

By Senators Brown-Waite, Bronson, Cowin, Williams and Horne

10-239-98

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A bill to be entitled
An act relating to water sources; amending s.
373.223, F.S.; prescribing matters to be
considered in authorizing the transport of
ground or surface water; providing an effective
date.

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

Section 1. Subsection (2) of section 373.223, Florida
Statutes, is amended to read:

373.223 Conditions for a permit.--

(2) The governing board or the department may
authorize the holder of a use permit to transport and use
ground or surface water beyond overlying land, across county
boundaries, or outside the watershed from which it is taken if
the governing board or department determines that such
transport and use is consistent with the public interest, and
no local government shall adopt or enforce any law, ordinance,
rule, regulation, or order to the contrary. In evaluating
whether the transport of ground or surface water is consistent
with the public interest, the governing board or department
shall consider:

(a) The proximity of the proposed source of water to
the area in which it is to be used or applied.

(b) Other environmentally, economically, and
technically feasible alternatives to the source being
proposed, including, but not limited to, desalination, reuse,
stormwater, and aquifer storage and recovery.

(c) Cumulative impacts due to ground water withdrawal.

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(d) The recommendations of any affected local government.

Section 2. This act shall take effect upon becoming a law.

SENATE SUMMARY

Provides criteria to be considered by water management districts and the Department of Environmental Protection in authorizing the transport of surface or ground water under a permit for the consumptive use of water.