

INVENTORIES OF CRITICAL WETLANDS

Critical Wetlands to be Inventoried and Acquired via Land Acquisition Trust Fund:

[Senate Bill 882](#) amends section 373.036, Florida Statutes, to provide for the creation of a list of critical wetlands which will be acquired using funds from the Land Acquisition Trust Fund. This list is to be created by each governing board, in cooperation with local governments, as part of the “district water management plan,” or, if substituted by the governing board, as part of the “annual strategic plan.” The bill provides the criteria that the governing board should consider before including a wetland on the list: (1) the ecological value of the wetland (determined by the “physical and biological components of the environmental system”); (2) the wetland’s effects on water quality and flood mitigation; (3) the ecosystem restoration value of the wetland; and (4) the wetland’s susceptibility to development due to its location or aesthetics.

Landowners must be notified if their land is being considered for inclusion on the list. If the landowner seeks to be removed from the list, the landowner must submit a letter by certified mail to the district. The letter must indicate that the owner seeks removal from the list, and the letter must “sufficiently identify such property to the governing board.” If these requirements are met, the removal will be approved at the governing board’s next regularly scheduled meeting. Thus, it seems that inclusion on the critical wetlands list is easily avoidable for private landowners. This bill was signed into law on April 27, 2022 and went into effect on July 1, 2022.