

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: SB 2650

SPONSOR: Senator Clary

SUBJECT: Lake Okeechobee Protection TF

DATE: March 25, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Blizzard</u>	<u>Hayes</u>	<u>AGG</u>	<u>Withdrawn</u>
2.	<u>Blizzard</u>	<u>Coburn</u>	<u>AP</u>	<u>Favorable</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill creates the Lake Okeechobee Protection Trust Fund within the Department of Agriculture and Consumer Services. The fund is established to provide funding for a comprehensive protection program that reduces internal and external phosphorus loads to Lake Okeechobee.

II. Present Situation:

Lake Okeechobee is one of the most important water resources of the state, providing many functions benefiting the public interest, including agricultural, public, and environmental water supply; flood control; fishing; navigation and recreation; and habitat to endangered and threatened species and other flora and fauna. Land uses in the Lake Okeechobee watershed have resulted in adverse changes to the hydrology and water quality of Lake Okeechobee.

The 2000-01 Legislature created the Lake Okeechobee Protection Program pursuant to s. 373.4595, F.S. The program addresses the reduction of phosphorus loading to the lake from both internal and external sources. The Department of Agriculture and Consumer Services, in coordination with the South Florida Water Management District and the Department of Environmental Protection is responsible for implementation of agricultural nonpoint source best management practices and water quality improvement projects developed in accordance with s. 403.067, F.S.

Pursuant to s. 373.4595, F.S., the three coordinating agencies, the Department of Agriculture and Consumer Services, the South Florida Water Management District and the Department of Environmental Protection, are required to implement the Lake Okeechobee Protection Plan. The plan contains an implementation schedule for subsequent phases of phosphorus load reduction

consistent with the total maximum daily loads established in accordance with s. 403.067, F.S. The total estimated cost of the Lake Okeechobee Protection Plan is \$322,200,000. The revenue sources include contributions from landowners, municipalities, the state and the federal government.

Funds are provided to the Department of Agriculture and Consumer Services for research, development, demonstration, and implementation of suitable best management practices and other measures for Lake Okeechobee water quality improvement. The department currently deposits the Lake Okeechobee restoration funds into an existing agency trust fund. A dedicated trust fund will allow the department and the Legislature to improve accounting for the use of these funds.

III. Effect of Proposed Changes:

This bill creates the Lake Okeechobee Protection Trust Fund within the Department of Agriculture and Consumer Services to provide visibility for Lake Okeechobee restoration appropriations and expenditures effective July 1, 2004. The trust fund will be subject to the constitutionally required trust fund review process.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

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.
