



WEKIVA RIVER BASIN COORDINATING COMMITTEE FINAL REPORT

*Recommendations for Enhanced
Land Use Planning Strategies
and Development Standards to
Protect Water Resources of the
Wekiva River Basin*



MARCH 16, 2004



**Wekiva River Basin
Coordinating Committee**

The Honorable Lee Constantine, Chair
Florida Senate, District 22

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Secretary
Department of Community Affairs

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Battaglia Fruit Company

The Honorable Charles H. Bronson
Commissioner, Department of
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The Honorable Randall C. Morris, Chair
Seminole County Expressway Authority
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Charles L. Siemon, Facilitator

Maria Abadal-Cahill, Staff Coordinator

March 16, 2004

Dear Governor Bush and Interim Secretary Hughes:

In July 2003, Governor Bush created the Wekiva River Basin Coordinating Committee by Executive Order 2003-112. The Committee was created as a forum to identify land use planning strategies and development standards that are consistent with protected property rights and which improve and assure protection of surface and groundwater resources, including the recharge potential of the Wekiva Study Area.

The Executive Order directed the Committee to present its report to the Governor and the Department of Community Affairs by February 15, 2004. Executive Order 2003-112 was amended by Executive Order 2004-10, which extended the committee's work for an additional 30 days to March 16, 2004.

Therefore, on behalf of the Committee it is my pleasure to transmit our recommendations in this final report. The final report and vote to approve these recommendations reflect significant consensus among diverse interests from state and regional agencies, county and municipal representatives within the Wekiva Study Area to citizens groups, the agricultural community, property owners and environmental organizations.

The Committee's report makes recommendations for building the Wekiva Parkway, protecting the Wekiva River Basin's fragile environment and promoting innovative planning and development. The Committee supports development of the Wekiva Parkway and recommends legislative action and funding to expedite land acquisition of conservation lands adjacent to the Wekiva Parkway. Agency actions to study and undertake rule making or seek legislation, as needed, to protect surface water and groundwater resources in the Wekiva Study Area is also recommended. Innovative planning and development strategies include coordination of land use and water supply planning activities, land use strategies that protect recharge areas, public education and best management practices for water conservation and protection of water quality. Finally, the report recommends implementation through legislation and funding, identifies key reporting timeframes, implementation strategies for the recommendations, and creates an oversight committee to monitor implementation.

I commend all those, including staff from the many agencies and local governments, who provided their timely and able assistance to this effort and the people of Central Florida for their participation and help in bringing our deliberations to a successful conclusion.

Governor, thank you for creating the Coordinating Committee and selecting members who are knowledgeable about the issues and committed to finding solutions. On behalf of the Committee, it has been my pleasure to serve the citizens of the Wekiva River Basin in this capacity.

Sincerely yours,

Senator Lee Constantine, Chair
Wekiva River Basin Coordinating Committee

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The Wekiva River Basin Coordinating Committee expresses its sincere appreciation to the following counties and cities in the Wekiva Study Area, and their staff, for their assistance and support: Lake County and the municipalities of Eustis and Mount Dora; Orange County and the municipalities of Apopka, Eatonville, Maitland, Oakland, Ocoee, Orlando and Winter Garden; and Seminole County and the municipalities of Altamonte Springs, Lake Mary and Longwood. The Committee also expresses its appreciation to the following individuals and organizations:

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INTRODUCTION

The Wekiva River system and its associated springshed areas are of irreplaceable value to the quality of life and well-being of the people of the State of Florida. Its tributaries have been designated an Outstanding Florida Water, a National Wild and Scenic River, a Florida Wild and Scenic River, and a Florida Aquatic Preserve. The River is a spring-fed system that derives a majority of its base flow from numerous springs whose source of water is the Floridan Aquifer.

In 1988, the Florida Legislature enacted the Wekiva River Protection Act, codified in Part II of Chapter 369, Florida Statutes, to protect the resources of the Wekiva River system. The Act delineated an area comprising portions of Lake, Orange, and Seminole Counties as the Wekiva River Protection Area.

Protection of the surface and groundwater resources, including recharge within the springshed that provides for the Wekiva River system, is crucial to the long-term viability of the Wekiva River and springs and the central Florida region's water supply. The primary groundwater recharge area of the Wekiva River system lies to the west and south and outside the Wekiva River Protection Area.

Construction of the Wekiva Parkway and other roadway improvements to the west of the

Wekiva River system will add to the pressures for growth and development already affecting the surface and groundwater resources within the recharge area. The Wekiva Basin Area Task Force, created by Governor Bush in 2002 by Executive Order 2002-259, was charged with considering, evaluating and making recommendations for the most appropriate location for an expressway that connects State Road 429 to Interstate 4 in Seminole County, and which causes the least disruption and provides the greatest protection to the Wekiva Basin ecosystem. The Task Force submitted its recommendations to Governor Bush in a final report dated January 15, 2003.

The Governor appointed the Wekiva River Basin Coordinating Committee (Committee) on July 1, 2003, by Executive Order 2003-112, **Appendix A**, to build upon the recommendations of the Wekiva Basin Area Task Force through a cooperative, coordinated effort by local governments, state and regional agencies, and affected interests charged to protect this natural resource. The Executive Order directs the Committee to present its report to the Governor and the Department of Community Affairs by February 15, 2004. Executive Order 2003-112 was amended by Executive Order 2004-10, **Appendix B**, which extended the Committee's work to March 16, 2004.

Undertaking the Committee's Charge

The Committee was charged by Executive Order 03-112 with presenting a report and making recommendations to (1) delineate the Wekiva Study Area; (2) identify enhanced land use planning strategies and development standards consistent with protected property rights, and which improve and assure protection of surface and groundwater resources of the Wekiva Study Area; (3) consider the recommendations of the Wekiva Basin Area Task Force, and the most current and new information being developed regarding groundwater recharge in the Wekiva Study Area; (4) consider the use of innovative planning and development strategies; (5) address the issues of compatibility with existing comprehensive plans and land development regulations of local governments with jurisdiction over lands within the Wekiva River Protection Area; (6) consider, evaluate and make recommendations concerning mechanisms for coordinating federal, state, regional and local efforts, public education and state and regional agency actions for protection of the Study Area's resources and for implementing the identified land use planning strategies and development standards; and (7) solicit and consider public comment from affected citizens and state, regional and federal agencies.

Subsequent to the appointment of the Committee, meetings were held August 27-28, 2003, September 16-17, 2003, October 15-16, 2003, November 5-6, 2003, December 17-18, 2003, January 9, 2004, January 28-29, 2004, and February 25, 2004. The work plan generally followed the charges as laid out in the Executive Order. The meeting agendas provided for background briefings on key issues, presentations by environmental, property owner and neighborhood coalitions, and public comment.

Wekiva Study Area

At the August 27-28, 2003 meeting, the Committee delineated the Wekiva Study Area

to include an appropriate portion of the land area that contributes surface and groundwater to the Wekiva River system. The majority of the land within the Wekiva Study Area contributes groundwater recharge to the Wekiva River and springs. **Figure 1** delineates the Wekiva Study Area, and the surface water and groundwater basin, including recharge areas, of the Wekiva River system. **Figure 2** delineates the local governments located within the Wekiva Study Area. They include the following counties and municipalities: Lake County and the municipalities of Eustis and Mount Dora; Orange County and the municipalities of Apopka, Eatonville, Maitland, Oakland, Ocoee, Orlando and Winter Garden; and Seminole County and the municipalities of Altamonte Springs, Lake Mary and Longwood. A legal description of the Wekiva Study Area is provided in **Appendix F**.

Background Briefings

During the first five meetings, the Committee received presentations from experts, and the staff of federal, state and regional agencies on the following topics:

- Wekiva River Protection Act;
- Wekiva Basin Area Task Force Report;
- Surface and Groundwater Characteristics;
- Proposed Wekiva Study Area;
- Transportation Issues, including the status of the SR 429 Extension;
- Regional Growth and Economic Trends;
- Agricultural Issues, including Economic and Environmental Considerations;
- The Rural and Family Lands Protection Act;
- Overview of the Wekiva-Ocala Greenway;
- Overview of Rural Lands Stewardship Program and the Collier County Experience;
- Land Use Strategies and Land Development Techniques;
- Stormwater Management Techniques and Practices;
- Overview of Wekiva River Basin State Parks;

Figure 1. Wekiva Study Area: Surface Water Basin, Groundwater Basin and Recharge

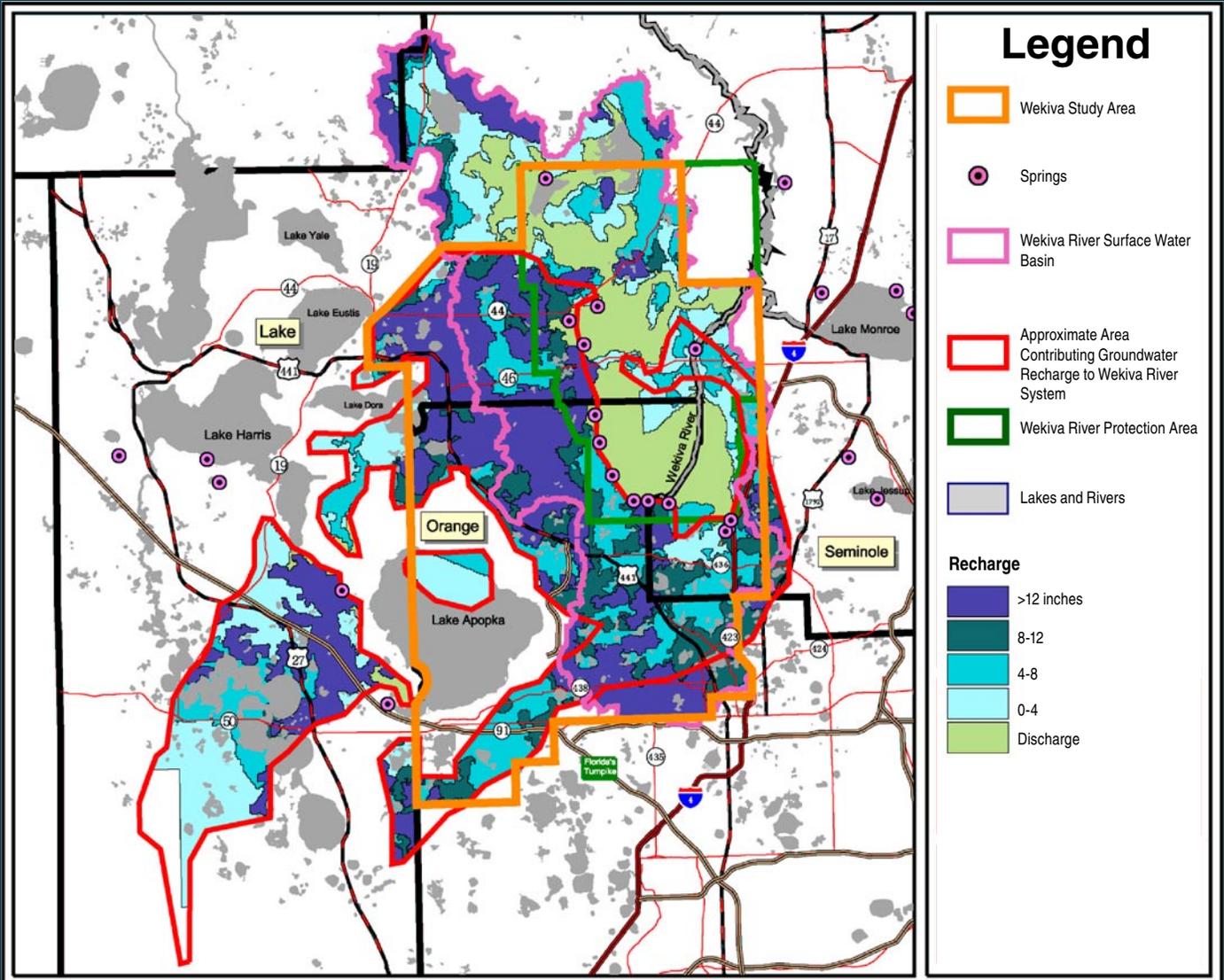
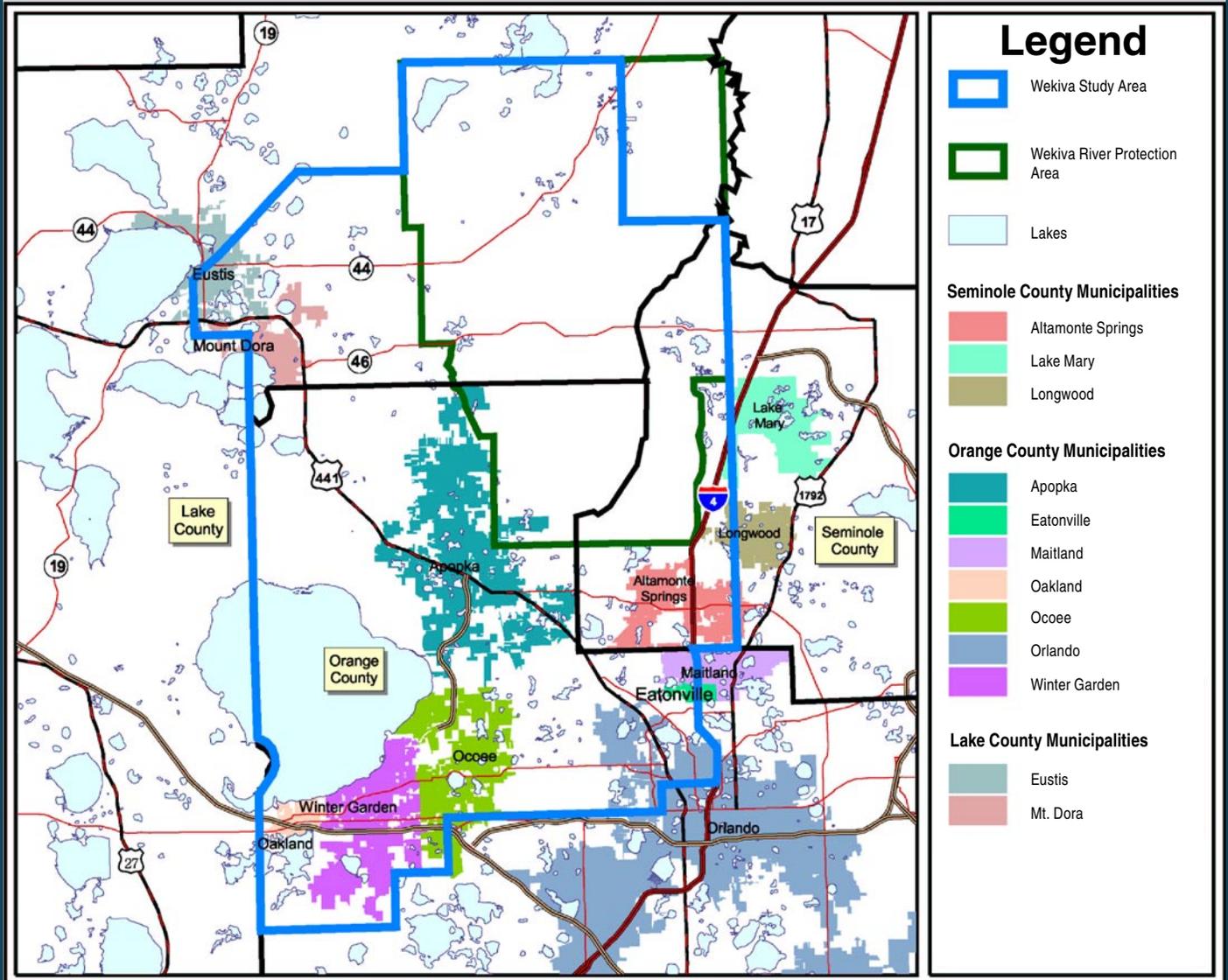


Figure 2. Local Governments within the Wekiva Study Area





- Groundwater Flow Conditions in Central Florida;
- Hydrologic Water Balance Model;
- Mt. Plymouth Sorrento Framework Plan;
- Orlando Utilities Commission Water Permit Status; and,
- Fish and Wildlife Resources in the Wekiva Basin.

To assist the Committee with its deliberations, several reports were prepared and presented to the Committee, pursuant to the Executive Order, including:

- *St. Johns River Water Management District Preliminary Report to the Wekiva River Basin Coordinating Committee pursuant to Executive Order No. 03-112*, including the report on agricultural practices in Wekiva Study Area by the Department of Agriculture and Consumer Services, presented at the October 15-16, 2003 meeting;
- Department of Transportation preliminary report on the feasibility of land acquisition and implementing legislation, presented at the November 5-6, 2003 meeting;
- *Department of Community Affairs Report to the Wekiva River Basin Coordinating Committee on the Efficacy of Local Government Comprehensive Plans and Land Development Regulations to Protect the Surface Water and Groundwater Resources of the Wekiva Study Area*, presented at the November 5-6, 2003 meeting; and,
- *Department of Community Affairs Recommendations to the Wekiva River Basin Coordinating Committee for Enhanced Comprehensive Planning and Land Development Regulations*, presented at the December 17-18, 2003 meeting.

In addition, the Committee received recommendations from the Department of Community Affairs for agency coordination and implementation, presented at the January 9, 2004 meeting; information from a joint

report prepared by the Departments of Transportation and Environmental Protection, the St. Johns River Water Management District and the Florida Communities Trust on Funding Alternatives for Land Acquisition and Construction of the Wekiva Parkway, presented at the December 17-18, 2003 meeting; and State Road (SR) 429 Working Group report, presented at the January 28-29, 2004 meeting. Subsequent to the December 17-18, 2003 meeting and consistent with Executive Order 03-112, the Department of Transportation issued the *Wekiva Parkway Land Acquisition Feasibility Study* on January 14, 2004.

Public Comment

All meetings included periods for public comment. All speakers agreed about the importance of protecting the fragile and unique ecosystem in the Wekiva Basin Area. Many speakers expressed concern with the environmental impact of locating a new road corridor within the Protection Area, particularly impacts related to water resources, wildlife and wildlife habitat. Speakers suggested that consideration of appropriate corridor alignment, design and elevation of the new road could minimize environmental impacts, and bear kills could actually decline in the area as a result of the completion of the Wekiva Parkway.

Speakers also voiced concern about induced development from a new expressway and the related impacts on the springs recharge area, water quality and quantity, existing residential neighborhoods, and established businesses. They commented on the need for land use controls to regulate impacts from development and expressed concern about possible impacts to private property through condemnation for the roadway.

Participation by Local Governments

Pursuant to the Executive Order, representatives of each county and the municipalities of Apopka, Eustis, Oakland,

Altamonte Springs and Mount Dora from within the Wekiva River Basin participated on the Committee. The Committee heard overviews from local governments, including Lake County, Eustis, Mount Dora, Seminole County, Altamonte Springs, Oakland, Orlando, Winter Garden, and Orange County.

Local governments voiced concerns with annexations, protection of property rights, comprehensive plan requirements duplicating regulatory programs, impacts of recommendations on affordable housing, urban infill and redevelopment, the need for funding for alternative sources of water supply and implementing recommendations, the need for science-based information to support recommendations, and the effect of water consumption on resources of the Wekiva River and springs.

Group Presentations

The Committee heard presentations from a number of organizations, including agricultural associations, the Nature Conservancy, Wekiva Property Owners Alliance, Northwest Orange County Coalition of Communities, as well as 1000 Friends of Florida, Sierra Club and Friends of Wekiva River. Speakers voiced concerns with the impacts of development on quality of life, protection of neighborhoods and rural character, the need to expedite land acquisitions of critical recharge lands, the impacts of growth to springs and recharge areas, and the impacts of regulations to businesses, including agriculture.

Access to Committee Proceedings

To ensure that the public, as well as all Committee members and support staff had complete access to all meeting notices, agendas and data, a site on the Department of Community Affairs' webpage was established, including an easy-to-remember address: www.wekivacommittee.org. The site includes all materials discussed at the meetings,

including agendas, maps, power point presentations, reports and comments. In addition, each meeting was audio and video taped. The audiotapes were summarized after each meeting and the written minutes were approved by the Committee and then posted online.

The www.wekivacommittee.org website will be maintained during the next two years to allow any interested person to review reports, materials and data from the Wekiva River Basin Coordinating Committee.

RECOMMENDATIONS

BUILD THE WEKIVA PARKWAY

Population growth in the Orlando Metropolitan Area has placed an ever-increasing demand on the transportation network. The Committee received background information from the Department of Transportation about the regional transportation system and the purpose and need for a route to link State Road (SR) 429 to Interstate 4 in Seminole County – the Wekiva Parkway. The Committee also received testimony from the SR 429 Working Group created by the East Central Florida Regional Planning Council in cooperation with, and support from, the Orlando-Orange County Expressway Authority to implement Recommendation 8 of the Wekiva Basin Area Task Force Final Report.

The Florida Turnpike and Interstate 4, both of which are heavily traveled, currently serve the region. Another primary component of the regional transportation system is an eastern beltway (SR 417) around Orlando and a portion of a western beltway located between Interstate 4 on the south in Osceola County and US 441 in Apopka, which serve as bypasses for Interstate 4. Completing the beltway connector is an essential component of meeting regional transportation needs, including:

- **Regional connectivity** – only three east-west travel options exist in a 25-mile envelope.

- **Improved safety** – from 1997 to 2001, SR 46 has been the location of 14 traffic fatalities and more than 30 bear kills.
- **Projected growth** – both population and economic growth as forecasted in local government comprehensive plans.
- **Increased travel demands** – the capacity for SR 46 is 24,900 vehicles per day; with historical traffic volume growth exceeding seven percent per year, by 2025, SR 46 would have to support more than 33,000 vehicles per day.

According to the Department of Transportation, by the year 2025, a complete beltway system around the Orlando Metropolitan Area would divert 46,000 daily trips from Interstate 4, with the Wekiva Parkway carrying up to an estimated 27,000 daily trips.

The SR 429 Working Group studied a number of proposed corridors for a new limited access expressway —SR 429 Northwest (NW) Extension— that would link the Wekiva Parkway to US 441 in northwest Orange County and east Lake County. The SR 429 Working Group’s final recommendation eliminated the NW Extension of SR 429, as previously envisioned. In lieu of the SR 429 NW Extension, the Working Group identified an overall transportation improvement program that included the Wekiva Parkway, the Apopka Bypass — that is, the extension of

Maitland Boulevard west to link to SR 429 and US 441— and a partial realignment of SR 46 to be known as the SR 46 Bypass around the communities of Mt. Plymouth and Sorrento. The SR 46 Bypass will be integrated with the Wekiva Parkway. The SR 429 Working Group’s final recommendations, adopted January 16, 2004, and map are included in *Appendix C*.

Wekiva Parkway Location and Design

Recommendation 1: The Committee supports development of the Wekiva Parkway and endorses the following recommendations of the Wekiva Basin Area Task Force, *Appendix D*:

- *Task Force Recommendation 2: Recommended Corridor for the Wekiva Parkway, Figure 3, incorporating the corridor alignment recommended by the SR 429 Working Group, Figure 4;*
- *Task Force Recommendations 3 and 4: Guiding Principles for the Wekiva Parkway Design Features and Construction;*
- *Task Force Recommendation 7: Interchanges Along the Wekiva Parkway;*
- *Task Force Recommendation 9: Local Government Review of Long-Range Transportation Plans; and,*
- *Task Force Recommendation 10: Application of Guiding Principles to State Road 44.*

Implementation Strategy: *Consistent with Recommendation 4 below, the Committee recommends initiation of legislative action and amendment of the Metropolitan Planning Organization’s Long-Range Plans to initiate feasibility studies, planning and project development for the Wekiva Parkway. The federal process will need to be followed to maintain the Wekiva Parkway’s eligibility for federal funding. Local government comprehensive plans should be amended to include the Wekiva Parkway.*

Interchange Land Use Plans

Recommendation 2: *Consistent with Recommendation 13 of the Wekiva Basin Area Task Force, Appendix D, the Committee recommends local governments hosting an interchange on the Wekiva Parkway adopt into their comprehensive plans interchange land use plans (excluding the interchange with Interstate 4) to address the following: appropriate land uses and compatible development; secondary road access; access management; right-of-way protection; vegetation protection and water conserving landscaping; and the height and appearance of structures and signage. The major objectives of the interchange land use plans are to allow for development which is appropriate in scale and intensity given the land uses in the area, to assure development is compatible with the surrounding area, and to assure protection of surface water and groundwater resources and important wildlife habitat.*

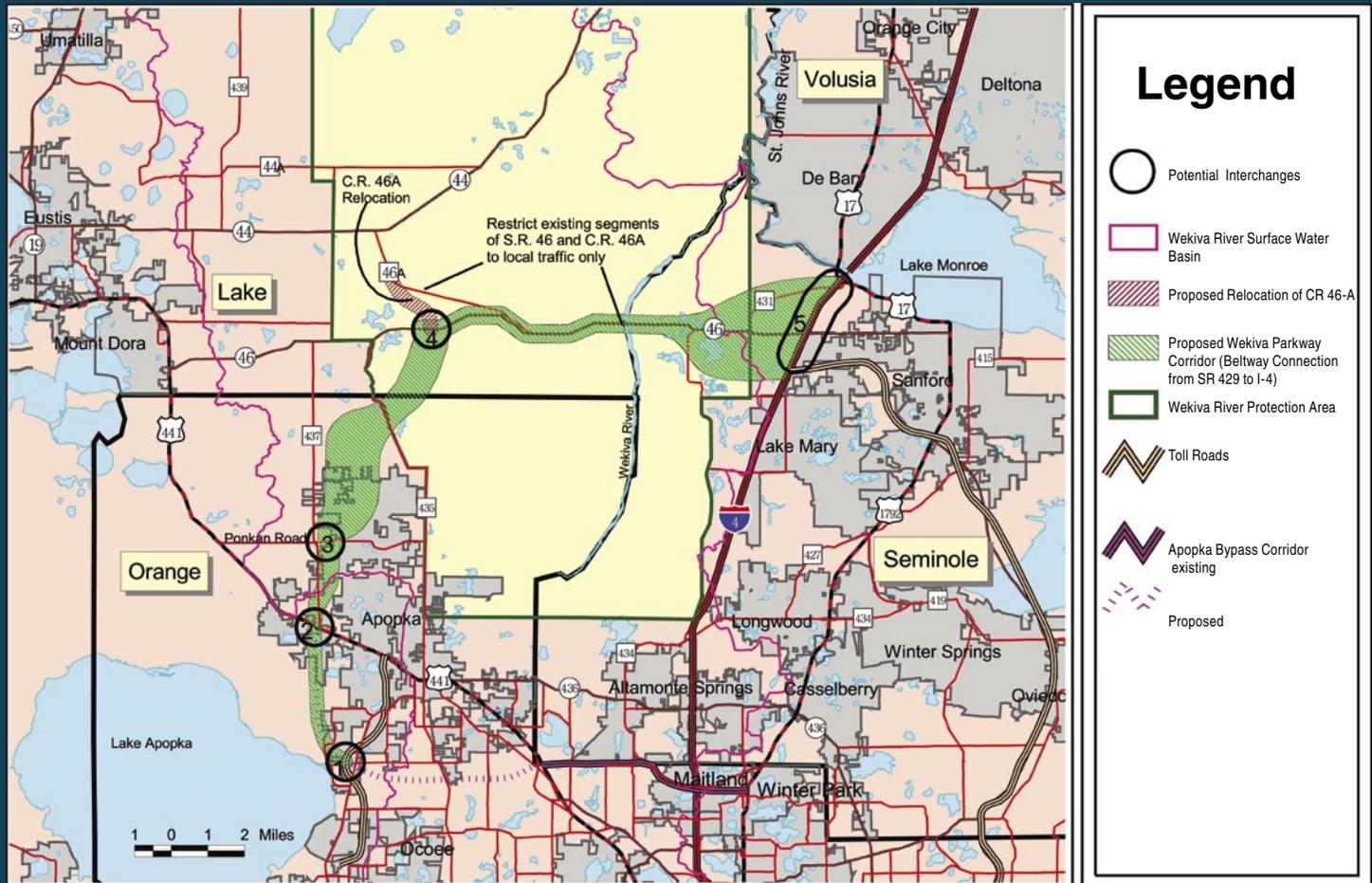
Implementation Strategy: *The Committee recommends implementation of legislation to direct planning for interchanges by local governments.*

Land Acquisition

In addition to the recommendations made above, the Committee endorsed the Department of Transportation’s strategy for legislative action to expedite land acquisition to purchase conservation land surrounding or adjacent to Wekiva Parkway. The Department of Transportation presented its recommendations and the *Wekiva Parkway Land Acquisition and Feasibility Study* to Governor Bush in a final report dated January 14, 2004. Executive Order 03-112 directed the Department of Transportation to:

10. *The Department of Transportation, using existing authority under Florida Statutes, Chapters 334, 335, and 338, including, but not limited to, sections 334.03, 334.044, 335.02, 335.18, 338.001 and related rules, shall:*

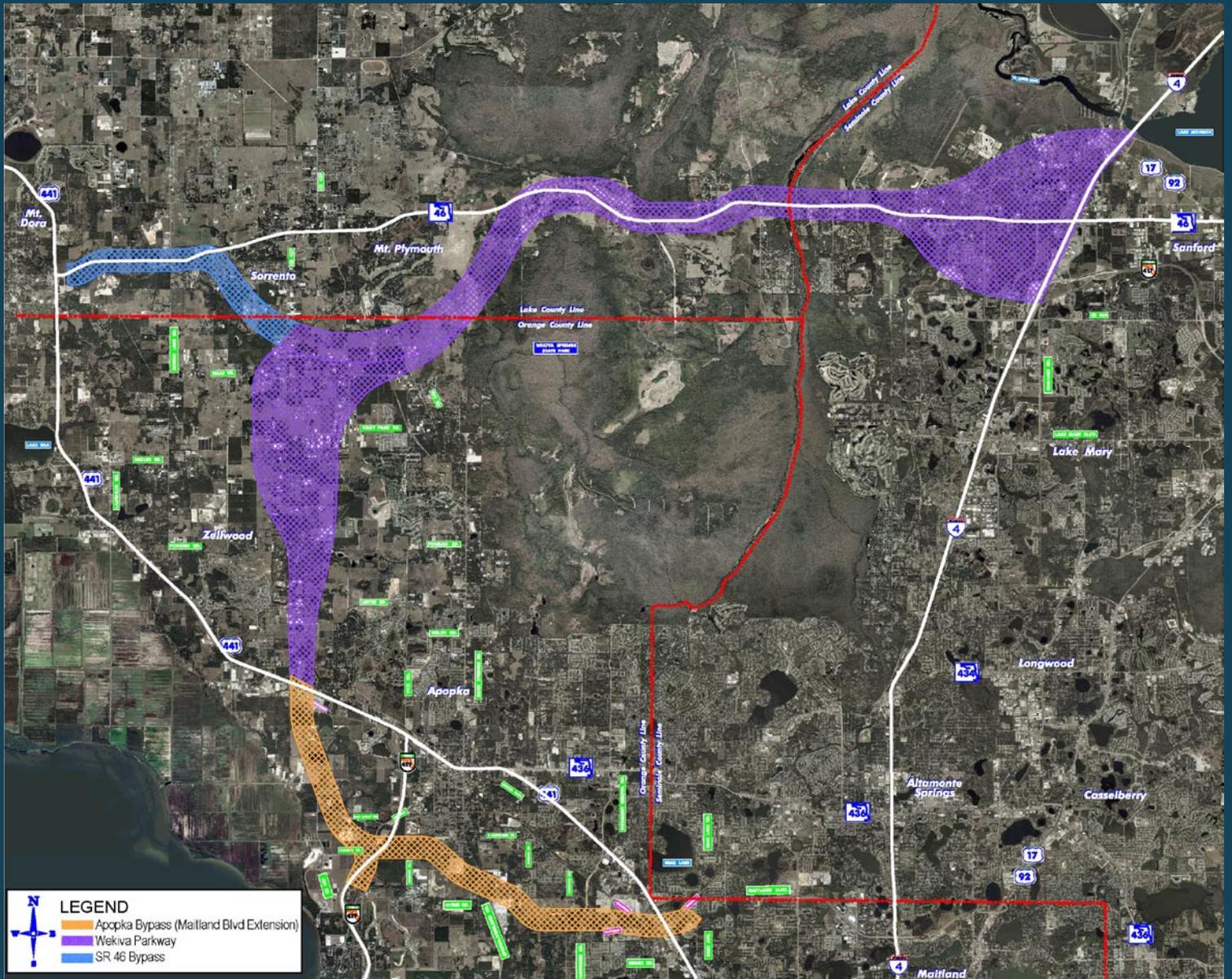
Figure 3. Recommended Corridor for the Wekiva Parkway with Potential Interchange Locations



Source: Wekiva Basin Area Task Force, January 15, 2003

RECOMMENDATIONS

Figure 4. SR 429 Working Group Recommended Corridor for the Wekiva Parkway





a. By January 15, 2004, report to the Governor and Legislature on:

- (i) both the feasibility and time frames for acquiring lands identified in Task Force Recommendation 16 through the mitigation bank; and
- (ii) any legislation needed to acquire fee-simple or less-than-fee-simple interest in lands in the Wekiva Study Area or Wekiva River Protection Area in excess of that which may be required for right-of-way and associated construction of the Wekiva Parkway.

b. By November 1, 2004, and in consultation with the Turnpike Enterprise, the Orlando-Orange County Expressway Authority, and the Seminole County Expressway Authority, report to the Governor and Legislature joint recommendations for a funding plan and lead agency for the Wekiva Parkway. The funding plan shall be developed to maximize implementation of the location, design and construction principles included in Task Force Recommendations 2, 3, 4, 6, and 7.

c. At the appropriate time, assure that future planning for improvements to SR 44 considers Task Force Recommendation 10.

d. By December 1, 2003, the Department of Transportation shall present its preliminary recommendations developed pursuant to paragraph 10a, to the Committee and state, regional and federal agencies and request their comments. The Department shall consider comments from the Committee and affected citizens and the state, regional and federal agencies in developing its final recommendations to the Governor and Legislature.

Subsection 10.a of the Executive Order references four (4) parcels listed in Recommendation 16 of the Wekiva Basin Area Task Force Report issued on January 15, 2003. The four parcels: Neighborhood Lakes (1,587 acres), Seminole Woods / Swamp (approximately 5,500 acres), New Garden

Coal (1,643 acres), and Pine Plantation (approximately 700 acres) and their location within the Wekiva-Ocala Greenway project boundary are highlighted on **Figure 5**.

Since issuance of the Executive Order, the Department of Transportation has coordinated closely with a number of state agencies including the Department of Environmental Protection, St. Johns River Water Management District and Orlando-Orange County Expressway Authority. Additionally, the Department of Transportation obtained information and input from staff members of various local governments including Orange County, Lake County and the City of Apopka. The alternative strategies were presented to the Committee November 5, 2003 and December 17, 2003.

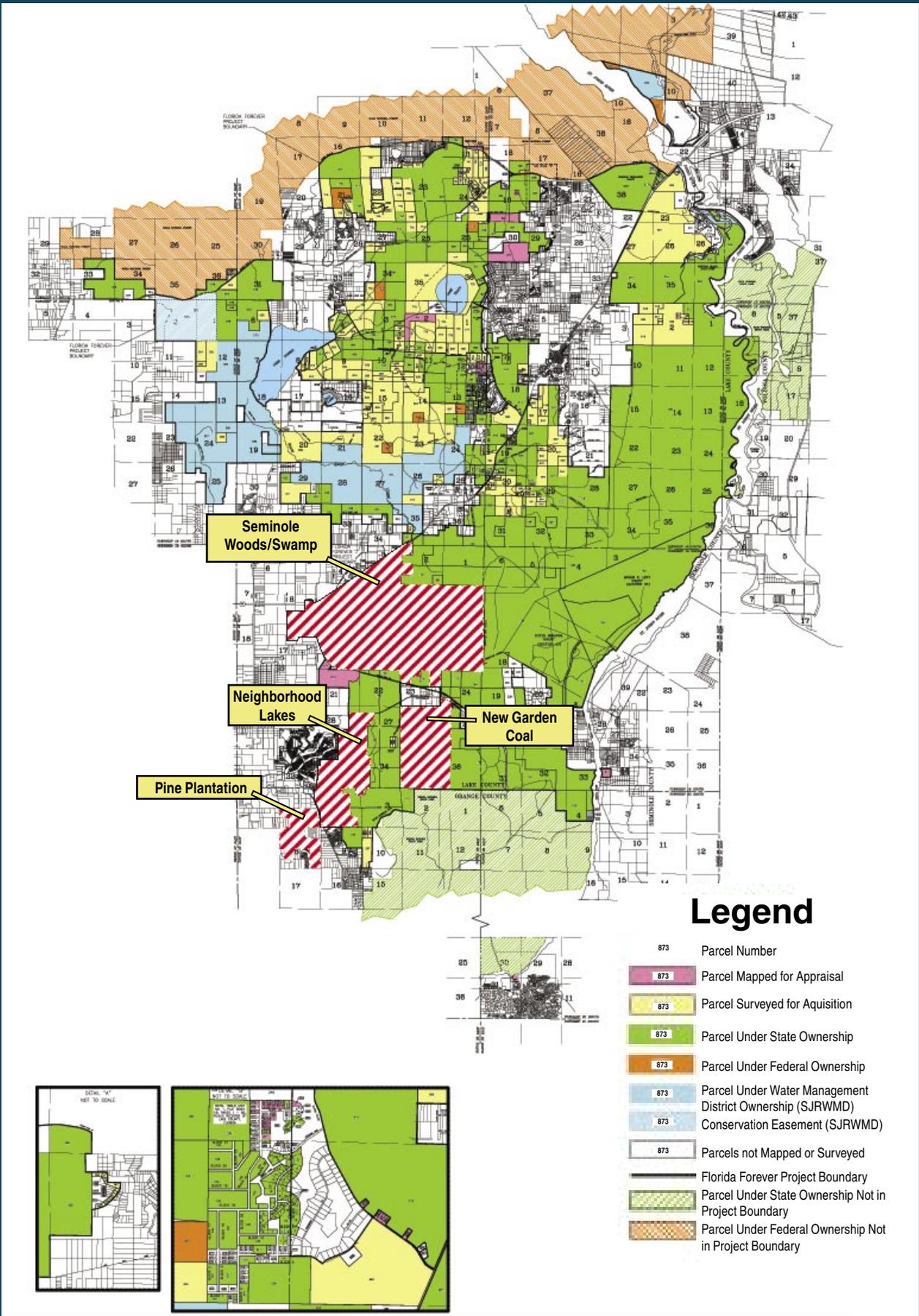
The strategy endorsed by the Committee and its details are: Department of Transportation recommended Alternative 4, legislative action for Department of Transportation acquisition of the parcels and both Department of Environmental Protection and St. Johns River Water Management District concurred with this recommendation. The Wekiva River Basin Coordinating Committee reached a consensus to support the legislative action strategy.

In addition to the legislative action, the agencies are continuing to coordinate on a funding program for the land acquisition. Due to the limited resources available to the agencies, it may be necessary to include a special appropriation from the Florida Legislature to “jump start” the acquisition process.

Recommendation 3: The Committee endorses the following recommendations of the Wekiva Basin Area Task Force, Appendix D:

- **Task Force Recommendation 5: Legislation Authorizing and Funding for Acquisition; and,**
- **Task Force Recommendation 6: Land Acquisition and Mitigation of Impacts Prior to Construction.**

Figure 5. Wekiva-Ocala Greenway Florida Forever Project Boundary





Consistent with Recommendation 16 of the Wekiva Basin Area Task Force, the Committee recommends initiation of legislative action and the appropriation of funds to expedite acquisition of Neighborhood Lakes, Seminole Woods/Swamp, New Garden Coal, and Pine Plantation. Cooperative efforts should be initiated by the Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, and other land acquisition entities to purchase conservation land surrounding or adjacent to Wekiva Parkway as the alignment has been modified by the SR 429 Working Group with special emphasis on high quality wetland and upland habitat in Orange and Lake County as shown in *Figure 6*.

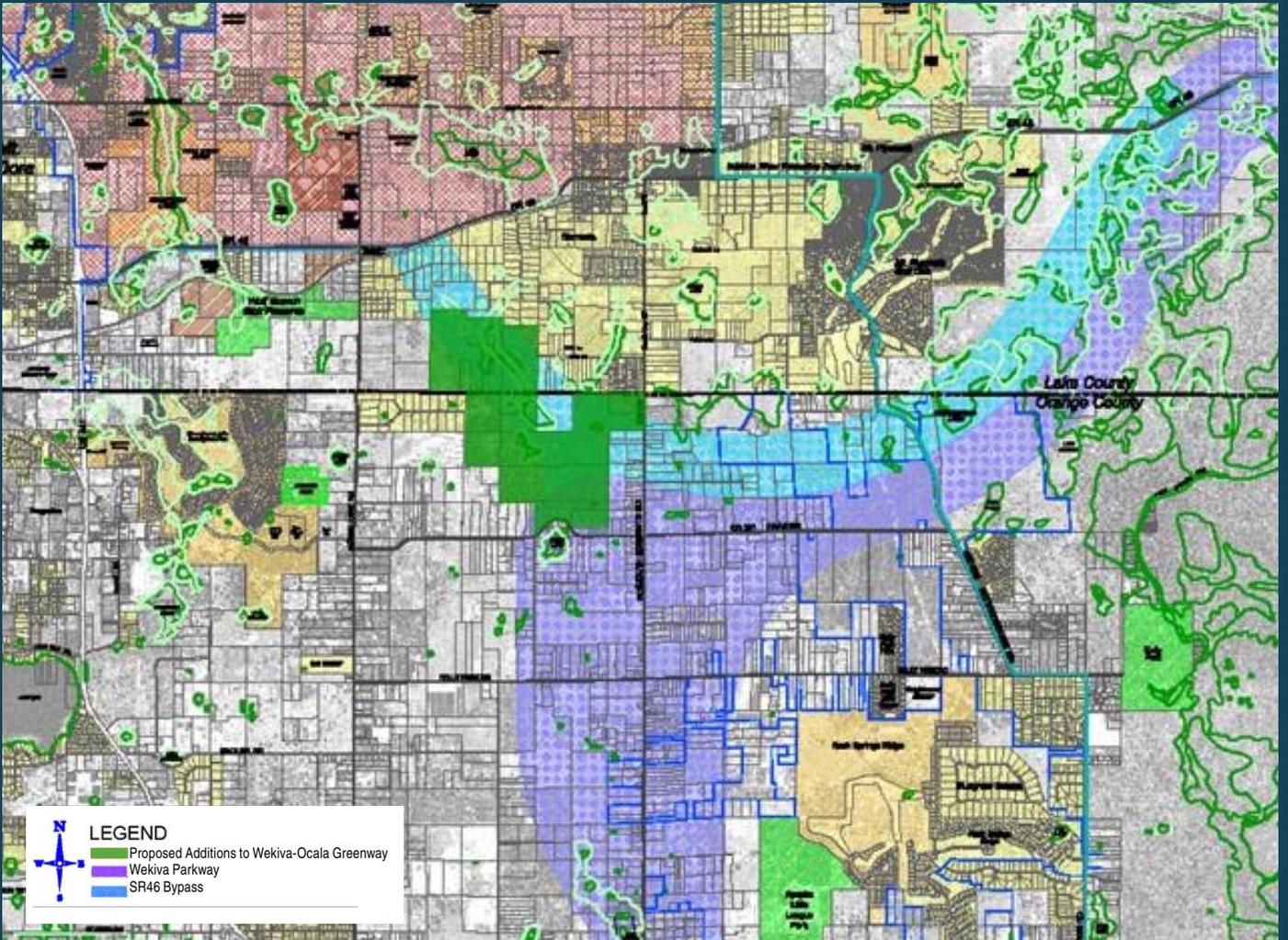
The Committee also recommends the Board of Trustees amend the Wekiva-Ocala Greenway Florida Forever project boundary to include the Pine Plantation parcel as shown on *Figure 5* and wetland and upland (including Scrub Oak) parcels as shown on *Figure 6*.

Legislation should define: the need to acquire the four parcels, including right-of-way acquisition and mitigation of environmental impacts; the Department of Transportation as the acquiring agency; and, the funding partnerships between agencies, including the Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, and other land acquisition entities to expeditiously complete the acquisitions.

The Department of Transportation should initiate the acquisition process, including appraisals. Land acquired by the Department of Transportation that is not required for highway use should be transferred to the Department of Environmental Protection for management under the Wekiva-Ocala Greenway project.

Implementation Strategy: *The Committee recommends initiation of legislative action that specifies the Department of Transportation as the lead agency and provides a special appropriation of non-recurring dollars to initiate the acquisition process. Consistent with Task Force Recommendation 5, the Committee recommends coordination of a funding plan and multi-agency partnership including local governments to acquire these properties. In addition to road right-of-way and mitigation purposes, the Committee further recommends that lands owned by the State and other public entities shall be limited to traditional conservation uses appropriate for lands acquired under the Florida Forever Program.*

Figure 6. Proposed Additions to Wekiva-Ocala Greenway



PROTECT THE WEKIVA RIVER BASIN ENVIRONMENT

In general, Florida springs, whether found in urban or rural settings, public parks or private lands, are threatened by actual and potential flow reductions and declining water quality. Since the 1960s, scientists have documented a decline in water quality and water quantity in a number of springs. While some of the decline in quantity is tied to changes in rainfall, Florida's population quadrupled from 1950 to 1990 and there has been an unavoidable increase in water use, as well as extensive land use changes. As a result of climate patterns and population changes, over the past thirty years, many of Florida's springs have begun to exhibit signals of distress, including increasing nutrient loading and lowered water flow. The nature and magnitude of threats to a spring vary according to land use practices and the geology within each springshed.

There are 27 known springs in the Wekiva River basin. The springshed for these springs or the land area that contributes recharge to the aquifer from which springs discharge, is approximately 300,000 acres. Each spring is vastly different in environmental and cultural setting, making the entire system one of the State's most valuable environmental and water resource. Of the 27 springs, 19 are within public ownership and eight are on private property. The largest spring is Wekiwa Spring, a second magnitude spring, with a long-term average discharge of 43 million

gallons a day (mgd) followed by Rock Spring, a second magnitude spring, with an average discharge of 38 mgd. The remaining 25 springs are small with discharges less than 26 mgd. However, it is estimated these springs contribute a combined flow of 71 mgd to the Wekiva River basin surface water system. Periodic discharge measurements for Wekiwa Springs and Rock Springs go back as far as the 1930s. The historic discharge measurements for these springs show that spring discharges can experience significant variation in flow within years, and from year to year.

Along with this observed variability, springflows were generally increasing from the 1930s with the highest flows occurring in the early 1960s following several major hurricanes. Since then springflows have experienced some decline. Up to now, the observed variability and trends in springflows can be explained by rainfall variation and decreases in aquifer storage due to increased withdrawals and reduced recharge.

Minimum flows, expressed as a minimum average, have been established for many of these springs. Although data from the St. Johns River Water Management District shows that the mean flow through Wekiwa Springs has declined from 80 cubic feet per second (cfs) in the 1960s to a little more than 60 cfs, and at Rock Springs the flow has decreased from nearly 70 cfs in the 1960s to 50 cfs, under



Wekiwa Springs, 1910, Source Unknown

current conditions spring flows are above minimum flows. However, springflows are projected to fall below minimum flows at some of the springs in the future if projected water supply needs for the 20-year planning horizon are met from groundwater alone.

The springshed itself is highly varied in topography, land use and hydrologic character. Generally, the springs are located in the lower elevations where water pressures in the Floridan aquifer supply the driving force for spring discharge. While to the west in the higher topographic elevations of the springshed the character of these lands are considered high recharge areas to the Floridan aquifer.

Historically, the springshed has been dominated by agricultural land use in the form of citrus and pasture. After the severe freeze of 1983-84 much of the land remained unplanted. As the metropolitan Orlando area grew, much of the agricultural

and undeveloped lands were converted to residential and urban development. By 2000, 80,000 acres of agriculture were converted to other land uses of which 32,000 acres had been converted to urban residential use.

The groundwater that feeds springs is recharged by seepage from the surface and through direct conduits such as sinkholes. Because of this, the health of spring systems is directly influenced by activities and land uses within the spring recharge basin. Numerous studies by Florida's water management districts and the United States Geological Survey clearly demonstrate contamination attributable to changes in land use. In other words, what occurs on the land directly and indirectly affects the quality and quantity of water moving through the subsurface conduits.

Water can carry contaminants from the land surface through the subsurface conduits into the groundwater and springs. Stormwater



runoff can carry oil, fertilizer, pesticides, and bacteria. Septic tanks, wastewater effluent discharging to groundwater and leaking underground storage tanks can contribute nutrients, bacteria and chemicals via seepage. This contamination seeps to the groundwater and travels to the spring. Increased nutrients, including soluble forms of nitrogen, essentially fertilize the water in springsheds. Nitrogen arrives from numerous sources: animal wastes; automobile and industrial exhaust; and lawn, golf course or agriculture field fertilization. While these nutrients are required by aquatic organisms for growth and reproduction, when they make their way into groundwater and surface waters at higher than natural levels, problems often arise.

The quantity of water feeding a spring and its corresponding discharge can also be dramatically affected by land use. The natural flow of water to springs is controlled by complex interactions. These include the amount and frequency of rainfall, the porosity and permeability of the aquifer, the hydrostatic head within the aquifer, and the hydraulic gradient of the land. Flows can be reduced by drought or eliminated by over-pumping water from the aquifer for irrigation or potable water needs. Any of these negative impacts are unlikely to remain confined to a spring.

Springs and groundwater once damaged by overuse can be restored through good stewardship, including effective planning strategies and best management practices (BMPs) to preserve and protect the spring and its springshed. Prudent land use planning decisions can protect and improve water quality and quantity, as well as upland resources of a springshed. Managing land use types and their allowable densities and intensities of development, followed by specific site planning to further minimize impacts, rank as an important goal.

Water quality in Wekiwa Springs and Rock Springs has changed over time. Early records (prior to 1961) for Wekiwa Springs and

Rock Springs indicate that nitrate-nitrogen concentrations were below .8 mg/L. During the past three decades, nitrate-nitrogen concentrations increased to a high of 2 mg/L at Wekiwa Springs in 1995 and a high of 1.84 mg/L at Rock Springs. Under current conditions, nitrate-nitrogen concentrations at both springs are between 1 and 2 mg/L, substantially above background levels (0.2 mg/L) for the Floridan aquifer system. The nitrate-nitrogen levels at these springs are approximately 50 to 100 times higher than the levels in the near pristine springs found in the Ocala National Forest.

Limited data suggest that the sources of the nutrients are derived from fertilizers alone or a combination of fertilizers along with human or animal wastes. Nitrates are nutrients that feed aquatic plants in springs and spring runs. They cause rapid growth of nuisance algae forming obnoxious mats above and below the surface. The algae also turns the clear blue water cloudy green and coats native eelgrass.

The nitrates that feed algae growth in the Wekiva River Basin, come from fertilizers, thousands of septic tanks and 46 sewage treatment facilities that discharge treated wastewater to groundwater.

State groundwater quality standards are set at the public water drinking standard of 10 mg/L. Although the nitrate-nitrogen concentrations recorded at springs have not violated state groundwater quality standards, these standards may not adequately address declines in ecological health. For this reason, scientific studies are underway to document the relationship of observed declines in the ecological health of spring systems when nitrate-nitrogen levels are substantially elevated above background levels.

Effects of nutrient enrichment include an increase of exotic aquatic plants and algae species, such as Lyngbya, water hyacinth, water lettuce, elephant ears, torpedo grass and paragrass. Nitrates have caused other ecological changes in springs including

declines in apple snail populations which result in declines in limpkins that feed on the apple snail. Limpkin populations have declined in the Wekiva River Basin from 43 pair reported in a 1992 survey, to 28 pair in 2002.

Florida's planners and water managers face an ongoing struggle: to continue to allow development with a plentiful supply of clean drinking water while maintaining spring water quality and discharge. The mounting challenges of accommodating Florida's rapid population growth demand effective tactics to protect our world-renowned springs.

Improving and Assuring Protection of Surface Water and Groundwater Resources

The Committee's recommendations and implementation actions, when taken as a whole, are intended to achieve the objective of improving and assuring protection of surface water and groundwater resources.

To sustain surface water resources, the volume of water discharging to surface waters from new development should be managed to sustain a healthy, functioning ecosystem. Water from point and non-point sources must be adequately treated before discharging to surface waters.

To sustain groundwater resources, the volume of recharge that occurs after development must be no less than the volume before development. Recharge must be adequately treated consistent with the rules of the Department of Environmental Protection and the St. Johns River Water Management District.

The quality of surface waters and groundwater recharge should be improved, where possible, by addressing existing problems.

The St. Johns River Water Management District was directed by Executive Order 03-112 to review its permitting rules to determine whether additional criteria specific to the

Wekiva Study Area was appropriate to protect the water quality and flow of springs and prepare a report of its findings. In its report the St. Johns River Water Management District recommended that it undertake the following actions:

1. The St. Johns River Water Management District will initiate rulemaking to amend the recharge criteria in Rule 40C-41.063(3), Florida Administrative Code, to expand the area within which the standard is applied to include the Wekiva Study Area.
2. The St. Johns River Water Management District will initiate rulemaking to adopt a consolidated Environmental Resources Permit (ERP)/Consumptive Use Permit (CUP) permitting process for projects that require both an ERP and a CUP and that involve irrigation of urban landscape, golf course or recreational areas.
3. The St. Johns River Water Management District will complete an assessment of the significance of water uses below the current CUP permit thresholds in the Wekiva Study Area to determine if rulemaking should be initiated to lower CUP thresholds.
4. The St. Johns River Water Management District will conduct an analysis of the impact of redevelopment projects in the Wekiva River basin upon aquifer recharge and consider whether to adopt a rule amendment to require those redevelopment projects exceeding a specified threshold to meet the Wekiva River basin recharge criteria. The effect of redevelopment upon aquifer recharge will be analyzed and then the costs of regulation will be analyzed.

In its report, the Department of Agriculture and Consumer Services in consultation with the St. Johns River Water Management District conducted a review of the rules and regulations affecting agriculture and water resource protection in the Wekiva Study Area. The Department of Agriculture and Consumer Services has promulgated Best Management Practices (BMPs), in accordance with sections 403.067 and 576.045, Florida Statutes, that address all appropriate agricultural practices in the Wekiva Study Area, where needed, for the protection of water resources. When



implemented by agricultural producers, this comprehensive framework provides the assurance that water resources are protected. Also, in accordance with state law, where scientific information is developed that indicates the need for enhanced or site-specific BMPs in the Wekiva Study Area, the Department of Agriculture and Consumer Services is committed to develop and implement such BMPs.

The Total Maximum Daily Load (TMDL) program administered by the Department of Environmental Protection has been established to improve impaired water bodies. **Figure 7** delineates impaired surface water bodies of the Ocklawaha and Middle St. Johns Basins, located within the Wekiva Study Area, that do not meet water quality standards. The Wekiva River, located in the Middle St. Johns Basin, has been designated impaired for dissolved oxygen. The Environmental Protection Agency (EPA) has approved the designation of impaired water bodies for the Ocklawaha Basin. The majority of TMDLs were established in 2003. For the Middle St. Johns Basin, the list of impaired water bodies has been submitted to the EPA for approval, TMDLs will not occur until 2008.

The types of actions that may be required to achieve a TMDL include reduction and treatment of urban stormwater runoff through stormwater retrofits, replacement of septic tanks, improvement of development design and construction, implementation or enhancement of best management practices including reduction and treatment of agricultural runoff through best management practices, reduction of pollutant loads from permitted discharges, and carrying out water body restoration projects. The Department of Agriculture and Consumer Services will be the lead agency in coordinating reduction of agricultural non-point sources of pollution.

Water Quantity and Quality

Recommendation 4: The Committee endorses the St. Johns River Water Management District's recommendations.

However, the Committee recommends the St. Johns River Water Management District's Recommendation 1 be modified so post-development recharge volume conditions within the Wekiva Study Area approximate pre-development recharge volume conditions. The St. Johns River Water Management District should study and undertake rulemaking to accomplish this standard on a development-specific basis. The Committee further recommends the St. Johns River Water Management District update the minimum flow and level standards for Rock Springs and Wekiwa Springs by December 1, 2007. The St. Johns River Water Management District should also revise the consumptive use permit thresholds in the Wekiva Study Area to address proposed water withdrawals above 50,000 gallons per day. Revisions to the consumptive use thresholds should provide for a general permit, if possible, and include a transition period that allows continued access to water supply for users that were not previously subject to the permitting process.

***Implementation Strategy:** The Committee recommends the St. Johns River Water Management District, working in conjunction with the Department of Environmental Protection, initiate rulemaking by March 1, 2005, as supported by the studies necessary to implement this Recommendation. In the interim, the Committee recommends, for all recharge lands within the Study Area, the St. Johns River Water Management District adopt the recharge criteria in Rule 40C-41.063(3), F.A.C. (i.e., the three-inch (3") standard or an alternative engineering analysis) for on-site stormwater management.*

Recommendation 5: The Committee recommends, where needed to achieve reductions in agricultural non-point source pollutants, the Department of Agriculture and Consumer Services study and undertake rulemaking for new or revised best management practices for improving and protecting water bodies, including those



basins with impaired water bodies addressed by the Total Maximum Daily Loads (TMDL) program.

Implementation Strategy: *The Department of Agriculture and Consumer Services will be the lead agency in coordinating reduction of agricultural non-point sources of pollution.*

Recommendation 6: The Committee recommends the St. Johns River Water Management District establish Pollution Load Reduction Goals (PLRGs) by December 1, 2005, to assist the Department of Environmental Protection in adopting PLRGs and TMDLs by December 1, 2006.

Implementation Strategy: *The Department of Environmental Protection should coordinate with the St. Johns River Water Management District to expedite the adoption of these PLRGs and TMDLs.*

Recommendation 7: The Committee recommends each local government within the Wekiva Study Area develop a Master Stormwater Management Plan that: assesses existing problems and deficiencies in the community; identifies projects to meet long range needs; establishes priorities to address existing deficiencies; establishes measures to address redevelopment; establishes a schedule to complete needed improvements; evaluates the feasibility of stormwater reuse; and includes requirements for inspection and maintenance of facilities. The Plan should also identify a funding source, such as a stormwater utility fee, to fund implementation of the plan and maintenance program. In addition, the Committee recommends local governments establish a water reuse and irrigation program that allows for reuse of stormwater to minimize pumpage of groundwater for non-potable usage. Local governments should amend the appropriate elements of the comprehensive plan, including the capital improvements element, to ensure implementation of the Master Stormwater Management Plan and to

address pollution load reductions necessary in conjunction with the TMDL program.

Implementation Strategy: *The Committee recommends legislation requiring each local government to amend the appropriate elements of the comprehensive plan, including the capital improvements element, to ensure, through its local development regulations, implementation of the Master Stormwater Management Plan and to address, in conjunction with the TMDL program, necessary pollution load reductions.*

Recommendation 8: The Committee finds significant issues have been raised about the sufficiency of existing water quality standards to protect surface and groundwater in the Wekiva Study Area. Accordingly, the Committee recommends the Department of Environmental Protection study and undertake rulemaking addressing water quality and wastewater treatment standards, if required, to achieve nitrogen reduction using best available technologies to protect water quality within the Wekiva Study Area.

Implementation Strategy: *The Department of Environmental Protection should study and report to the Governor and the Department of Community Affairs, no later than December 1, 2004, the efficacy and applicability of water quality and treatment standards needed to achieve nitrogen reduction protective of water quality within the Wekiva Study Area. Based upon the conclusions of this report, the Department of Environmental Protection shall, as appropriate:*

1. *By March 1, 2005, initiate rule-making to achieve nitrogen reduction protective of water quality; or*
2. *Recommend legislation for additional statutory authority needed to implement the report recommendations.*

Recommendation 9: The Committee recommends the Department of Health, in coordination with the Department of Environmental Protection, study and, where necessary, undertake rulemaking to achieve nitrogen reduction for on-site disposal systems to protect water quality within the Wekiva Study Area.

Implementation Strategy: The Department of Health, in coordination with the Department of Environmental Protection, should study and report to the Governor and Department of Community Affairs, no later than December 1, 2004, the efficacy and applicability of on-site disposal system standards needed to achieve nitrogen reduction protective of water quality within the Wekiva Study Area. In conducting this study, the Department of Health shall consider:

- For new developments within the Wekiva Study Area, and any existing development within the Wekiva River Protection Area, using on-site disposal systems, a more stringent level of wastewater treatment, including the use of multiple tanks to combine aerobic and anaerobic treatment (i.e., as required in the Florida Keys) to reduce the level of nitrates (< 10 mg/L).
- The implementation of a septic tank maintenance and inspection program. In developing a septic tank inspection and maintenance program¹, the Department of Health should consider:
 1. Upgrading grandfathered on-site disposal systems permitted prior to 1982 to meet minimum Department of Health standards;
 2. Replacing failing systems and systems not meeting current standards; and

3. Funding mechanisms for supporting a septic tank inspection and maintenance program.

Based upon the conclusions of this report, the Department of Health shall, as appropriate:

1. By March 1, 2005, initiate rule-making to achieve nitrogen reduction protective of water quality; or
2. Recommend legislation for additional statutory authority needed to implement the report recommendations.

Wildfire Management for Habitat and Wildlife Protection

Recommendation 10: The Committee recommends the agency conducting a prescribed burn coordinate any smoke management concerns with law enforcement agencies (FHP, Sheriff's Office, etc.) and transportation agencies with jurisdiction over the specific highway. The appropriate transportation agency shall exercise its authority to implement procedures for temporary traffic speed reductions, detours and road closures to facilitate prescribed burns in maintaining healthy vegetative communities on conservation lands in the Wekiva Study Area while maintaining public safety. The procedures should include the ability to notify motorists with variable message signs in coordination with FHP and other appropriate law enforcement agencies.

Implementation Strategy: The Division of Forestry within the Department of Agriculture and Consumer Services shall take the lead to work with other agencies conducting controlled/prescribed burns to develop coordination strategies and procedures with law enforcement and transportation agencies.

¹ Similar programs can be found in the Green Swamp Area of Critical State Concern and Escambia County

PROMOTE INNOVATIVE PLANNING AND DEVELOPMENT

To assist the Committee in meeting its charge, the Department of Community Affairs, in consultation with the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and the St. Johns River Water Management District, evaluated the efficacy of existing local plans and land development regulations to protect the surface water and groundwater resources of the Wekiva Study Area, and reported its findings to the Committee. The Department presented an inventory and evaluation of local government comprehensive plan and land development regulation strategies and techniques for the following areas: future land use; coordination of planning activities; and protection of water quality and water quantity. The Department also recommended enhanced comprehensive planning and land development regulations based on the findings of the efficacy report.

In addition to the Committee recommendations for local government protection of water resources through stormwater management planning and wastewater facility planning, the Committee agreed to recommendations in four broad areas to promote innovative planning and development including: coordination of planning; land use strategies; public education; and, best management practices.

Coordination of comprehensive plans and the Regional Water Supply Plan is important for protection of water resources and to promote the continuity of effective planning and development. Local government water supply work plans are currently required to be adopted by January 1, 2005, prior to the St. Johns River Water Management District completion of its update to the Regional Water Supply Plan due by 2005.

The types of land uses within the Wekiva Study Area dictate the health of the Wekiva River System. Planned community initiatives that promote sustainable growth and patterns of development that optimize open space through density credits or incentives that protect recharge lands and native vegetation, and promote water reuse and conservation are crucial for protecting the Wekiva River spring system. Public education and best management practices that minimize impacts to the quality and quantity of recharge, including agricultural practices and landscape designs that conserve water resources and reduce the need for fertilizers and pesticides, and low impact development techniques, such as clustering of development and non-structural stormwater management practices that reduce impervious surfaces and incorporate water re-use, should be encouraged.

Coordination of Planning

Recommendation 11: To assure orderly and timely coordination of comprehensive planning and municipal annexation throughout the Wekiva Study Area, the Committee recommends the City Commission of the City of Apopka and the Orange County Commission convene a joint meeting of the Commissions to address the subject of coordinated planning and municipal annexation. In the event either Commission declines to participate, the Committee recommends the other Commission initiate conflict resolution proceedings pursuant to Chapter 164, Florida Statutes.

Recommendation 12: The Committee recommends through their review of local government comprehensive plan amendments, pursuant to Section 163.3184, Florida Statutes, the Department of Community Affairs and the St. Johns River Water Management District assure amendments that increase development potential demonstrate adequate potable water consumptive use permit capacity is available. To provide local governments the opportunity to use the 2005 regional water supply plan, by January 1, 2006, and thereafter, the comprehensive plan should include an up-to-date 10-year water supply facility work plan for building potable water supply facilities necessary to serve existing and new development and for which the local government is responsible.

The Committee further recommends local governments coordinate with the St. Johns River Water Management District and other public and private utilities, on a county-wide or multi county-wide basis, to implement cooperative solutions for development of alternative water sources necessary to supplement groundwater supplies consistent with the Regional Water Supply Plan. The St. Johns River Water Management District, local governments and public and private utilities should use consistent projections

of population and development to forecast water supply demand.

Implementation Strategy: The Committee recommends amending Chapters 163, Part II, and 373, Florida Statutes, to coordinate water supply and comprehensive planning as stated above. The St. Johns River Water Management District shall continue to assist local governments with development of alternative water supply sources, their water supply facility work plans, water conservation efforts, funding of alternative water supply projects which contribute to regional solution, and ensuring the use of consistent and coordinated population projections used to forecast anticipated water supply demand for use in comprehensive planning.

The Committee recommends to the Florida Legislature a statewide funding program to address the development of alternative water sources to resolve regional water supply issues. This funding should not come from state land acquisition programs. The Committee further recommends the St. Johns River Water Management District undertake a study to determine the amount of water being exported from the Wekiva Study Area for the use by utilities with service areas outside of the Wekiva Study Area. The study should determine if the export of water outside the Study Area has an adverse impact on water resources within the Basin. If the District determines the export of water is causing adverse impacts on the Basin, the District shall recommend specific corrective actions to address the adverse impacts.

Land Use Strategies

Recommendation 13: The Committee recommends, within joint planning areas and utility service areas where central wastewater systems are not readily available, local governments be required to develop a wastewater facility plan. The facility plan shall include the delineation



of areas within the utility service area that are to be served by central facilities within 5 years, a financially feasible schedule of improvements, infrastructure work plan to build the facilities needed to implement the facility plan, including those needed to meet enhanced treatment standards adopted by the Department of Environmental Protection, and a phase out of existing on-site septic tank systems where central facilities are available. The facility plan should also include a long-range component addressing service of the joint planning area or utility service area. In addition, the Committee recommends that local governments establish a water reuse program that allows for reuse of reclaimed water to minimize pumpage of groundwater for non-potable usage.

Implementation Strategy: *The Committee recommends legislation requiring each local government with joint planning areas and utility service areas within the Wekiva Study Area adopt a Wastewater Facility Plan as recommended above. The Committee further recommends, for those basins where the Total Maximum Daily Loads (TMDL) program requires reductions in point source pollutants or as required by legislation for enhanced treatment standards, local governments update their wastewater facility plans.*

Recommendation 14: The Committee recommends local governments amend their comprehensive plans to establish land use strategies that optimize open space and promote a pattern of development on a jurisdiction-wide basis that protects most effective recharge areas, karst features, and sensitive natural habitats including Long Leaf Pine, Sand Hill, Sand Pine Scrub and Xeric Oak Scrub. Such strategies shall recognize protected property rights and the varying circumstances within the Wekiva Study Area including urban and rural land use patterns. Local comprehensive plans should map, using best available data from the St. Johns River Water Management District and the Florida Fish and Wildlife

Conservation Commission, recharge areas and sensitive upland habitats for this purpose. Local governments should be given flexibility to achieve this objective through comprehensive plan strategies that may include: density credits and density incentives which result in permanent protection of open space; coordinated greenway plans; dedication of conservation easements; land acquisition; clustering of development; and low to very low density development. Local governments, with the assistance of the Division of Forestry, should develop strategies for wildfire protection and management of open space, including where clustered development occurs in fire adaptive vegetative communities.

Implementation Strategy: *The Committee recommends legislation directing local governments in the Wekiva Study Area to adopt comprehensive plan amendments that incorporate land use strategies that will optimize open space and promote a pattern of development on a jurisdiction-wide basis that protects most effective recharge areas, karst features, and sensitive natural habitats including Long Leaf Pine, Sand Hill, Sand Pine Scrub and Xeric Oak Scrub. Comprehensive plan amendments to establish land use strategies shall be adopted by January 1, 2006, and shall be exempt from the two per year comprehensive plan amendment restriction. Implementing regulations shall be adopted no later than January 1, 2007.*

Recommendation 15: In recognition of the need to balance resource protection, existing infrastructure and improvements planned or committed as part of approved development consistent with existing municipal or county comprehensive plans and economic development opportunities, the Committee recommends planned community development initiatives that assure protection of surface and groundwater resources while promoting compact, ecologically and economically sustainable growth be encouraged. Small area studies, sector plans, or similar planning

tools should support these community development initiatives. In addition, the Committee recommends the Department of Community Affairs make available best practice guides that demonstrate how to balance resource protection and economic development opportunities.

Best Management Practices

Recommendation 16: The Committee recommends local comprehensive plans, through land development regulations, require the use of best management practices for landscaping, general construction, and golf course siting, design and management. The relevant BMP publications and a summary of the key practices are identified in *Appendix E*.

The Committee recommends local governments encourage the use of best management practices for agriculture. For agricultural best management practices the Committee recommends local governments consult with the Department of Agriculture and Consumer Services to identify appropriate best management practices. Following such consultation, if needed, the Department of Agriculture and Consumer Services shall develop and adopt appropriate best management practices. Local governments may include the need to apply agricultural best management practices adopted by the Department of Agriculture and Consumer Services in a comprehensive plan amendment, and may reference these specific adopted practices in a land development regulation.

Implementation Strategy: The Committee recommends local government comprehensive plans and land development regulations encourage the use of appropriate best management practices adopted by the Department of Agriculture and Consumer Services.

Public Education

Recommendation 17: The Committee recommends promoting public education of the Florida Yards and Neighborhood Program, the St. Johns River Water Management District's Water Conservation Initiative, and landscaping and lawn best management practices for protection of water resources as outlined in the Florida Green Industries, *Best Management Practices for Protection of Water Resources in Florida*.

Implementation Strategy: The Committee recommends the St. Johns River Water Management District and the East Central Florida Regional Planning Council implement this recommendation.

IMPLEMENTATION

Executive Order 03-112 directs the Committee to include recommendations for agency coordination and for implementing the identified land use planning strategies and development standards in communities within the Wekiva Study Area. The recommendations are to include an implementation schedule and provisions for monitoring the implementation activities. The Committee recommendations will be implemented through legislation, including requirements for amendments to local government comprehensive plans and land development regulations that are necessary to implement the recommendations. In addition, the Committee is recommending the creation of an oversight committee to assist with agency coordination and to monitor implementation.

Attached is a schedule summarizing the timeframes for reports established in the Executive Order, the meeting dates where the Committee considered the reports, and additional reporting timeframes adopted by the Committee to implement the Final Report's recommendations.

Recommendation 18: The comprehensive plan amendments necessary to implement these recommendations shall be adopted by January 1, 2006, and shall be exempt from the two-per-year comprehensive plan amendment restriction. Implementing land development regulations shall be adopted no later than January 1, 2007. During the period prior to adoption of the comprehensive plan amendments required by this report, any local comprehensive plan amendment adopted by a city or a county that applies to land located within the Wekiva Study

Area shall protect surface and groundwater resources and be reviewed by the Department of Community Affairs, pursuant to Rule 9J-5, F.A.C., using best available data, including the information presented to the Wekiva River Basin Coordinating Committee.

Recommendation 19: The Committee recommends the Wekiva River Basin Commission be established and authorized to monitor and ensure the implementation of state, regional and local efforts consistent with the Committee's recommendations. The Commission shall report annually to the Governor, the Florida Legislature and the Department of Community Affairs on implementation progress and recommendations for funding assistance to local governments required for planning and implementation.

Implementation Strategy: The Committee recommends the Florida Legislature create the Commission consistent with this recommendation and the East Central Florida Regional Planning Council provide staff support to the Commission with funding assistance from the Department of Community Affairs. To assist the Commission in its mission, the regional planning council, in coordination with the applicable regional and state agencies, shall serve as a clearinghouse of baseline or specialized studies through modeling and simulation, including collecting and disseminating data on demographic, economic, and environment of the Wekiva Study Area, including the changing conditions of the Wekiva River surface and groundwater basin and associated influence on the Wekiva River springs.

Key Reporting Timelines

Wekiva Basin Area Task Force (E.O. 2002-259)

September 26, 2002	Executive Order (E. O.) 2002-259 creates Wekiva Basin Area Task Force	January 15, 2003	Wekiva Basin Area Task Force Final Report
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Wekiva River Basin Coordinating Committee (E.O. 2003-112)

July 1, 2003	E.O. 2003-112 directs protection of Wekiva River Basin Area and creates Wekiva River Basin Coordinating Committee	January 9, 2004	DCA Recommendations on agency coordination, agency coordination, public education and implementation of identified land use planning strategies and development standards, pursuant to E.O. 2003-112, <i>paragraph 6</i> .
WRBCC Meeting Dates			
August 27 - 28, 2003	By September 1, 2003, WRBCC delineates the Wekiva Study Area, pursuant to E.O. 2003-112, <i>paragraph 4</i> .		DOT, DEP, SJRWMD and FCT Joint Report on Funding Alternatives for Land Acquisition and Construction of the Wekiva Parkway.
October 15 -16, 2003	By November 1, 2003, SJRWMD Preliminary Report on Protection of Water Resources in the Wekiva River Basin and DACS Report on Agricultural Uses and Best Management Practices, pursuant to E.O. 2003-112, <i>paragraph 8.a</i> .		By January 15, 2004, DOT Report to Governor and Legislature on Feasibility and Timeframes for Land Acquisition and Implementing Legislation, pursuant to E.O. 2003-112, <i>paragraph 10.a</i> .
November 5 - 6, 2003	By November 1, 2003, DCA Report on Efficacy of Local Comprehensive Plans and Land Development Regulations to Protect Water Resources in the Wekiva Study Area, pursuant to E.O. 2003-112, <i>paragraph 9.a</i> .	January 28 – 29, 2004	SR 429 Working Group Final Report and Recommendations, pursuant to E.O. 2003-112, <i>paragraph 13</i> .
	By December 1, 2003, DOT Preliminary Report on Feasibility and Timeframes for Land Acquisition and implementing Legislation, pursuant to E.O. 2003-112, <i>paragraph 10.a</i> .		WRBCC Approval of Draft Report and Final Recommendations, pursuant to <i>paragraphs 5., 6. and 7.</i> of E.O. 2003-112
SJRWMD Governing Board, December 9, 2003	By December 16, 2003, SJRWMD Final Report to Governor, the Commissioner of Agriculture, Department of Environmental Protection and Department of Community Affairs, pursuant to E.O. 2003 – 112, <i>paragraph 8.a</i> .	January 29, 2004	E.O. 2004 - 10, Extending the Wekiva River Basin Coordinating Committee from February 15, 2003 until March 16, 2004
		February 25, 2004	Approval of Final Report
		WRBCC Final Report	
December 17 –18, 2003	By December 1, 2003, DCA Report on Enhanced Comprehensive Planning and Land Development Regulations, pursuant to E.O. 2003-112, <i>paragraph 9.a. and 5.</i>	March 16, 2004	WRBCC Final Report pursuant to E.O. 2003-112, pursuant to <i>paragraphs 4., 5., 6. and 7.,</i> and E.O. 2004 -10

Key Reporting Timelines

Wekiva River Basin Coordinating Committee (E.O. 2003-112)

No date established	Assist Committee with assessment of potential additional demand for water supply and effect on regional water supply, pursuant to E.O. 2003-112, <i>paragraph 8.b.</i>	November 1, 2004	DOT, in consultation with Turnpike Enterprise, Orlando-Orange County Expressway Authority and Seminole County Expressway Authority, Joint Report on Funding Plan for Wekiva Parkway, pursuant to E.O. 2003-112, <i>paragraph 10.b.</i>
March 31, 2004	SJRWMD Notice of Rule Development, pursuant to E.O. 2003-112, <i>paragraph 8.a.</i>		
June 15, 2004	DCA Report to the Governor regarding the extent to which Committee recommendations implement requirements of E.O. 2003-112 and progress of local governments toward implementation, pursuant to E.O. 2003-112, <i>paragraph 9.d.</i>	Prior to Wekiva Parkway Permits	DEP Report to the Governor and DCA on the progress of completing acquisition of Wekiva-Ocala Greenway, pursuant to E.O. 2003-112, <i>paragraph 11.a.</i>

Wekiva River Basin Coordinating Committee Final Report

December 1, 2004	DEP Study on Water Quality and Wastewater Standards, pursuant to <i>Recommendation 8.</i>		Implementation of Septic Tank Maintenance and Inspection Program or recommend legislation needed for additional statutory authority, pursuant to <i>Recommendation 9.</i>
December 1, 2004	DOH Study on On-site Disposal Systems Treatment Standards and Implementation of Septic Tank Maintenance and Inspection Program, pursuant to <i>Recommendation 9.</i>		
		December 1, 2005	SJRWMD establishes Pollution Load Goals, pursuant to <i>Recommendation 5.</i>
March 1, 2005	SJRWMD initiate rulemaking for pre and post standard for stormwater and consumptive use thresholds, pursuant to <i>Recommendation 4.</i>	January 1, 2006	Local government adoption of comprehensive plan amendments necessary to implement recommendations including implement land use strategies, pursuant to <i>Recommendation 14.</i>
No date established	SJRWMD study of export of water outside Wekiva Study Area and impact on water resources within the Basin, pursuant to <i>Recommendation 12.</i>	December 1, 2006	DEP establishes Total Maximum Daily Loads, pursuant to <i>Recommendation 5.</i>
March 1, 2005	DEP initiate rulemaking, if required, on Water Quality and Wastewater Standards or recommend legislation needed for additional statutory authority, pursuant to <i>Recommendation 8</i>	January 1, 2007	Local government adoption of land development regulations necessary to implement recommendations including land use strategies, pursuant to <i>Recommendation 14.</i>
March 1, 2005	DOH initiate rulemaking, where necessary, on On-site Disposal Systems Treatment Standards and	December 1, 2007	SJRWMD update of Minimum Flows and Levels for Rock Springs and Wekiwa Springs, pursuant to <i>Recommendation 4.</i>

APPENDIX A

EXECUTIVE ORDER 2003-112

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NO. 03-112

Directing Protection of the Wekiva River Basin Area

WHEREAS, it is the policy of the State of Florida to protect and manage its natural resources for the health, safety, and enjoyment of all citizens; and

WHEREAS, the Wekiva River System and its associated springshed areas are of irreplaceable value to the quality of life and well-being of the people of the State of Florida; the Wekiva River and its tributaries have been designated an Outstanding Florida Water, a National Wild and Scenic River, a Florida Wild and Scenic River, and a Florida Aquatic Preserve; the Wekiva River is a spring-fed system that derives a majority of its base flow from numerous springs whose source of water is the Floridan Aquifer; and protection of the surface and ground water resources, including recharge within the springshed that provides for the Wekiva River System, is crucial to the long-term viability of the Wekiva River and Springs and the Central Florida region's water supply; and

WHEREAS, in 1988, the Legislature enacted the Wekiva River Protection Act, codified in part II of chapter 369, to protect the resources of the Wekiva River Basin, and the Wekiva River Protection Act delineates an area comprising portions of Lake, Orange, and Seminole Counties as the Wekiva River Protection Area; and

WHEREAS, the future transportation needs of the Central Florida region compel a careful balance of developing and improving roadways while addressing land use and development and the protection of the Wekiva River and Springs; and

WHEREAS, the Wekiva Basin Area Task Force ("Task Force"), created in 2002 by Executive Order 2002-259,

was charged with considering, evaluating and making recommendations for the most appropriate location for an expressway that connects State Road 429 to Interstate 4, and which causes the least disruption and provides the greatest protection to the Wekiva Basin ecosystem, and provided its recommendations in a final report dated January 15, 2003; and

WHEREAS, construction of the Wekiva Parkway and other roadway improvements to the west of the Wekiva River System will add to the pressures for growth and development already affecting the surface and ground water resources within the recharge area;

WHEREAS, there exists a need to provide for land use decisions that recognize protected property rights and ensure the maintenance of the long-term viability of the Wekiva River and Springs; and

WHEREAS, a cooperative, coordinated effort by local governments, state and regional agencies, and affected interests can best develop the mechanisms to protect this area's natural resources;

WHEREAS, recognizing that local governments should act on pending comprehensive plan amendments and land development orders in a timely and appropriate fashion, it is not the intent of this order that any such actions should be accelerated or delayed;

NOW, THEREFORE, I, JEB BUSH, Governor of the State of Florida, by the powers vested in me by the Constitution and laws of the State of Florida, do hereby promulgate the following Executive Order, effective immediately:

1. I hereby create the Wekiva River Basin Coordinating Committee, hereinafter referred to as the "Committee."

2. Members of the Committee shall be appointed by and serve at the pleasure of the Governor. The Chairperson of the Committee shall be appointed by and serve at the pleasure of the Governor. The Committee shall include the Commissioner of Agriculture; the Secretaries of the Department of Community Affairs, the Department of Environmental Protection, and the Department of Transportation; the Executive Directors of the St. Johns River Water Management District (SJRWMD), the Florida Fish and Wildlife Conservation Commission, and the East Central Florida Regional Planning Council; the Chairperson of the Orlando-Orange County Expressway Authority; a member of the Florida Senate; a member of the Florida House of Representatives; a member of each of the Boards of County Commissioners for Lake, Orange, and Seminole Counties, as designated by those Boards; and two municipal elected officials to serve as representatives of municipalities located within Lake County, two municipal elected officials to serve as representatives of municipalities located within Orange County, and one municipal elected official to serve as a representative of municipalities located within Seminole County. The Committee will also include eight appointed individuals with balanced representation from citizen groups, the agricultural community, property owners, and environmental or conservation organizations. In addition, the Committee shall include the Chairpersons of Metroplan Orlando and the Seminole County Expressway Authority as non-voting members. The state and regional governmental Committee members may designate a senior staff person to represent their entity who shall have full voting authority. The Chairperson of the Committee may appoint technical subcommittees as needed to assist in the completion of the work of the Committee and such technical subcommittees may include qualified persons not on the Committee.

3. The Secretary of the Department of Community Affairs, with the assistance from the East Central Florida Regional Planning Council, shall arrange for technical assistance and administrative support to the Committee. All agencies under the control of the Governor are directed, and all other agencies and local governments are requested, to render assistance to, and cooperate with, the Committee.

4. With the assistance of the SJRWMD, the Committee shall delineate an appropriate portion of the land area that contributes surface and ground water to the Wekiva River System to be known as the Wekiva Study Area for purposes of this order. In delineating the study area, the Committee shall take into consideration the boundaries of the Potential Sector Planning Area, the Wekiva River Protection Area and the Wekiva River Springshed/Recharge Area as outlined in Figure

5 of the Final Report of the Wekiva Basin Area Task Force. The Committee shall solicit and consider public comment from the parties listed in paragraph 7 of this order in defining the Wekiva Study Area. In preparing the legal description of the Wekiva Study Area, the Committee shall use Section, Township Range and physical features such as roads. The Committee shall determine the Study Area no later than September 1, 2003.

5. The Committee shall be a forum to identify enhanced land use planning strategies and development standards that are consistent with protected property rights and which improve and assure protection of surface and ground water resources, including the recharge potential of the Wekiva Study Area. The Committee shall consider the recommendations of the Wekiva Basin Area Task Force; the most current and new information being developed regarding quantity, quality, distribution and timing of groundwater recharge in the Wekiva Study Area; and wildlife in the Wekiva Study Area, particularly the habitat of listed species. In addition to the more traditional tools of development density and intensity standards, the Committee shall consider the use of innovative planning and development strategies such as rural land stewardship and other mechanisms for concentrating development in appropriate areas, and the use of the latest science-based information and methods and performance based planning strategies and development standards. The Committee shall also address issues of compatibility with the existing comprehensive plans and land development regulations of those local governments with jurisdiction over lands located within the Wekiva River Protection Area. The Committee shall present a report with its recommendations for enhanced land use planning strategies and development standards to the Governor and the Department of Community Affairs by February 15, 2004.

6. In addition, the Committee shall consider, evaluate and make recommendations concerning:

- a. Mechanisms for coordinating state, federal, regional and local efforts to protect the Study Area's rivers, springs, wetlands and ground water recharge.
- b. Recommendations for state and regional agency action.
- c. Recommendations for public education.
- d. Recommendations for implementing the identified land use planning strategies and development standards in communities in the Study Area, including an

implementation schedule and provisions for monitoring implementation activities.

7. To assist with its deliberations, the Committee shall solicit and consider public comment from the following:

a. Affected citizens, including property owners, agricultural interests, affected business interests, and environmental advocates.

b. Affected state, regional, and federal agencies.

8. The St. Johns River Water Management District, in consultation with the Department of Environmental Protection and the Department of Agriculture and Consumer Services, using existing authority under Florida Statutes, Chapter 373, including, but not limited to, sections 373.042, 373.139, 373.219, 373.223, 373.413-373.416, 373.426, and 373.1131, shall:

a. Review its permitting rules to determine whether additional criteria specific to the Wekiva Study Area are appropriate to protect the water quality and flow of springs in accordance with state water quality standards and s. 373.042 in the Wekiva River System as defined in s. 369.303(10), and prepare a report of its findings. The review shall consider Task Force Recommendation 15. The report shall include, but need not be limited to the consideration of, criteria that address enhanced protection of surface and ground water resources including: aquifer recharge protection; permitting thresholds to prevent significant adverse impacts to the springs; concurrent action on consumptive use permit and environmental resource permit applications; landscaping irrigation regulation to reduce water use; best management practices for stormwater management and recharge protection; and use of reclaimed water to reduce the use of groundwater. During the development of the report, the District shall consult with the Department of Agriculture and Consumer Services regarding any recommendation or finding affecting agriculture, including agricultural best management practices. The District shall present a preliminary report by November 1, 2003, to the Committee and provide the opportunity for and consider comments from the Committee, affected citizens, and state and regional agencies in developing its final report. The District shall report its findings by December 16, 2003, to the Committee, the Governor, the Commissioner of Agriculture, the Department of Environmental Protection, and the Department of Community Affairs. Based on the District's report and comments received, the Governing Board shall

determine whether additional rule criteria are appropriate, and, if appropriate, the District shall publish a Notice of Rule Development by March 31, 2004.

b. Assist the Committee with an assessment of the potential additional demand for water supply and its effect on the region's water supply that may result from enhanced land use strategies and development standards that may be considered by the Committee in the Study Area.

c. Consider the use of fee simple and less than fee simple acquisition of lands, including uplands, in the Wekiva Study Area; and

d. Assure that its review of local government comprehensive plan amendments pursuant to Florida Statutes, section 163.3184 and related rules, considers the best available data related to lands within the Wekiva Study Area, as delineated by the District, and comment accordingly.

9. The Department of Community Affairs shall:

a. By November 1, 2003, and in consultation with the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and the St. Johns River Water Management District, evaluate the efficacy of existing local plans and land development regulations to protect the surface water and groundwater resources of the Wekiva Study Area, and report its findings to the Committee. By December 1, 2003, the Department shall recommend to the Committee enhanced comprehensive planning and land development regulations to assist the Committee in meeting the charge outlined in paragraph 5 of this Order.

b. Using existing authority under Florida Statutes, chapter 163, part II, and chapter 369, Part II, and related rules, assist local governments in the preparation of comprehensive plan amendments and land development regulation changes to implement the Committee's recommended land use planning strategies and development standards.

c. Assure that its review of local government comprehensive plan amendments pursuant to Florida Statutes, section 163.3184 and related rules, considers the best available data related to lands within the Wekiva Study Area, including data and analysis presented to the Wekiva Basin Area Task Force, created by Executive Order 02-259. In the report of its review, the Department may provide advisory comments regarding the extent to which a proposed plan amendment is compatible with Task Force recommendations.

d. By June 15, 2004, report to the Governor the extent to which the Committee recommendations implement the requirements of this Executive Order and the progress of local governments toward implementation of the recommended enhanced planning strategies and development standards for the comprehensive plan and land development regulations in the Wekiva Study Area.

10. The Department of Transportation, using existing authority under Florida Statutes, Chapters 334, 335, and 338, including, but not limited to, sections 334.03, 334.044, 335.02, 335.18, 338.001 and related rules, shall:

a. By January 15, 2004, report to the Governor and Legislature on: (i) both the feasibility and time frames for acquiring lands identified in Task Force Recommendation 16 through the mitigation bank; and (ii) any legislation needed to acquire fee-simple or less-than-fee-simple interest in lands in the Wekiva Study Area or Wekiva River Protection Area in excess of that which may be required for right-of-way and associated construction of the Wekiva Parkway.

b. By November 1, 2004, and in consultation with the Turnpike Enterprise, the Orlando-Orange County Expressway Authority, and the Seminole County Expressway Authority, report to the Governor and Legislature joint recommendations for a funding plan and lead agency for the Wekiva Parkway. The funding plan shall be developed to maximize implementation of the location, design and construction principles included in Task Force Recommendations 2, 3, 4, 6, and 7.

c. At the appropriate time, assure that future planning for improvements to SR 44 considers Task Force Recommendation 10.

d. By December 1, 2003, the Department of Transportation shall present its preliminary recommendations developed pursuant to paragraph 10a, to the Committee and state, regional and federal agencies and request their comments. The Department shall consider comments from the Committee and affected citizens and the state, regional and federal agencies in developing its final recommendations to the Governor and Legislature.

11. The Department of Environmental Protection, using existing authority under Florida Statutes, Chapters 259 (which provides for the Florida Forever and Preservation 2000 programs), 369, 373 and 403, including, but not limited to,

sections 369.307(5), 373.118, 373.414-373.416, and 373.426 and related rules, shall:

a. After considering Task Force Recommendation 16, use all means at its disposal, including evaluating the feasibility of a partnership with the Florida Department of Transportation and Orlando-Orange County Expressway Authority, to complete acquisition of parcels in the Wekiva-Ocala Greenway as prioritized in Recommendation 16. Prior to issuing permits for the construction of the Wekiva Parkway, the Department of Environmental Protection shall report its progress in completing acquisition of the Wekiva-Ocala Greenway to the Governor and the Department of Community Affairs.

b. Assure that its review of local government comprehensive plan amendments pursuant to Florida Statutes, section 163.3184 and related rules, considers the best available data related to lands within the Wekiva Study Area, and comment accordingly.

12. The Department of Agriculture and Consumer Services is requested to review the agricultural uses within the boundaries of the Wekiva Study Area. The Department of Agriculture and Consumer Services, in consultation with the St. John's River Water Management District, is requested, by November 1, 2003, to analyze the agricultural practices in use in the Wekiva Study Area and provide a report to the Committee, Governor and the Department of Community Affairs as to which agricultural best management practices are appropriate to protect the water quality and flow of springs in the Wekiva River System and which planning strategies best provide for the long term viability of agriculture within the Wekiva Study Area. This report may be provided as part of the report required pursuant to paragraph 5 of this order.

13. The Orlando-Orange County Expressway Authority shall assure that any planning, design, engineering, or right of way acquisition for the "U.S. 441 Bypass" follows the recommendations of the Wekiva Basin Area Task Force, created in 2002 by Executive Order 02-259, as applicable.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, The Capitol, this 1st day of July, 2003.

APPENDIX B

EXECUTIVE ORDER 2004-10

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NO. 04-10

Extending the Wekiva River Basin Coordinating Committee
until March 16, 2004

WHEREAS, the Wekiva River Basin Coordinating Committee (“Committee”) was established by Executive Order 03-112 to identify enhanced land use planning strategies and development standards that are consistent with protected property rights and which improve and assure protection of surface and ground water resources of the Wekiva River and its associated springshed areas, including the recharge potential of the Wekiva Study Area; and

WHEREAS, Executive Order 03-112 ordered the Committee to submit a report with its recommendations for enhanced land use planning strategies and development standards to the Governor and the Department of Community Affairs by February 15, 2004; and

WHEREAS, the Chair of the Committee has advised the Governor that the duties required of the Committee by Executive Order 03-112 have not yet been completed; and

WHEREAS, the Chair of the Committee has further advised the Governor that an extension of both the Committee’s existence and the final report deadline is necessary for the Committee to complete the duties prescribed in Executive Order 03-112 and submit the final report; and

WHEREAS, it is in the best interest of the State of Florida to extend the Executive Order to allow the Committee to complete its duties.

NOW, THEREFORE, I, JEB BUSH, Governor of the State of Florida, by the powers vested in me by the constitution and laws of the State of Florida, do hereby promulgate the following Executive Order, effective immediately:

Section 1. Executive Order 03-112 is ratified and reaffirmed, and extended for an additional period of thirty days, to and including March 16, 2004.

Section 2. Executive Order 03-112 is amended such that the Committee shall continue in existence only until its objectives are achieved, but not later than March 16, 2004, and such that the Committee’s final report shall be submitted to the Governor and the Department of Community Affairs on or before March 16, 2004.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, The Capitol, this 29th day of January, 2004.

APPENDIX C

SR 429 WORKING GROUP FINAL RECOMMENDATIONS

ADOPTED JANUARY 16, 2004

The SR 429 Working Group finds that future mobility needs of Northwest Orange and East Lake counties warrant the development of a limited-access transportation system, and further recognizes that this system must be designed with special consideration for the unique natural resources of the Wekiva Basin and Springshed. Recommendation 8 of the Wekiva Basin Area Task Force Final Report dated January 15, 2003 specifies that this shall include a limited-access facility linked with the Wekiva Parkway, west of the Wekiva River Protection Area. Pursuant to this, the Working Group recommends the following:

- The Florida Department of Transportation (FDOT) and Orlando-Orange County Expressway Authority (OOCEA) should coordinate efforts to develop a limited-access extension of SR 429, herein referred to as the "Project".
- The Project should consist of three components: the Apopka Bypass, the Wekiva Parkway, and a SR 46 By-Pass Corridor.
- The Apopka Bypass should originate at the Maitland Exchange on US 441, interfacing with SR 429 south of US 441, and terminating at US 441 in the vicinity of CR 437.
- The SR 46 By-Pass Corridor should be a limited-access facility connecting SR 46 west of Mt. Plymouth-Sorrento with SR 46 east of Mt. Plymouth-Sorrento. The SR 46 By-Pass Corridor should be integrated with the Wekiva Parkway to provide a limited-access alternative to SR 46 south of Sorrento-Mt. Plymouth to include a systems interchange near the Lake County, Orange County line.

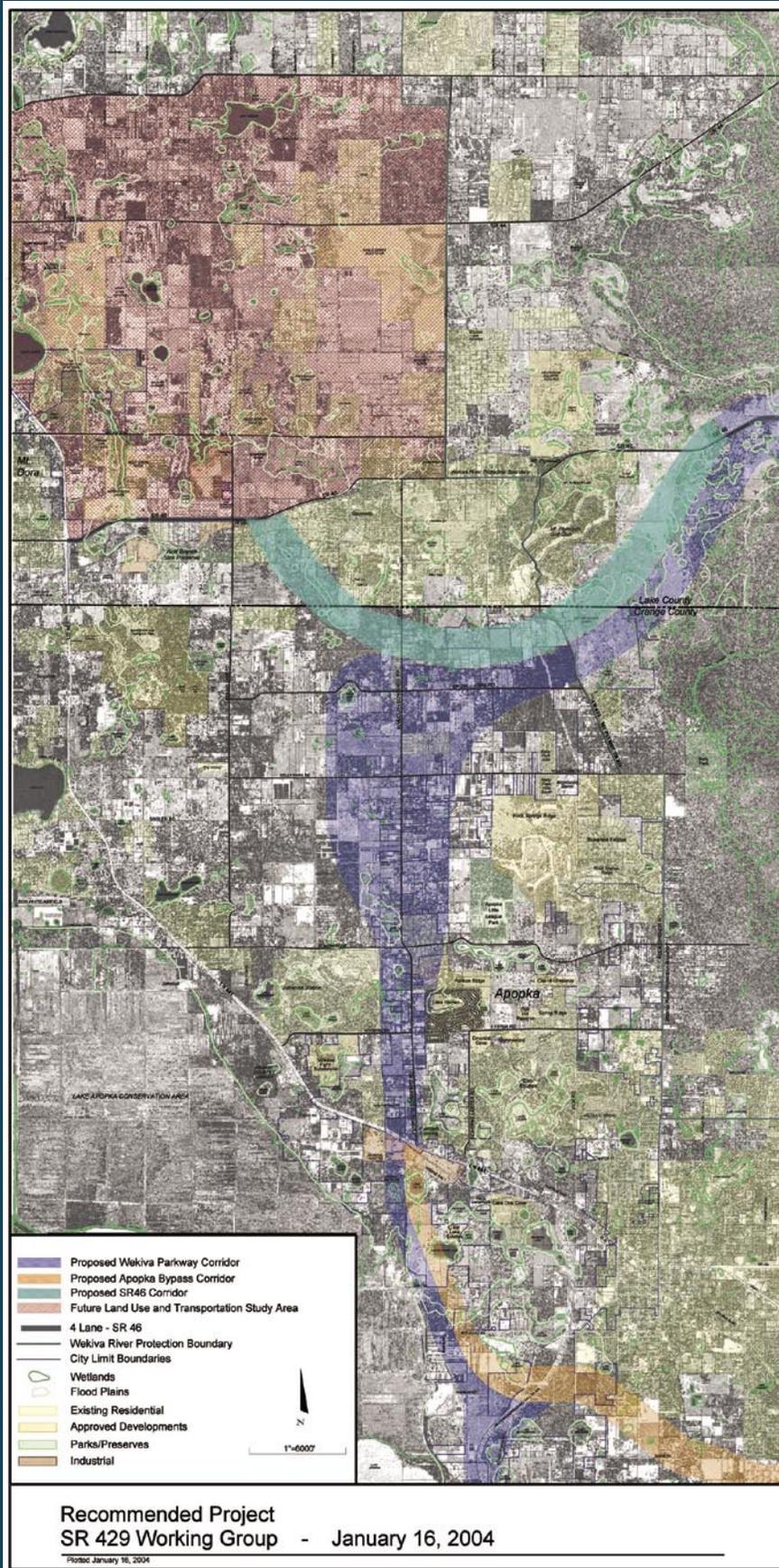
The SR 46 By-Pass Corridor should be designed with the dual purpose of providing a toll-free facility for SR 46 traffic while serving as a limited-access feeder to the SR 429 Expressway System.

- Guiding principles of the Wekiva Parkway should be applied to the SR 46 By-Pass Corridor. Cooperative efforts should be initiated by FDOT, OOCEA, and state agencies to purchase conservation land surrounding or adjacent to the SR 46 By-Pass Corridor, with special emphasis on high quality wetland and upland habitat located in Orange County and Lake County generally north of Ondich Road.
- The FDOT and OOCEA should initiate a PD&E study of the Project described herein.

***A Project of the East Central
Florida Regional Planning Council***

APPENDIX C

Figure 8. Recommended Project SR 429 Working Group



APPENDIX D

WEKIVA BASIN AREA TASK FORCE RECOMMENDATIONS (EXCERPTS)

Recommendation 2: The Task Force recommends that the appropriate transportation agency(ies) use the corridor that is depicted on Figure 3, “Recommended Corridor for the Wekiva Parkway” to undertake the environmental and engineering studies to determine the precise alignment. In addition to the studies, the appropriate transportation agency(ies) shall also apply the “Guiding Principles for Corridor Location” listed herein in selecting the final roadway alignment. The final alignment within Seminole County shall be subject to the approval of the Seminole County Expressway Authority. The Wekiva Parkway must be planned in its entirety, rather than in phases.

Recommendation 3: The Task Force recommends that the appropriate transportation agency(ies) use the following “Guiding Principles for the Wekiva Parkway Design Features and Construction.” The guiding principles should also be applied to the construction of new expressways and the expansion of existing expressways, as applicable. When the design of any new expressway facility is completed it should:

- a. Provide that all new expressways be fully limited access, with interchanges;
- b. Promote a “Parkway” look with appropriate natural buffers between the roadways and the adjacent areas;
- c. Include the maximum provision for bridging through strategically important wetlands;
- d. Elevate (bridge) identified functionally significant wildlife corridors, and provide appropriate wildlife bridges with barriers to direct wildlife to safe crossing points;

- e. Design storm water treatment facilities to minimize habitat loss and promote restoration of impacted sites and assure capture and treatment of runoff from bridges over Outstanding Florida Waters to Outstanding Florida Waters standards;

- f. Offer opportunities to view, understand, and access the environmental uniqueness of the Wekiva River ecosystem;

- g. Provide non-intrusive and minimal roadway and bridge lighting in the Wekiva River Protection Area to support the conservation of dark skies in the basin; and

- h. Incorporate safety and access design features to promote the continuation of prescribed burning in the basin.

Recommendation 4: The Task Force further recommends that when the design and construction of the Wekiva Parkway is completed it should:

- a. Reduce hazards to wildlife by relocating CR 46-A to tie into SR 46 at the proposed SR 46 interchange;

- b. Close the portions of CR 46-A that parallel and duplicate SR 46 (east of the recommended relocation) and serve only the traffic necessary to provide access to local property;

- c. Elevate the Wekiva Parkway through the Wekiva River Protection Area to the maximum extent feasible, and have bridges and adequate barriers as often as practical to provide for adequate wildlife passages;

- d. Bridge Wekiva River wetlands and floodplains on publicly owned lands that are adjacent to the Wekiva Parkway where known wildlife crossings exist;

e. Close existing SR 46 at an appropriate location west of the Lake-Seminole County line so that the remaining sections of SR 46 continue to be open only to provide local access to private properties and recreational and conservation lands, and prevent through traffic; and

f. Where the at-grade portions of the existing SR 46 remain in place to provide local access, there will be no need to provide wildlife passages on this low-volume, low-speed service road.

Recommendation 5: The Task Force recommends that the Florida Department of Transportation, the Orlando-Orange County Expressway Authority, and the Seminole County Expressway Authority consider the recommendations of the Task Force and prepare a report to the Governor and Legislature of their joint recommendations for the appropriate transportation entity(ies) to operate the Wekiva Parkway. The report shall also include joint recommendations on the following:

a. A funding plan that addresses the Task Force recommendations, including those related to wider rights of way to promote the parkway concept, preserve rural character, buffer interchanges, and other design features; and

b. Any legislation needed to secure the authority needed to acquire private lands or development rights within the Wekiva River Protection Area and the proposed Wekiva River Springshed Protection Area in excess of that which is required for right-of-way and associated roadway construction.

Recommendation 6: The Task Force recommends that the plan for mitigating impacts of the construction of the Wekiva Parkway shall assure that to the maximum extent feasible, land acquisition and mitigation occur prior to roadway construction, and mitigation must occur only within the Wekiva River Protection Area, Wekiva River Basin, or Wekiva River Springshed.

Recommendation 7: The Task Force recommends that the number of interchanges located along the Wekiva Parkway not exceed five, and be located as follows:

a. SR 429, south of US 441. The most southerly interchange would occur south of US 441 and serve as a junction with the current SR 429 to allow a continuation of the route to the northwest and then north and also to serve as a future connection to the proposed extension to Maitland Boulevard (the Apopka Bypass).

b. *US 441* - An interchange would be located where SR 429 reaches US 441.

c. *Between US 441 and SR 46* – A single interchange, at an appropriate location, between US 441 and SR 46 and a potential system connection to the proposed US 441 bypass to be determined by the appropriate transportation agencies, in cooperation with local governments, consistent with the guiding principles for corridor location, as applicable. The ultimate location of the interchange will be reflected in the transportation component of the sector plan developed pursuant to Recommendation 11.

d. *SR 46* – An interchange would be located at SR 46 near the area where CR 46-A should be relocated.

e. *Interstate 4* – An interchange would be located where the Wekiva Parkway reaches I-4 in Seminole County no farther north than the St. John’s River Bridge and no farther south than the SR 417 interchange on I-4.

Recommendation 8: The Task Force recommends creation of a working group of stakeholders of applicable local governments, transportation agencies, environmental groups, citizen representatives, and state and regional agencies to study the corridor for a new, limited access facility — the US 441 Bypass –to link the Wekiva Parkway south of SR 46 and west of the Wekiva River Protection Area, to US 441 to Lake and northwest Orange Counties. As recommended above, the “Guiding Principles for Corridor Location and the Guiding Principles for the Wekiva Parkway Design and Construction,” as applicable, shall also be applied to the corridor selection, design, and construction of the US 441 Bypass. The US 441 Bypass shall be planned in its entirety, rather than in phases. This working group shall also consider, evaluate, and make recommendations concerning the potential capacity expansion of the other roadways listed in Table 1, as identified in Recommendation 9 in light of the creation of a US 441 Bypass and the Wekiva Parkway.

Recommendation 9: The Task Force recommends that all affected local governments review their long-range transportation improvement plans in light of the Task Force’s recommendations. Transportation agencies and local governments in the Wekiva Basin area have plans to increase the number of travel lanes on certain roadways located within the Wekiva River Protection Area and within the recharge area for the Wekiva River springshed. The Task Force anticipates that the Wekiva Parkway and the US 441 Bypass should replace the need to widen many of the existing

two-lane rural roads in this area, including the proposed expansion of SR 44 from two to four lanes. Widening these existing rural roads will add to the development pressures, and make it more difficult to maintain the rural character of the area and protect the springs recharge areas.

Recommendation 10: The Task Force recommends that if any improvements are considered to SR 44 through the Wekiva River Protection Area, that the appropriate “Guiding Principles for Designing and Construction” be applied.

Recommendation 13: The Task Force recommends that legislation to implement its recommendation related to creation of a Wekiva River Springshed Protection Area and the related sector planning process should include provisions for land use planning requirements for each potential interchange recommended for the Wekiva Parkway. The interchange land use plans should address appropriate land uses and compatible development, secondary road access, access management, right-of-way protection, vegetative protection and landscaping, signage, and the height and appearance of structures. The interchange land use plans will also direct appropriate changes to land development regulations. The interchange land use plans should be adopted as an amendment to the local government comprehensive plans pursuant to Chapter 163, Part II, Florida Statutes, by May 30, 2004.

Recommendation 16: The State of Florida shall use all means at its disposal to complete the acquisition of the Wekiva-Ocala Greenway Florida Forever Project. The highest priority shall be given to completing the acquisition of the following specific parcels prior to construction associated with the Wekiva Parkway and US 441 Bypass:

- Neighborhood Lakes (1,587 acres)
- Seminole Woods/Swamp (approx. 5,500 acres)
- New Garden Coal (1,643 acres)
- Pine Plantation (approx. 700 acres)

In addition, effort should be made to identify and acquire additional lands located within the Wekiva River Springs recharge area. To the maximum extent feasible, these lands shall be managed as part of the Florida State Park System or by another appropriate state land management agency.

APPENDIX E

BEST MANAGEMENT PRACTICES (BMPs) PUBLICATIONS

Agriculture BMPs:

Current Publications

Rule 5E-1.023 (4)(b) Nitrogen BMPs for Florida Ridge Citrus (2002; FDACS)

Rule 5M-2 Water Quality/Quantity BMPs for Indian River Area Citrus Groves (2000; University of Florida Indian River Research & Education Center)

Rule 5E-1.023 (4)(a) Irrigation & Nutrient Management Practices for Commercial Leatherleaf Fern Production in Florida (1995; University of Florida Institute of Food & Agriculture Services)

Rule 5I-6 Silvicultural Best Management Practices (Revised 2000; FDACS)

Water Quality BMPs for Cow/Calf Operations in Florida (1999; FDACS)

BMPs for Blended Fertilizer Plants in Florida (1997; Florida Fertilizer & Agrichemical Association, FDACS, & FDEP)

Rule 5L-3 Aquaculture BMPs (2000; FDACS)

BMPs for Agrichemical Handling & Farm Equipment Maintenance (2003; FDACS)

Rule 5E-1.023 (5)(c) Nitrogen Interim Measure for Florida Producers of Container-Grown Plants (2003; FDACS)

Publications Under Development

Water Quality/Quantity BMPs for Vegetable & Agronomic Crops - Draft (2003; FDACS)

Statewide Equine BMP Manual

A complete list of commodity-specific agricultural BMP manuals can be found at the following Office of Agricultural Water Policy (FDACS) website:
www.floridaagwaterpolicy.com

Silviculture BMPs

Silvicultural Best Management Practices (Revised 2000; FDACS)

Key Practices for Agricultural and Silvicultural

Best management practices that protect surface and groundwater water quality be implemented as recommended by Florida Department of Agriculture and Consumer Services, the U.S. Department of Agriculture, and the Institute of Food and Agricultural Sciences.

Silvicultural activities should follow BMPs, including all criteria and setbacks for primary streamside management zones, outlined in the publication titled *Silvicultural Best Management Practices* (Revised 2000, Florida Department of Agriculture and Consumer Services).

Intensive agriculture such as concentrated animal feeding operations or row crops on intensively prepared sites within environmentally sensitive areas of the springshed (wetlands and karst features such as sinkholes and fractures and their associated buffers) should abide by agricultural best management practices adopted by the Department Agriculture and Consumer Services.

Landscaping BMPs

Florida Green Industries Best Management Practices for Protection of Water Resources in Florida (2002; the Florida Green Industries, FDEP, FDACS, DCA, water management districts and the University of Florida)

Key Practices for Landscaping

Landscape design, installation and management including irrigation and application of fertilizers that utilize techniques recommended in the publications: *Protecting Florida's Springs: Land Use Planning Strategies and Best Management Practices* (2002), and *Florida Green Industries Best Management Practices for Protection of Water Resources in Florida* (2002) for professionals, or the Florida Yards and Neighborhood program for homeowners, in order to maintain and improve groundwater and surface water quality and quantity such as plant selection-based existing conditions, horticultural science principles of "right plant, right place," plant species that are drought and freeze tolerant and water efficient, and moisture sensing or rain shut-off equipment to avoid irrigation during periods of sufficient soil moisture.

Golf Course BMPs

Protecting Florida's Springs: Land Use Planning Strategies and Best Management Practices (2002; DCA)

Key Practices for Golf Course Siting, Design and Management

A comprehensive approach to address golf course siting, construction and management is important to protect water quantity and quality in the Wekiva Study Area. Best management practices as recommended on the publication *Protecting Florida's Springs: Land Use Planning Strategies and Best Management Practices* dated November 2002 should be utilized at each stage of the development and operation of golf courses. These practices focus on preventing the movement of nutrients and pesticides into surface and groundwater resources.

Prior to development approval, local governments shall require an area-wide evaluation of the proposed golf course site for assessing site suitability. An area-wide evaluation shall include a site-context map that depicts the following information: critical natural features, flood plains, and karst features. It is critical that the site assessment examine all potential pathways for surface and groundwater pollution. Local governments shall coordinate and work closely with the DEP, SJRWMD, U.S. Geological Survey and Florida Geological Survey to gather best available data.

Environmentally based design for golf courses should be required. This approach includes incorporating Special Management Zones, Best Management Practices,

irrigation system with soil moisture sensors to conserve water and Integrated Pest Management which establishes chemical application guidelines to be used.

Berms, swales, vegetative strips, grease traps, shall be used in parking areas drainage systems and golf course equipment maintenance and fueling facilities to reduce the potential for pollution to surface and groundwaters.

New golf courses in a springshed should be required to prepare a golf course-specific Natural Resources Management Plan (NRMP) for daily operation and maintenance. The focus of the management plan is on prevention, management, and monitoring. The NRMP should contain a detailed Integrated Pest Management (IPM); a Water Quality and Environmental Monitoring program to assess the effectiveness of the management program, a Irrigation Plan; and a Wildlife Conservation plan.

The NRMP should be updated as part of a yearly re-certification audit by a nationally recognized golf course certification program such as the Audubon International Signature Program. An annual re-certification by an independent entity is of great assistance to local and county government to ensure the best management practices are effective in protecting ground and surface water resources.

Construction BMPs

Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual (2002; FDEP)

Key Practices for General Construction

Best management practices for the control of soil erosion and sedimentation should be utilized during construction as recommended in the publications: *Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual* and *Protecting Florida's Springs: Land Use Planning Strategies and Best Management Practices* (2002). These practices should be utilized for all road construction, urban development and agricultural activities in order to protect natural water bodies, watercourses and wetlands from siltation. These practices should also be utilized, as necessary, to protect the function of stormwater management systems (e.g., exfiltration systems) from excess sediment loads. Erosion and sediment control practices include those of the Soil Conservation Service, Florida Department of Transportation, DEP, Department of Agriculture and Consumer Services, and the Institute of Food and Agricultural Sciences, or other agencies.

APPENDIX F

LEGAL DESCRIPTION OF WEKIVA STUDY AREA

A portion of Lake, Orange and Seminole County, Florida, being more particularly described as follows:

Begin at the northwest corner of Section 6, Township 18 South, Range 28 East, Lake County, Florida, said corner lying on the north line of Township 18 South; thence Easterly along said north line of Township 18 South to the northeast corner of Section 5, Township 18 South, Range 29 East; thence Southerly along the east line of said Section 5 to the northeast corner of Section 8, Township 18 South, Range 29 East; thence Southerly along the east line of said Section 8 to the northeast corner of Section 17, Township 18 South, Range 29 East; thence Southerly along the east line of said Section 17 to the northeast corner of Section 20, Township 18 South, Range 29 East; thence Southerly along the east line of said Section 20 to the northeast corner of Section 29, Township 18 South, Range 29 East; thence Southerly along the east line of said Section 29 to the northeast corner of Section 32, Township 18 South, Range 29 East; thence Southerly along the east line of said Section 32 to the southeast corner thereof, said corner lying on the south line of Township 18 South; thence Easterly along the south line of said Township 18 South to an intersection with the east line of Range 29 East; thence Southerly along the east line of said Range 29 East to the southeast corner of Section 24, Township 21 South, Range 29 East; thence Westerly along the south line of said Section 24 to the southeast corner of Section 23, Township 21 South, Range 29 East; thence Westerly along the south line of said Section 23 to an intersection with the centerline of Interstate Highway No. 4; thence generally Southerly along the centerline of Interstate Highway No. 4 to an intersection with the south line of Section 13, Township 22 South, Range 29 East; Thence Westerly along the south line of said Section 13 to the southeast corner of Section 14, Township 22 South, Range 29 East; thence Westerly along the south line of said Section 14 to the southeast corner of Section 15, Township 22 South, Range 29 East; thence Westerly along the south line of said Section 15 to the northeast corner of Section 21, Township 22 South, Range 29 East; thence Southerly along the east line of said Section 21 to an intersection with the centerline of State Road No. 50; thence Westerly along the centerline of said State Road No. 50 to the northeast corner of Section 30, Township 22 South, Range 28 East; thence Southerly along the east line of said Section 30 to the northeast corner of Section 31, Township 22 South, Range 28 East; thence Southerly along the east line of said Section 31 to the southeast corner thereof, said corner lying on the south line of Township 22 South; thence Westerly along said south line of Township 22 South to the

northeast corner of Section 2, Township 23 South, Range 27 East; thence Southerly along the east line of said Section 2 to the northeast corner of Section 11, Township 23 South, Range 27 East; thence Southerly along the east line of said Section 11 to the southeast corner thereof; thence Westerly along the south line of said Section 11 to the southeast corner of Section 10, Township 23 South, Range 27 East; thence Westerly along the south line of said Section 10 to the southeast corner of Section 9, Township 23 South, Range 27 East; thence Westerly along the south line of said Section 9 to the southeast corner of Section 8, Township 23 South, Range 27 East; thence Westerly along the south line of said Section 8 to the southeast corner of Section 7, Township 23 South, Range 27 East; thence Westerly along the south line of said Section 7 to the southwest corner thereof, said corner lying on the line of demarcation between Orange County and Lake County, thence generally Northerly and along said county line to the northeast corner of Section 12, Township 20 South, Range 26 East, said corner lying on the east line of Range 26 East; thence generally Northerly and along said east line of Range 26 East to the southeast corner of Section 24, Township 19 South, Range 26 East; thence Westerly along the south line of said Section 24 to the southeast corner of Section 23, Township 19 South, Range 26 East; thence Westerly along the south line of said Section 23 to the southwest corner thereof; thence Northerly along the west line of said Section 23 to the southwest corner of Section 14, Township 19 South, Range 26 East; thence Northerly along the west line of said Section 14 to the southwest corner of Section 11, Township 19 South, Range 26 East; thence generally Northeasterly to the southwest corner of Section 1, Township 19 South, Range 26 East; thence generally Northeasterly to the southwest corner of Section 31, Township 18 South, Range 27 East; thence generally Northeasterly to the southwest corner of Section 29, Township 18 South, Range 27 East; thence generally Northeasterly to the northwest corner of Section 28, Township 18 South, Range 27 East; thence Easterly along the north line of said Section 28 to the northwest corner of Section 27, Township 18 South, Range 27 East; thence Easterly along the north line of said Section 27 to the northwest corner of Section 26, Township 18 South, Range 27 East; thence Easterly along the north line of said Section 26 to the northwest corner of Section 25, Township 18 South, Range 27 East; thence Easterly along the north line of said Section 25 to an intersection with the west line of Range 28 East; thence Northerly along the west line of said Range 28 East to the northwest corner of Section 6, Township 18 South, Range 28 East, and the Point of Beginning.

The Wekiva River Basin Coordinating Committee



Seated, left to right: Catherine C. Hanson, Lake County Board of County Commissioners; Lee Constantine, Florida Senate, District 22; Colleen M. Castille, Secretary, Department of Community Affairs; Vivian Garfein, Central District Director, Department of Environmental Protection.

Standing, left to right: Allan E. Keen, Chair, Orlando-Orange County Expressway Authority; Frederick Brummer, Florida House of Representatives, District 38; Bill Battaglia, President, Battaglia Fruit Company; Robert W. Theisen, Jr., Chair, Tilt-Con Corporation; Harold Barley, Executive Director, MetroPlan Orlando; Gwendolyn M. Manning, Eustis, Mayor; Pedro P. Diaz-Bordon, M.D.; Ysela Llort, State Transportation Planner, Department of Transportation; Patricia T. Harden, Vice President, Friends of the Wekiva; John H. Land, Apopka, Mayor; Steve Wolfram, Altamonte Springs, Commissioner; James E. Yatsuk, Mount Dora, Mayor; Kirby Green III, Executive Director, St. Johns River Water Management District; Charles Lee, Senior Vice President, Audubon of Florida; Chuck Aller, Director, Office of Agricultural Water Policy; Daryl G. McLain, Chair, Seminole County Board of County Commissioners; Bob Sindler, Orange County Board of County Commissioners; Sandra Glenn, Executive Director, East Central Florida Regional Planning Council; Randall C. Morris, Chair, Seminole County Expressway Authority; Brindley B. Pieters, President, Brindley Pieters and Associates; Jon M. VanderLey, Oakland, Mayor.

Not pictured: Anita Simpson, President, Simpson Fruit Company; Dennis David, Northeast Regional Director, Florida Fish and Wildlife Conservation Commission.

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WEKIVA RIVER BASIN
COORDINATING COMMITTEE
FINAL REPORT

