

By the Committee on Natural Resources & Environmental
Protection and Representative Harrington

1 A bill to be entitled
2 An act relating to water supply policy;
3 amending s. 153.11, F.S.; authorizing county
4 commissions to establish water and sewer rates
5 and rate structures to encourage and promote
6 water conservation and the use of reclaimed
7 water; amending s. 163.3167, F.S.; requiring
8 that each local government provide in its
9 growth management plan for the long-term
10 availability of water supplies for approved
11 land development; amending s. 163.3177, F.S.;
12 directing local government comprehensive plans
13 to coordinate with regional water supply plans;
14 directing future land use plans to be based on
15 data regarding the availability of sufficient
16 water supplies for present and future growth;
17 amending s. 163.3180, F.S.; providing a
18 concurrency requirement for water supply
19 availability; providing for assistance from
20 water management districts and the Department
21 of Community Affairs; amending s. 373.0361,
22 F.S.; providing that incompatibility with a
23 regional supply plan be considered in
24 determining if a proposed use of water is
25 consistent with the public interest; amending
26 s. 373.236, F.S.; requiring consideration of
27 the implementation of agricultural water
28 conservation best management practices in
29 determining permit duration for water use
30 permits; amending s. 373.406, F.S.; providing
31 an exemption from provisions regulating the

1 management and storage of surface waters for
2 implementation of such best management
3 practices having minimal adverse impacts;
4 creating s. 373.621, F.S.; recognizing the
5 significance of agricultural water
6 conservation; requiring consideration of the
7 implementation of agricultural water
8 conservation practices in water use permitting;
9 amending s. 403.064, F.S.; requiring the reuse
10 of reclaimed water when feasible; removing
11 certain limitations on applicability; creating
12 s. 570.080, F.S.; establishing an agricultural
13 water conservation program; requiring water
14 management districts to develop and finance
15 public-private alternative water supply
16 projects; creating the Water Supply Task Force;
17 providing membership and duties; providing for
18 technical advisory committees; providing for
19 reimbursement for certain expenses; providing
20 for an executive director and staff; requiring
21 reports; providing for state agency assistance;
22 providing for termination of the task force;
23 providing an appropriation; providing an
24 effective date.

25

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

27

28 Section 1. Section 153.11, Florida Statutes, is
29 amended to read:

30 153.11 Water service charges and sewer service
31 charges; revenues.--

1 (1)(a) The county commission shall in the resolution
2 providing for the issuance of either water revenue bonds or
3 sewer revenue bonds, or both, fix the initial schedule of
4 rates, rate structures, fees, and other charges for the use of
5 and for the services furnished or to be furnished by the
6 facilities, to be paid by the owner, tenant or occupant of
7 each lot or parcel of land which may be connected with and use
8 any such facility by or through any part of the water system
9 of the county.

10 (b) After the system or systems shall have been in
11 operation the county commission may revise the ~~such~~ schedule
12 of rates, rate structures, fees, and charges from time to
13 time. Such rates, rate structures, fees, and charges shall be
14 so fixed and revised as to provide funds, with other funds
15 available for such purposes, sufficient at all times to pay
16 the cost of maintaining, repairing and operating the system or
17 systems including the reserves for such purposes and for
18 replacements and depreciation and necessary extensions, to pay
19 the principal of and the interest on the water revenue bonds
20 and/or sewer revenue bonds as the same shall become due and
21 the reserves therefor, and to provide a margin of safety for
22 making such payments. The county commission may, at its
23 discretion, establish rates or rate structures in such a
24 manner as to encourage and promote water conservation and the
25 use of reclaimed water for nonpotable uses.The county
26 commission shall charge and collect the rates, fees, and
27 charges so fixed or revised, and the ~~such~~ rates, rate
28 structures, fees, and charges shall not be subject to
29 supervision or regulation by any other commission, board,
30 bureau, or agency of the county or of the state or of any
31 sanitary district or other political subdivision of the state.

1 (c) Such rates, rate structures, fees, and charges
2 shall be just and equitable and may be based or computed upon
3 the quantity of water consumed and/or upon the number and size
4 of sewer connections or upon the number and kind of plumbing
5 fixtures in use in the premises connected with the sewer
6 system or upon the number or average number of persons
7 residing or working in or otherwise connected with such
8 premises or upon any other factor affecting the use of the
9 facilities furnished or upon any combination of the foregoing
10 factors.

11 (d) In cases where the amount of water furnished to
12 any building or premises is such that it imposes an
13 unreasonable burden upon the water supply system an additional
14 charge may be made therefor or the county commission may if it
15 deems advisable compel the owners or occupants of such
16 building or premises to reduce the amount of water consumed
17 thereon in a manner to be specified by the county commission
18 or the county commission may refuse to furnish water to such
19 building or premises.

20 (e) In cases where the character of the sewage from
21 any manufacturing or industrial plant or any building or
22 premises is such that it imposes an unreasonable burden upon
23 any sewage disposal system, an additional charge may be made
24 therefor, or the county commission may, if it deems it
25 advisable, compel such manufacturing or industrial plant or
26 such building or premises to treat such sewage in such manner
27 as shall be specified by the county commission before
28 discharging such sewage into any sewer lines owned or
29 maintained by the county.

30 (2) The county commission may charge any owner or
31 occupant of any building or premise receiving the services of

1 the facilities herein provided such initial installation or
2 connection charge or fee as the commission may determine to be
3 just and reasonable.

4 (3)(a) No rates, rate structures, fees, or charges
5 shall be fixed under the foregoing provisions of this section
6 until after a public hearing at which all of the users of the
7 facilities provided by this chapter and owners, tenants and
8 occupants of property served or to be served thereby and all
9 others interested shall have an opportunity to be heard
10 concerning the proposed rates, rate structures, fees, and
11 charges. After the adoption by the county commission of a
12 resolution setting forth the preliminary schedule or schedules
13 fixing and classifying such rates, rate structures, fees, and
14 charges, notice of such public hearing setting forth the
15 schedule or schedules of rates, rate structures, fees, and
16 charges shall be given by one publication in a newspaper
17 published in the county at least 10 days before the date fixed
18 in said notice for the hearing, which said hearing may be
19 adjourned from time to time. After such hearing such
20 preliminary schedule or schedules, either as originally
21 adopted or as modified or amended, shall be adopted and put
22 into effect and thereupon the resolution providing for the
23 issuance of water revenue bonds and/or sewer revenue bonds may
24 be finally adopted.

25 (b) A copy of the schedule or schedules of such rates,
26 rate structures, fees, and charges finally fixed in such
27 resolution shall be kept on file in the office of the clerk of
28 the circuit court in the county and shall be open to
29 inspection by all parties interested. The rates, rate
30 structures, fees, or charges so fixed for any class of users
31 or property served shall be extended to cover any additional

1 property thereafter served which fall within the same class
2 without the necessity of any hearing or notice.

3 (c) Any change or revision of any rates, rate
4 structures,fees,or charges may be made in the same manner as
5 such rates, rate structures,fees,or charges were originally
6 established as hereinabove provided, but if such change or
7 revision be made substantially pro rata as to all classes of
8 service no notice or hearing shall be required.

9 Section 2. Subsection (13) is added to section
10 163.3167, Florida Statutes, to read:

11 163.3167 Scope of act.--

12 (13) Each local government shall provide in its growth
13 management plan for the availability of water supplies
14 necessary to meet the projected water use demands for the
15 established planning period.

16 Section 3. Paragraph (a) of subsection (4) and
17 paragraph (a) of subsection (6) of section 163.3177, Florida
18 Statutes, are amended to read:

19 163.3177 Required and optional elements of
20 comprehensive plan; studies and surveys.--

21 (4)(a) Coordination of the local comprehensive plan
22 with the comprehensive plans of adjacent municipalities, the
23 county, adjacent counties, or the region; with the appropriate
24 water management district's regional water supply plans
25 pursuant to s. 373.0361;with adopted rules pertaining to
26 designated areas of critical state concern; and with the state
27 comprehensive plan shall be a major objective of the local
28 comprehensive planning process. To that end, in the
29 preparation of a comprehensive plan or element thereof, and in
30 the comprehensive plan or element as adopted, the governing
31 body shall include a specific policy statement indicating the

1 relationship of the proposed development of the area to the
2 comprehensive plans of adjacent municipalities, the county,
3 adjacent counties, or the region and to the state
4 comprehensive plan, as the case may require and as such
5 adopted plans or plans in preparation may exist.

6 (6) In addition to the requirements of subsections
7 (1)-(5), the comprehensive plan shall include the following
8 elements:

9 (a) A future land use plan element designating
10 proposed future general distribution, location, and extent of
11 the uses of land for residential uses, commercial uses,
12 industry, agriculture, recreation, conservation, education,
13 public buildings and grounds, other public facilities, and
14 other categories of the public and private uses of land. The
15 future land use plan shall include standards to be followed in
16 the control and distribution of population densities and
17 building and structure intensities. The proposed
18 distribution, location, and extent of the various categories
19 of land use shall be shown on a land use map or map series
20 which shall be supplemented by goals, policies, and measurable
21 objectives. Each land use category shall be defined in terms
22 of the types of uses included and specific standards for the
23 density or intensity of use. The future land use plan shall
24 be based upon surveys, studies, and data regarding the area,
25 including the amount of land required to accommodate
26 anticipated growth; the projected population of the area; the
27 character of undeveloped land; the availability of ground and
28 surface water resources for present and future water supplies
29 and the potential for development of alternative water
30 supplies;the availability of public services; the need for
31 redevelopment, including the renewal of blighted areas and the

1 elimination of nonconforming uses which are inconsistent with
2 the character of the community; and, in rural communities, the
3 need for job creation, capital investment, and economic
4 development that will strengthen and diversify the community's
5 economy. The future land use plan may designate areas for
6 future planned development use involving combinations of types
7 of uses for which special regulations may be necessary to
8 ensure development in accord with the principles and standards
9 of the comprehensive plan and this act. In addition, for rural
10 communities, the amount of land designated for future planned
11 industrial use shall be based upon surveys and studies that
12 reflect the need for job creation, capital investment, and the
13 necessity to strengthen and diversify the local economies, and
14 shall not be limited solely by the projected population of the
15 rural community. The future land use plan of a county may also
16 designate areas for possible future municipal incorporation.
17 The land use maps or map series shall generally identify and
18 depict historic district boundaries and shall designate
19 historically significant properties meriting protection. The
20 future land use element must clearly identify the land use
21 categories in which public schools are an allowable use. When
22 delineating the land use categories in which public schools
23 are an allowable use, a local government shall include in the
24 categories sufficient land proximate to residential
25 development to meet the projected needs for schools in
26 coordination with public school boards and may establish
27 differing criteria for schools of different type or size.
28 Each local government shall include lands contiguous to
29 existing school sites, to the maximum extent possible, within
30 the land use categories in which public schools are an
31 allowable use. All comprehensive plans must comply with the

1 school siting requirements of this paragraph no later than
2 October 1, 1999. The failure by a local government to comply
3 with these school siting requirements by October 1, 1999, will
4 result in the prohibition of the local government's ability to
5 amend the local comprehensive plan, except for plan amendments
6 described in s. 163.3187(1)(b), until the school siting
7 requirements are met. An amendment proposed by a local
8 government for purposes of identifying the land use categories
9 in which public schools are an allowable use is exempt from
10 the limitation on the frequency of plan amendments contained
11 in s. 163.3187. The future land use element shall include
12 criteria which encourage the location of schools proximate to
13 urban residential areas to the extent possible and shall
14 require that the local government seek to collocate public
15 facilities, such as parks, libraries, and community centers,
16 with schools to the extent possible.

17 Section 4. Subsections (1) and (2) of section
18 163.3180, Florida Statutes, are amended to read:

19 163.3180 Concurrency.--

20 (1)(a) Sanitary sewer, solid waste, drainage, potable
21 water, parks and recreation, and transportation facilities,
22 including mass transit, where applicable, are the only public
23 facilities and services subject to the concurrency requirement
24 on a statewide basis. Water supply availability also is
25 subject to the concurrency requirement. Additional public
26 facilities and services may not be made subject to concurrency
27 on a statewide basis without appropriate study and approval by
28 the Legislature; however, any local government may extend the
29 concurrency requirement so that it applies to additional
30 public facilities within its jurisdiction.

31

1 (b) Local governments shall use professionally
2 accepted techniques for measuring level of service for
3 automobiles, bicycles, pedestrians, transit, and trucks.
4 These techniques may be used to evaluate increased
5 accessibility by multiple modes and reductions in vehicle
6 miles of travel in an area or zone. The Department of
7 Transportation shall develop methodologies to assist local
8 governments in implementing this multimodal level-of-service
9 analysis. The Department of Community Affairs and the
10 Department of Transportation shall provide technical
11 assistance to local governments in applying these
12 methodologies.

13 (c) Local governments shall rely on the appropriate
14 water management district's determination of water supply
15 availability made pursuant to s. 373.0361 and, if applicable,
16 the regional water supply plan created pursuant to s.
17 373.0361, as the best available data in determining whether
18 new development meets the concurrency requirement for water
19 supply availability, unless more current and accurate data is
20 available. Water management districts shall develop water
21 resource models to assist local governments in developing
22 alternative land use scenarios that will enable local
23 governments to determine whether alternative forms or types of
24 development will meet the concurrency requirement for water
25 supply availability. The Department of Community Affairs and
26 regional planning councils shall assist local governments and
27 water management districts in developing regional land use
28 scenarios for testing water supply availability.

29 (2)(a) Consistent with public health and safety,
30 sanitary sewer, solid waste, drainage, and potable water
31 facilities shall be in place and available to serve new

1 development no later than the issuance by the local government
2 of a certificate of occupancy or its functional equivalent.

3 (b) Consistent with the public welfare, and except as
4 otherwise provided in this section, parks and recreation
5 facilities to serve new development shall be in place or under
6 actual construction no later than 1 year after issuance by the
7 local government of a certificate of occupancy or its
8 functional equivalent. However, the acreage for such
9 facilities shall be dedicated or be acquired by the local
10 government prior to issuance by the local government of a
11 certificate of occupancy or its functional equivalent, or
12 funds in the amount of the developer's fair share shall be
13 committed prior to issuance by the local government of a
14 certificate of occupancy or its functional equivalent.

15 (c) Consistent with the public welfare, and except as
16 otherwise provided in this section, transportation facilities
17 needed to serve new development shall be in place or under
18 actual construction no more than 3 years after issuance by the
19 local government of a certificate of occupancy or its
20 functional equivalent.

21 (d) Consistent with public health, safety, and
22 welfare, water supply availability shall be deemed sufficient
23 to meet the concurrency requirement for new development if one
24 of the following conditions is met:

25 1. At present there is adequate ground or surface
26 water available to meet the projected water supply needs of
27 new development, in addition to the needs of existing legal
28 users and natural systems.

29 2. At present there is a combination of ground or
30 surface water, and actual or proposed alternative water supply
31 sources, available to meet the projected water supply needs of

1 new development, in addition to the needs of existing legal
2 users and natural systems. Facilities necessary to provide the
3 alternative water supply sources must be permitted and under
4 construction no more than 5 years after the issuance by the
5 local government of a certificate of occupancy or its
6 functional equivalent.

7 3. At present there are adequate alternative water
8 supply sources available to meet the projected water supply
9 needs of new development.

10 Section 5. Subsection (6) of section 373.0361, Florida
11 Statutes, is amended to read:

12 373.0361 Regional water supply planning.--

13 (6) Nothing contained in the water supply development
14 component of the district water management plan shall be
15 construed to require local governments, government-owned or
16 privately owned water utilities, self-suppliers, or other
17 water suppliers to select a water supply development option
18 identified in the component merely because it is identified in
19 the plan. However, this subsection shall not be construed to
20 limit the authority of the department or governing board under
21 part II, and incompatibility with an approved regional water
22 supply plan shall be considered in the determination of public
23 interest pursuant to s. 373.223(1)(c).

24 Section 6. Subsection (1) of section 373.236, Florida
25 Statutes, is amended to read:

26 373.236 Duration of permits; compliance reports.--

27 (1) Permits shall be granted for a period of 20 years,
28 if requested for that period of time, if there is sufficient
29 data to provide reasonable assurance that the conditions for
30 permit issuance will be met for the duration of the permit;
31 otherwise, permits may be issued for shorter durations which

1 reflect the period for which such reasonable assurances can be
2 provided. The governing board or the department may base the
3 duration of permits on a reasonable system of classification
4 according to source of supply or type of use, or both. The
5 governing board or the department shall give additional
6 consideration to granting permits for the maximum period of
7 time provided for by this subsection when the applicant can
8 demonstrate that best management practices developed pursuant
9 to s. 570.080(2) are being implemented.

10 Section 7. Subsection (10) of section 373.406, Florida
11 Statutes, is amended to read:

12 373.406 Exemptions.--The following exemptions shall
13 apply:

14 (10) Implementation of interim measures or best
15 management practices adopted pursuant to s. 403.067 or s.
16 570.080 that are by rule designated as having minimal
17 individual or cumulative adverse impacts to the water
18 resources of the state are exempt from regulation under this
19 part.

20 Section 8. Section 373.621, Florida Statutes, is
21 created to read:

22 373.621 Agricultural water conservation.--The
23 Legislature recognizes the significant value of agricultural
24 water conservation in the protection and efficient use of
25 water resources. Accordingly, additional consideration in the
26 administration of ss. 373.223 and 373.233 shall be given to
27 applicants who implement water conservation practices pursuant
28 to s. 570.080.

29 Section 9. Section 403.064, Florida Statutes, is
30 amended to read:

31 403.064 Reuse of reclaimed water.--

1 (1) The encouragement and promotion of water
2 conservation, and reuse of reclaimed water, as defined by the
3 department, are state objectives and are considered to be in
4 the public interest. The Legislature finds that the reuse of
5 reclaimed water is a critical component of meeting the state's
6 existing and future water supply needs while sustaining
7 natural systems.The Legislature further finds that for those
8 wastewater treatment plants permitted and operated under an
9 approved reuse program by the department, the reclaimed water
10 shall be considered environmentally acceptable and not a
11 threat to public health and safety.

12 (2) All applicants for permits to construct or operate
13 a domestic wastewater treatment facility ~~located within,~~
14 ~~servicing a population located within, or discharging within a~~
15 ~~water resource caution area~~ shall prepare a reuse feasibility
16 study as part of their application for the permit. Reuse
17 feasibility studies shall be prepared in accordance with
18 department guidelines adopted by rule and shall include, but
19 are not limited to:

20 (a) Evaluation of monetary costs and benefits for
21 several levels and types of reuse.

22 (b) Evaluation of water savings if reuse is
23 implemented.

24 (c) Evaluation of rates and fees necessary to
25 implement reuse.

26 (d) Evaluation of environmental and water resource
27 benefits associated with reuse.

28 (e) Evaluation of economic, environmental, and
29 technical constraints.

30 (f) A schedule for implementation of reuse. The
31 schedule shall consider phased implementation.

1 ~~(3)~~ The study required under subsection (2) shall be
2 performed by the applicant, and the applicant's determination
3 of feasibility is final if the study complies with the
4 requirements of subsection (2).

5 (3)~~(4)~~ A reuse feasibility study is not required if:

6 (a) The domestic wastewater treatment facility has an
7 existing or proposed permitted or design capacity less than
8 0.1 million gallons per day; or

9 (b) The permitted reuse capacity equals or exceeds the
10 total permitted capacity of the domestic wastewater treatment
11 facility.

12 (4)~~(5)~~ A reuse feasibility study prepared under
13 subsection (2) satisfies a water management district
14 requirement to conduct a reuse feasibility study imposed on a
15 local government or utility that has responsibility for
16 wastewater management.

17 (5)~~(6)~~ Local governments may allow the use of
18 reclaimed water for inside activities, including, but not
19 limited to, toilet flushing, fire protection, and decorative
20 water features, as well as for outdoor uses, provided the
21 reclaimed water is from domestic wastewater treatment
22 facilities which are permitted, constructed, and operated in
23 accordance with department rules.

24 (6)~~(7)~~ Permits issued by the department for domestic
25 wastewater treatment facilities shall be consistent with
26 requirements for reuse included in applicable consumptive use
27 permits issued by the water management district, if such
28 requirements are consistent with department rules governing
29 reuse of reclaimed water. This subsection applies only to
30 domestic wastewater treatment facilities which are ~~located~~
31 ~~within, or serve a population located within, or discharge~~

1 ~~within water resource caution areas and are~~ owned, operated,
2 or controlled by a local government or utility which has
3 responsibility for water supply and wastewater management.

4 (7)~~(8)~~ Local governments may and are encouraged to
5 implement programs for the reuse of reclaimed water. Nothing
6 in this chapter shall be construed to prohibit or preempt such
7 local reuse programs.

8 (8)~~(9)~~ A local government that implements a reuse
9 program under this section shall be allowed to allocate the
10 costs in a reasonable manner.

11 (9)~~(10)~~ Pursuant to chapter 367, the Florida Public
12 Service Commission shall allow entities under its jurisdiction
13 which conduct studies or implement reuse projects, including,
14 but not limited to, any study required by subsection (2) or
15 facilities used for reliability purposes for a reclaimed water
16 reuse system, to recover the full, prudently incurred cost of
17 such studies and facilities through their rate structure.

18 (10)~~(11)~~ In issuing consumptive use permits, the
19 permitting agency shall consider the local reuse program.

20 (11)~~(12)~~ A local government shall require a developer,
21 as a condition for obtaining a development order, to comply
22 with the local reuse program.

23 (12)~~(13)~~ ~~If, After conducting a feasibility study~~
24 ~~under subsection (2), an applicant determines that reuse of~~
25 ~~reclaimed water is feasible,~~ domestic wastewater treatment
26 facilities that dispose of effluent by Class I deep well
27 injection, as defined in 40 C.F.R. part 144.6(a), must
28 implement reuse ~~according to the schedule for implementation~~
29 ~~contained in the study conducted under subsection (2),~~ to the
30 degree that reuse is ~~determined~~ feasible. Applicable permits
31

1 issued by the department shall be consistent with the
2 requirements of this subsection.

3 ~~(a)~~ This subsection does not limit the use of a Class
4 I deep well injection facility as backup for a reclaimed water
5 reuse system.

6 ~~(b) This subsection applies only to domestic
7 wastewater treatment facilities located within, serving a
8 population located within, or discharging within a water
9 resource caution area.~~

10 (13)~~(14)~~ If, After conducting a feasibility study
11 under subsection (2), ~~an applicant determines that reuse of
12 reclaimed water is feasible,~~ domestic wastewater treatment
13 facilities that dispose of effluent by surface water
14 discharges or by land application methods must implement reuse
15 ~~according to the schedule for implementation contained in the
16 study conducted under subsection (2),~~ to the degree that reuse
17 is ~~determined~~ feasible. This subsection does not apply to
18 surface water discharges or land application systems which are
19 currently categorized as reuse under department rules.
20 Applicable permits issued by the department shall be
21 consistent with the requirements of this subsection.

22 ~~(a)~~ This subsection does not limit the use of a
23 surface water discharge or land application facility as backup
24 for a reclaimed water reuse system.

25 ~~(b) This subsection applies only to domestic
26 wastewater treatment facilities located within, serving a
27 population located within, or discharging within a water
28 resource caution area.~~

29 Section 10. Section 570.080, Florida Statutes, is
30 created to read:

31

1 570.080 Agricultural water conservation program.--The
2 department shall establish, in conjunction with the United
3 States Department of Agriculture, the Department of
4 Environmental Protection, the water management districts, and
5 agricultural interests, an agricultural water conservation
6 program which includes the following:

7 (1) A coordinated cost-sharing program for irrigation
8 system retrofit and application of mobile irrigation
9 laboratory evaluations for water conservation, as provided in
10 this section, and for water quality improvement pursuant to s.
11 403.067(7)(d).

12 (2) Development and implementation of voluntary best
13 management practices, adopted by rule, which provide for
14 increased efficiencies in the utilization and management of
15 water for agricultural production. Such best management
16 practices may include regulatory and other incentives for such
17 implementation, which address irrigation retrofit, mobile
18 irrigation laboratory evaluations, water resource
19 augmentation, and integrated water management systems for
20 drought management and flood control.

21 (3) Assistance to the water management districts in
22 the development and implementation of a consistent, to the
23 extent practicable, methodology for the efficient allocation
24 of water for agricultural irrigation.

25 Section 11. (1) During fiscal year 2001-2002 and
26 fiscal year 2002-2003, each water management district that has
27 an approved regional water supply plan pursuant to s. 373.0361
28 shall develop and finance at least one public-private
29 alternative water supply project which expands the current
30 availability of alternative water supplies that will be
31

1 available for immediate use and which meets one or more of the
2 following criteria:

3 (a) Converts an existing water storage facility, which
4 is not part of the current regional supply system, into an
5 alternative water supply facility that is part of the regional
6 supply system; or

7 (b) Creates an alternative water supply facility that
8 can become operational within 24 months after the effective
9 date of this act.

10 (2) Each water management district that has an
11 approved regional water supply plan pursuant to s. 373.0361,
12 Florida Statutes, shall issue one or more requests for
13 proposal to all interested parties. In evaluating responses
14 to a request for proposal, preference shall be given to
15 alternative water supply projects that will provide
16 alternative water supply capacity of at least 2 billion
17 gallons of water and which:

18 (a) Use existing facilities that are not currently
19 part of the regional supply system; or

20 (b) Can be operational within 24 months after the
21 effective date of this act to provide water to help relieve
22 the effects of water shortages.

23 Section 12. (1) The Water Supply Task Force is
24 created.

25 (a) The task force shall include the following
26 members:

27 1. The Commissioner of Agriculture and Consumer
28 Services or a designee.

29 2. The Secretary of Environmental Protection or a
30 designee.

31

- 1 3. The chair of the Public Service Commission or a
2 designee.
- 3 (b) The Governor shall appoint the following members
4 to serve on the task force:
- 5 1. Two members from governmentally owned water supply
6 utilities, one from a utility serving 200,000 or more
7 customers and one from a utility serving less than 200,000
8 customers.
- 9 2. A member from an environmental advocacy
10 organization.
- 11 3. A member from a regional water supply authority.
- 12 4. A member from a privately owned water supply
13 utility.
- 14 5. A member from an industrial or commercial entity
15 self-supplier.
- 16 6. A member from an agricultural entity self-supplier.
- 17 7. A professional engineer or hydrogeologist who has
18 advanced training, knowledge, and experience in water supply
19 and water resource development.
- 20 8. An individual with expertise in public financing
21 for the construction and implementation of water supply
22 facilities.
- 23 9. A member from the real estate development industry.
- 24 (c) The appointments must be made by July 1, 2001, and
25 the first meeting of the task force shall be held by August 1,
26 2001. The Governor shall designate one appointee as chair of
27 the task force.
- 28 (d) Any vacancy occurring in the membership or chair
29 of the task force shall be filled in the same manner as the
30 original appointment.
- 31

1 (2) Each member of the task force is entitled to one
2 vote. Recommendations and actions of the task force shall
3 require a majority vote of the membership of the task force.

4 (3) The task force shall review the efforts of the
5 water management districts to determine whether the districts
6 are efficiently implementing the requirements of ss. 373.0361
7 and 373.0831, Florida Statutes. For those water management
8 districts that are preparing regional water supply plans, the
9 task force shall:

10 (a) Review the water resource development projects and
11 water supply developments proposed by each district.

12 (b) Review the estimated amount of water to become
13 available through each water resource development project and
14 water supply development project.

15 (c) Review the timetable and estimated cost of
16 construction, operation, and maintenance of each water
17 resource development project and water supply development
18 project.

19 (d) Review the sources and amount of funds budgeted or
20 expended for each water resource development project or water
21 supply development project.

22 (e) Determine the water resources development projects
23 and water supply development projects that have been
24 implemented, the amount of money expended to date on each
25 project, the amount of new water that is now available as a
26 result of each project, and whether the amount of water
27 available is sufficient to meet the projected demand.

28 (f) Determine if additional moneys are needed for the
29 construction, operation, and maintenance of water resources
30 development projects and water supply development projects. If
31 additional moneys are needed, the task force shall recommend

1 specific sources for such funding and the amount of funding
2 required.

3 (g) Determine if additional incentives or changes in
4 statutory authority are required to ensure that sufficient
5 water is available for all existing and future
6 reasonable-beneficial uses and the natural systems. If
7 additional incentives or changes are needed, the task force
8 shall recommend the incentives that are needed, options for
9 providing the incentives, and the needed statutory changes.

10 (4) The task force shall, by February 1, 2002, provide
11 to the Governor, the President of the Senate, and the Speaker
12 of the House of Representatives a written report containing
13 specific recommendations for water supply policies and siting
14 of facilities for this state, including legislative
15 recommendations. By January 15, 2003, the task force shall
16 provide a final written report to the Governor, the President
17 of the Senate, and the Speaker of the House of
18 Representatives.

19 (5) The task force may establish and appoint any
20 necessary technical advisory committees. Task force members
21 and the members of any technical advisory committee may not
22 receive remuneration for their services, but members other
23 than public officers and employees shall be entitled to be
24 reimbursed by the Public Service Commission for travel or per
25 diem expenses in accordance with chapter 112, Florida
26 Statutes. Public officers and employees shall be reimbursed by
27 their respective agencies in accordance with chapter 112,
28 Florida Statutes.

29 (6) The Governor shall select an executive director of
30 the task force. The executive director serves at the pleasure
31 of the Governor and reports to the task force. The Public

1 Service Commission, the Department of Environmental
2 Protection, and the Department of Community Affairs shall
3 provide the task force with other staff and consultants, after
4 consultation with the task force. Funding for expenses related
5 to the executive director, staff, and consultants shall be
6 provided through the Public Service Commission.

7 (7) All agencies under the control of the Governor are
8 directed, and all other agencies are requested, to render
9 assistance and cooperation to the task force.

10 (8) The task force shall continue in existence until
11 its objectives are achieved, but not later than March 1, 2003.

12 Section 13. Effective July 1, 2001, there is
13 appropriated from the Florida Public Service Regulatory Trust
14 Fund to the Public Service Commission the sum of \$250,000 to
15 implement the provisions of this act relating to the Water
16 Supply Task Force.

17 Section 14. This act shall take effect upon becoming a
18 law.

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HOUSE SUMMARY

Authorizes county commissions to establish water and sewer rates and rate structures to encourage and promote water conservation and the use of reclaimed water. Requires local government comprehensive plans to provide for long-term water supply for present and future development and to coordinate with regional water supply plans. Provides a water supply availability concurrency requirement. Requires consideration of the implementation of agricultural water conservation practices in issuance of water use permits and determining the duration of permits. Establishes an agricultural water conservation program. Removes provisions restricting applicability of provisions relating to reuse of reclaimed water to domestic wastewater treatment facilities within water resource caution areas. Requires water management districts to develop and finance public-private alternative water supply projects during fiscal years 2001-2002 and 2002-2003 to expand availability of alternative water supplies. Establishes a Water Supply Task Force to review water supply planning, water resource development projects, and water supply development projects. Requires a final report to the Governor and Legislature by January 15, 2003. Provides an appropriation.