

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 1044

SPONSOR: Natural Resources Committee, Senator Argenziano and others

SUBJECT: Water Use and Impoundment Construction Permits

DATE: April 14, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Herrin</u>	<u>Yeatman</u>	<u>CP</u>	<u>Fav/1 amendment</u>
2.	<u>Branning</u>	<u>Kiger</u>	<u>NR</u>	<u>Fav/CS</u>
3.	_____	_____	<u>AGG</u>	_____
4.	_____	_____	<u>AP</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill provides that notice for certain water permits may be sent by regular mail or electronic mail. All permits for consumptive water use, dam and reservoir construction, and dredge and fill activities for stormwater management systems must contain certain specified language.

This bill amends s. 373.116, F.S.

II. Present Situation:

Section 373.116, F.S., provides that water use permits, permits for the construction or alteration of dams, impoundments, reservoirs, and appurtenant works, and dredge and fill permits in stormwater management systems must be filed with the water management district on appropriate forms provided by the district.

Upon receipt of an application for one of these permits, the water management district governing board must publish a notice in a newspaper having general circulation within the affected area. In addition, the governing board shall send, by regular mail, a copy of such notice to any person who has filed a written request for notification of any pending applications affecting this particular designated area. Upon written request, notice of application for the consumptive use of water shall be mailed by regular mail to the county and appropriate city government from which boundaries the withdrawal is proposed to be made.

III. Effect of Proposed Changes:

This bill amends s. 373.116, F.S., to provide that the water management district governing board shall send by regular or *electronic* mail a copy of the notice of the permit application to any person who has filed a written request for notification of any pending applications affecting the

particular designated area. Also, notice of an application for a consumptive use permit must be mailed by regular mail to the county and appropriate city government from which boundaries the withdrawal is proposed to be made. Currently, such notice is mailed only upon written request.

All permits issued for water use, construction or alteration of dams, impoundments, reservoir, and appurtenant works, and stormwater management systems must include the following language:

This permit does not convey to the permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

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:

This will provide more notice to the affected citizens in an area where consumptive use permits and certain dam and reservoir permits are proposed to be issued.

All consumptive use permits and dam and reservoir construction permits will clearly state on the permit that the permit does not convey any additional property rights or privileges other than those specified in the permit.

C. Government Sector Impact:

This will give the affected local governments more notice of water use permits and other dam and reservoir construction permits that will affect their jurisdictions.

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.
