, the Indian River Lagoon system, Tampa Bay, Lake Apopka, and the Lower St. Johns River. Of those named water bodies, three are within the St. Johns River Water Management District.

In 1992, SWFWMD created the Withlacoochee River Work Group to examine the inter-related problems of the river and the lakes associated with it. The group, which began with 24 members and grew larger, issued a report on July 1, 1994, that called for a broad range of research activities and recommendations. SWFWMD also has a Surface Water Improvement and Management (SWIM) plan, currently being updated, for the lake.

As a result of natural and man-made factors, large quantities of silt have accumulated in Lake Panasoffkee, nuisance aquatic vegetation has invaded, and large tussocks (floating islands of plants, detritus and silt) have lodged against the natural shoreline. While biologists say the lake's water quality is acceptable, the water body's value as a fisheries habitat is declining. Bass and other fish prefer hard-pan soil along shorelines on which to lay their eggs. In Lake Panasoffkee, layer upon layer of sedimentation has covered the natural hard pan, ruining the nursery habitat.

The primary restoration activity proposed for the lake is dredging pockets of sedimentation and removing the shoreline tussocks, some of which extend out into the lake a quarter-mile. The latest estimated cost of the restoration is \$22 million; earlier estimates ranged from \$18 million to \$30 million.

III. Effect of Proposed Changes:

The committee substitute creates the Lake Panasoffkee Restoration Council consisting of seven voting members. The membership, to be appointed by the Sumter County Commission, would be comprised of:

- Two representatives of lakefront property owners;
- One environmental engineer;
- One person with training in biology or another scientific discipline;
- One person with training as an attorney;
- One person with training as an engineer; and
- One representative of the sport fishing industry.

The council member shall serve as advisors to the governing board of the Southwest Florida Water Management District (SWFWMD). The council is subject to the provisions of ch. 119 and ch. 120, F.S.

The bill also creates the council advisory group to the council which consists of a representative from each of the following entities, to be appointed by their respective agencies and all of whom must have training in biology or another scientific discipline:

- Southwest Florida Water management District;
- Department of Environmental Protection (DEP);
- Department of Transportation;
- Florida Game and Fresh Water Fish Commission;
- Withlacoochee River Basin Board; and
- The U.S. Army Corps of Engineers.

Among its duties, the council would review all audits and data specifically related to lake restoration techniques and sport fish population recovery strategies. In addition, the council would evaluate whether additional studies are needed; explore all possible sources of funding to conduct the restoration activities; advise the governing board of SWFWMD regarding the restoration of Lake Panasoffkee; and report to the Legislature before November 25 of each year on the progress of the restoration plan and any recommendations for the next fiscal year.

SWFWMD is directed to provide staff to the council. Members of the council shall receive no compensation but are entitled to be reimbursed for per diem and travel expenses. State and federal agencies shall be responsible for the per diem and travel expenses of their respective appointees to the council and SWFWMD is responsible for per diem and travel expenses of other appointees to the council.

SWFWMD, in conjunction with the DEP, the Florida Game and Fresh Water Fish Commission, the Sumter County Commission, and the council, shall review existing restoration proposals to determine which ones are the most environmentally sound and economically feasible methods of improving the fisheries and natural systems of Lake Panasoffkee. The SWFWMD, in conjunction with the DEP, the Florida Game and Fresh Water Fish Commission and pertinent local governments, shall develop tasks to be undertaken by those entities necessary to initiate the Lake Panasoffkee restoration program.

Contingent on legislative appropriations, in conjunction with funding provided by other governmental entities, the appropriate agencies shall, through competitive bid, award contracts to implement the activities of the Lake Panasoffkee restoration program.

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:

To the extent that the council is able to develop an action plan and sources of funding for restoration of Lake Panasoffkee, property owners around the lake may benefit in terms of increased market values of their land. Area residents would benefit from a restored lake in terms of better recreational opportunities.

C. Government Sector Impact:

State agencies such as the Department of Environmental Protection, and Game and Fresh Water Fish Commission, already participate in a variety of interagency work groups for 29 SWIM water bodies. This bill would create yet another interagency work group requiring man-hours and travel expense. In a recent report prepared by the Office of Program Policy Analysis and Government Accountability (OPPAGA), it was found that the SWIM program has insufficient funding to meet the program's requirements for the 29 water bodies which have SWIM plans. OPPAGA recommended that the scope of the SWIM program be limited to fit funding levels. It is likely that future program activities of the various existing SWIM water bodies in the SWFWMD and restoration action proposed by the Lake Panasoffkee Council will be competing for the same limited financial resources. Experience with SWIM projects and similar restoration activities has shown that these activities require multiple year funding commitments once they begin.

The council member agencies would be responsible for the per diem and travel expenses of its members to the council. The SWFWMD would be liable for such expenses for citizen members of the council. An estimate of these costs is not available at this time.

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.
