

By the Committee on Natural Resources and Senator Bronson

312-1929-01

1                                   A bill to be entitled  
2           An act relating to water supply policy;  
3           creating s. 373.621, F.S.; recognizing the  
4           significance of water conservation; requiring  
5           consideration of the implementation of water  
6           conservation practices in water-use permitting;  
7           creating s. 570.081, F.S.; providing for the  
8           Department of Agriculture and Consumer Services  
9           to establish an agricultural water conservation  
10          program; specifying the elements of the  
11          program; requiring certain water management  
12          districts to develop and finance public-private  
13          alternative water supply-projects; amending s.  
14          373.1961, F.S.; requiring the Public Service  
15          Commission to allow certain alternative  
16          water-supply facilities to recover the costs  
17          incurred for alternative water supplies through  
18          their rate structures; providing an effective  
19          date.

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

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23           Section 1. Section 373.621, Florida Statutes, is  
24 created to read:

25           373.621 Water conservation.--The Legislature  
26 recognizes the significant value of water conservation in the  
27 protection and efficient use of water resources. Accordingly,  
28 additional consideration in the administration of ss. 373.223,  
29 373.233, and 373.236 shall be given to applicants who  
30 implement water conservation practices pursuant to s. 570.081,

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1 or other applicable water conservation measures as determined  
2 by the department or a water management district.

3 Section 2. Section 570.081, Florida Statutes, is  
4 created to read:

5 570.081 Department of Agriculture and Consumer  
6 Services; agricultural water conservation.--The department  
7 shall establish an agricultural water conservation program  
8 that includes the following:

9 (1) A cost share program, coordinated where  
10 appropriate with the United States Department of Agriculture  
11 and other federal, state, regional, and local agencies, for  
12 irrigation system retrofit and application of mobile  
13 irrigation laboratory evaluations for water conservation as  
14 provided in this section and where applicable for  
15 water-quality improvement pursuant to s. 403.067(7)(d).

16 (2) The development and implementation of voluntary  
17 interim measures or best-management practices, adopted by  
18 rule, which provide for increased efficiencies in the  
19 utilization and management of water for agricultural  
20 production. In the process of developing and adopting rules  
21 for interim measures or best-management practices, the  
22 department shall consult with the Department of Environmental  
23 Protection and the water management districts. Such rules may  
24 also include a system to ensure the implementation of the  
25 practices, including recordkeeping requirements. As new  
26 information regarding efficient agricultural water use and  
27 management becomes available, the department shall reevaluate,  
28 and revise as needed, the interim measures or best-management  
29 practices. The interim measures or best-management practices  
30 may include irrigation retrofit, implementation of mobile  
31 irrigation laboratory evaluations and recommendations, water

1 resource augmentation, and integrated water management systems  
2 for drought management and flood control, and should, to the  
3 maximum extent practicable, be designed to qualify for  
4 regulatory incentives and other incentives as determined by  
5 the applicable agency having statutory authority.

6 (3) Provision of assistance to the water management  
7 districts in the development and implementation, in so far as  
8 is practicable, of a consistent methodology for the efficient  
9 allocation of water for agricultural irrigation.

10 Section 3. The South Florida, St. Johns River, and  
11 Southwest Florida Water Management Districts shall each  
12 develop and participate in financing at least one  
13 public-private alternative water-supply project that expands  
14 the current availability of alternative water supplies.  
15 Funding for the selected project shall commence in fiscal year  
16 2001-2002. The selected project shall meet the criteria in  
17 section 373.0831(4)(a), Florida Statutes. Projects that bring  
18 about replacement of existing sources in order to help  
19 implement a minimum flow or level shall be given first  
20 consideration for funding.

21 Section 4. Paragraph (k) is added to subsection (2) of  
22 section 373.1961, Florida Statutes, to read:

23 373.1961 Water production.--

24 (2) The Legislature finds that, due to a combination  
25 of factors, vastly increased demands have been placed on  
26 natural supplies of fresh water, and that, absent increased  
27 development of alternative water supplies, such demands may  
28 increase in the future. The Legislature also finds that  
29 potential exists in the state for the production of  
30 significant quantities of alternative water supplies,  
31 including reclaimed water, and that water production includes

1 the development of alternative water supplies, including  
2 reclaimed water, for appropriate uses. It is the intent of  
3 the Legislature that utilities develop reclaimed water  
4 systems, where reclaimed water is the most appropriate  
5 alternative water supply option, to deliver reclaimed water to  
6 as many users as possible through the most cost-effective  
7 means, and to construct reclaimed water system infrastructure  
8 to their owned or operated properties and facilities where  
9 they have reclamation capability. It is also the intent of the  
10 Legislature that the water management districts which levy ad  
11 valorem taxes for water management purposes should share a  
12 percentage of those tax revenues with water providers and  
13 users, including local governments, water, wastewater, and  
14 reuse utilities, municipal, industrial, and agricultural water  
15 users, and other public and private water users, to be used to  
16 supplement other funding sources in the development of  
17 alternative water supplies. The Legislature finds that public  
18 moneys or services provided to private entities for such uses  
19 constitute public purposes which are in the public interest.  
20 In order to further the development and use of alternative  
21 water supply systems, including reclaimed water systems, the  
22 Legislature provides the following:

23 (k) Pursuant to chapter 367, the Florida Public  
24 Service Commission shall allow entities under its jurisdiction  
25 which construct alternative water-supply facilities, including  
26 but not limited to aquifer storage and recovery wells, to  
27 recover the full, prudently incurred cost of such facilities  
28 through their rate structures. Every component of an  
29 alternative water-supply facility constructed by an  
30 investor-owned utility shall be recovered in current rates.

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1           Section 5. This act shall take effect upon becoming a  
2 law.

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4                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
5                   COMMITTEE SUBSTITUTE FOR  
6                   Senate Bill 1512

7 The committee substitute rewrites the bill to provide that  
8 additional consideration be given to certain consumptive use  
9 permit applicants who implement certain water conservation  
10 practices. Requires the Department of Agriculture and Consumer  
11 Services to develop a cost share program for irrigation system  
12 retrofit and application of mobile irrigation laboratory  
13 evaluations for water conservation. Requires the Department of  
14 Agriculture and Consumer Services to develop and implement  
15 voluntary interim measures or best management practices for  
16 increased efficiencies in the utilization and management of  
17 water for agricultural production. Requires the South Florida  
18 Water Management District, the St. Johns River Water  
19 Management District, and the Southwest Florida Water  
20 Management District to develop and participate in financing at  
21 least one public-private alternative water supply project in  
22 fiscal year 2001-2002. Allows certain water utilities to  
23 recover certain alternative water supply costs through their  
24 rate structures.  
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