

By Senator Constantine

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1 A bill to be entitled

2 An act relating to the restoration of Lake Jesup;  
3 requiring the Department of Environmental Protection,  
4 the St. Johns River Water Management District, the  
5 Fish and Wildlife Conservation Commission, and the  
6 City of Sanford to develop a plan concerning the  
7 progress of the commission's project to restore  
8 aquatic habitats in Lake Jesup; requiring the  
9 commission to report to the Legislature concerning the  
10 development of the plan; providing that the  
11 acquisition of a site to dispose of muck from the  
12 project is a conservation and restoration acquisition  
13 under the Florida Forever program; encouraging state  
14 agencies to help fund the removal of muck from Lake  
15 Jesup; providing an effective date.

16  
17 WHEREAS, the Legislature recognizes the importance of  
18 improving water quality in surface waters having regional or  
19 statewide significance, and

20 WHEREAS, Lake Jesup, a lake that fluctuates with the St.  
21 Johns River system and encompasses between 9,150 acres at low  
22 water and 13,034 acres at high water, is an important natural  
23 resource of regional and statewide significance, an important  
24 economic resource, and a habitat for resident and migratory fish  
25 and waterfowl, and

26 WHEREAS, historically, Lake Jesup has been a primary  
27 destination of sport fishers, a navigable waterway, and a  
28 waterway capable of supporting commerce, travel, and recreation,  
29 and

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30 WHEREAS, endangered species, such as the manatee and bald  
31 eagle, and species of special concern, such as the ibis, wood  
32 stork, and sandhill crane, use this lake and basin as habitat,  
33 and

34 WHEREAS, hundreds of thousands of visitors are drawn to the  
35 area around Lake Jesup each year, and

36 WHEREAS, the water quality, fisheries, and other biological  
37 communities of Lake Jesup have deteriorated, and

38 WHEREAS, various state, federal, and local governmental  
39 agencies have been engaged in a coordinated and scientific  
40 approach to the restoration of Lake Jesup for some years, and

41 WHEREAS, governmental agencies have purchased more than  
42 8,500 acres around the lake for purposes that include  
43 conservation and recreation as well as restoration of Lake  
44 Jesup, and

45 WHEREAS, a mitigation project of the Department of  
46 Transportation removed a 2-mile berm from Lake Jesup which  
47 returned a substantial amount of navigability to the lake and  
48 allowed an additional 300 acres of the lake's floodplain to  
49 again help filter particulates from the lake and absorb the  
50 lake's nutrient pollution while increasing the lake's ability to  
51 store floodwater and provide valuable habitat for plants and  
52 animals, and

53 WHEREAS, the Fish and Wildlife Conservation Commission has  
54 embarked on a plan to restore aquatic habitat in the lake in  
55 order to rehabilitate the lake's fishery resources, and a  
56 significant component of that plan requires removal of the large  
57 amount of muck that is now lying on the bottom of the lake and  
58 that is more than 9 1/2 feet thick in some areas, and

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59 WHEREAS, while significant progress has been made toward  
60 restoring Lake Jesup by the governmental agencies involved in  
61 this restoration project, the progress of the project is stymied  
62 by challenges associated with obtaining necessary permits for  
63 the muck-removal phase of the restoration, and

64 WHEREAS, a parcel of land that the City of Sanford has used  
65 as a sprayfield for effluent from its wastewater treatment plant  
66 may be highly suitable as a muck-disposal site, NOW, THEREFORE,

67  
68 Be It Enacted by the Legislature of the State of Florida:

69  
70 Section 1. The Department of Environmental Protection, the  
71 St. Johns River Water Management District, the Fish and Wildlife  
72 Conservation Commission, and the City of Sanford shall  
73 diligently work to develop a plan to allow the removal of muck  
74 from Lake Jesup in Seminole County to proceed, which is  
75 contemplated by a Fish and Wildlife Conservation Commission  
76 project to help restore the aquatic habitat in the lake. The  
77 commission shall report to the Legislature concerning the  
78 group's progress toward this goal on October 1, 2009, and on the  
79 first day of each third month thereafter until any site needed  
80 for the disposal of muck has received all necessary state  
81 permits or it is determined that muck removal can proceed  
82 without a site for the disposal of the muck. The acquisition of  
83 a muck-disposal site is a conservation and restoration  
84 acquisition under the Florida Forever program created in s.  
85 259.105, Florida Statutes, the goal of which is to improve and  
86 sustain the ecological integrity of Lake Jesup. Each state  
87 agency is encouraged to expend funds to assist in the removal of

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88 muck from the bottom of Lake Jesup.

89 Section 2. This act shall take effect July 1, 2009.