

June 23, 2004

Ms. Glenda E. Hood
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399

Dear Secretary Hood:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, House Bill 373, enacted during the 106th Session of the Legislature of Florida, since statehood in 1845, during the Regular Session of 2004, and entitled:

An act relating to water policy . . .

This bill seeks to amend Florida Law by moving the portion of Highlands County in the Southwest Florida Water Management District into the South Florida Water Management District.

The practice of district shopping is a dangerous precedent and one that I do not support. The boundaries between these water management districts were established on a water resource basis and are rarely aligned with the political subdivisions of counties and cities. While this change may allieve concerns of the Highlands County Commission regarding some policies of the Southwest Florida Water Management District, I have serious concerns because this bill will:

- Reverse a prior United States Geological Service change that placed a unique and homogeneous, geologic and hydrologic entity (sand ridge) under the management of a single district. Changing the boundary arbitrarily could result in the degradation of recovering aquifer levels in the area.
- Change the management of water resources connected to the Southern Water Use Caution Area recovery plan. This recovery plan was legally challenged in court and upheld. The water district boundaries were articulated based on independent data provided by the United States Geological Service, and a change without supporting data would be counter-productive.
- Potentially lead to the Southwest Florida Water Management District challenging permits issued by the South Florida Water Management District due to adverse effects on its aquifer levels.

Ms. Glenda E. Hood
June 23, 2004
Page Two

Finally, it concerns me that the property taxes of the home owners in the area in question would be raised without a voter approved referendum. Though the assessed amount is not enormous, it violates my long-standing policy that requires a voter referendum to increase tax burden.

It is my hope that the Southwest Florida Water Management District will make every effort to better address the concerns and needs of the Highlands County area in the future. The perceived lack of service by a water district, however, cannot outweigh scientifically-based designations designed to protect our water resources.

I therefore withhold my approval of House Bill 373.

Sincerely,

Jeb Bush