

By Senator Laurent

17-1330-02

1 A bill to be entitled
2 An act relating to alternative water supplies
3 and water conservation; amending s. 259.03,
4 F.S.; providing eligibility for funding for
5 projects to treat, store, or transport
6 reclaimed water or stormwater for reuse;
7 amending s. 373.621, F.S.; encouraging water
8 conservation through longer-duration permits;
9 amending s. 378.207, F.S.; providing for
10 reclamation to promote water resource
11 development; amending s. 403.1835, F.S.;
12 providing for below-market interest rate loans
13 for water treatment; providing legislative
14 intent for public education of water resources;
15 providing for a study of the conveyance of
16 reclaimed water in specified canals; providing
17 an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Subsection (6) of section 259.03, Florida
22 Statutes, is amended to read:

23 259.03 Definitions.--The following terms and phrases
24 when used in this chapter shall have the meanings ascribed to
25 them in this section, except where the context clearly
26 indicates a different meaning:

27 (6) "Water resource development project" means a
28 project eligible for funding pursuant to s. 259.105 that
29 increases the amount of water available to meet the needs of
30 natural systems and the citizens of the state by enhancing or
31 restoring aquifer recharge, facilitating the capture and

1 storage of excess flows in surface waters, or promoting reuse.
2 The implementation of eligible projects under s. 259.105
3 includes land acquisition, land and water body restoration,
4 aquifer storage and recovery facilities, surface water
5 reservoirs, and other capital improvements. The term does not
6 include construction of treatment, transmission, or
7 distribution facilities, with the exception of facilities that
8 treat, store, transport, or distribute reclaimed water or
9 stormwater for reuse.

10 Section 2. Section 373.621, Florida Statutes, is
11 amended to read:

12 373.621 Water conservation.--The Legislature
13 recognizes the significant value of water conservation in the
14 protection and efficient use of water resources. Accordingly,
15 consideration in the administration of ss. 373.223, 373.233,
16 and 373.236 shall be given to applicants who implement water
17 conservation practices pursuant to s. 570.085 or other
18 applicable water conservation measures as determined by the
19 department or a water management district. The department or a
20 water management district shall consider issuing, and are
21 encouraged to issue, a longer-duration permit pursuant to s.
22 373.236 for permit applicants under part II who propose
23 implementing water conservation measures that conserve more
24 water than the average or typical measures used by the same
25 industry or for the same type of water use or that result in
26 more-efficient water use than the average or typical measures
27 used by the same industry or for the same type of water use.

28 Section 3. Subsection (1) of section 378.207, Florida
29 Statutes, is amended to read:

30 378.207 Reclamation criteria and standards.--
31

1 (1) The department, by rule, shall adopt statewide
2 criteria and standards for reclamation. Such rules shall
3 recognize that surface mining takes place in diverse areas
4 where the geologic, topographic, and edaphic conditions are
5 different, and that reclamation operations and the
6 specifications therefor may vary accordingly. The rules,
7 recognizing technological limitations and economic
8 considerations, shall require the return of the natural
9 function of wetlands or a particular habitat or condition to
10 that in existence prior to mining. However, in areas
11 designated as water resource caution areas, the reclamation is
12 acceptable and is considered to satisfy the public interest
13 criteria in s. 373.414(1) if it promotes water resource
14 development consistent with the regional water supply plan
15 approved under s. 373.0361.

16 Section 4. Paragraph (b) of subsection (3) of section
17 403.1835, Florida Statutes, is amended to read:

18 403.1835 Water pollution control financial
19 assistance.--

20 (3) The department may provide financial assistance
21 through any program authorized under s. 603 of the Federal
22 Water Pollution Control Act (Clean Water Act), Pub. L. No.
23 92-500, as amended, including, but not limited to, making
24 grants and loans, providing loan guarantees, purchasing loan
25 insurance or other credit enhancements, and buying or
26 refinancing local debt. This financial assistance must be
27 administered in accordance with this section and applicable
28 federal authorities. The department shall administer all
29 programs operated from funds secured through the activities of
30 the Florida Water Pollution Control Financing Corporation
31 under s. 403.1837, to fulfill the purposes of this section.

1 (b) The department may make or request the corporation
2 to make loans, grants, and deposits to other entities eligible
3 to participate in the financial assistance programs authorized
4 under the Federal Water Pollution Control Act, or as a result
5 of other federal action, which entities may pledge any revenue
6 available to them to repay any funds borrowed. Notwithstanding
7 s. 18.10, the department may make deposits to financial
8 institutions which earn less than the prevailing rate for
9 United States Treasury securities having corresponding
10 maturities in order to enable such financial institutions to
11 make below-market interest rate loans to entities qualified to
12 receive loans under this section and the rules of the
13 department.

14 Section 5. In order to develop a better understanding
15 of the state's unique surface and groundwater sources, it is
16 the intent of the Legislature that the water management
17 districts undertake a coordinated effort to develop an
18 illustrative public service program that depicts the current
19 status of major surface and groundwater sources. This program
20 must be designed to provide information that shows the water
21 levels of aquifers and water bodies that are critical to water
22 supplies within each water management district. It is the
23 intent of the Legislature that the districts develop
24 partnerships with the local media to assist in the
25 dissemination of this information. Further, it is the intent
26 of the Legislature that this program be developed and made
27 available by December 31, 2002. Beginning January 1, 2003, and
28 every 6 months thereafter, the information developed under
29 this section must be submitted to the appropriate legislative
30 committees having substantive jurisdiction over the water
31 management districts.

1 Section 6. The Legislature finds that within the area
2 identified in the Lower East Coast Regional Water Supply Plan
3 approved by the South Florida Water Management District
4 pursuant to section 373.0361, Florida Statutes, the
5 groundwater levels can benefit from augmentation. The
6 Legislature finds that the discharge of reclaimed water into
7 canals for transport and subsequent reuse can provide a
8 portion of this beneficial augmentation and also provide water
9 for reasonable beneficial uses. To implement these findings,
10 the Department of Environmental Protection, in consultation
11 with the South Florida Water Management District, shall
12 conduct a study to identify regulatory, technical, and
13 financial incentives that can be provided to encourage the
14 discharge of reclaimed wastewater to canals for conveyance and
15 reuse in this area. The department shall issue a preliminary
16 written report containing draft findings and recommendations
17 for public comment by November 1, 2002. The department shall
18 provide a written report on the results of its study to the
19 Governor and the substantive committees of the Senate and the
20 House of Representatives by January 31, 2003. The report must
21 clearly identify regulatory, technical, or financial
22 incentives that can be provided to encourage the discharge of
23 reclaimed wastewater to canals for conveyance and reuse within
24 the area identified in the Lower East Coast Regional Water
25 Supply Plan. The department shall convene a technical advisory
26 committee to assist in conducting the study and preparing the
27 report. The technical advisory committee must include one
28 representative each from the potable water utility industry,
29 the domestic wastewater treatment industry, local government,
30 the engineering profession, and business and environmental
31 organizations. Members of the technical advisory committee

1 shall serve without compensation. The existence and
2 legislative findings of this section may not be used in
3 evaluating reuse feasibility studies submitted pursuant to
4 section 403.064, Florida Statutes, or to determine if the
5 reuse of reclaimed wastewater is feasible when evaluating
6 applications for permits pursuant to part II of chapter 373,
7 Florida Statutes.

8 Section 7. This act shall take effect upon becoming a
9 law.

10 *****

11 SENATE SUMMARY

12 Redefines the term "water resource development project"
13 to include facilities that handle reclaimed water for
14 reuse. Encourages water conservation through longer
15 duration permits. Provides for reclamation to promote
16 water resource development. Revises provisions relating
17 to financial assistance for water pollution control.
18 Provides legislative intent for water management
19 districts to undertake a program to provide public
20 information about water supplies. Provides for a study
21 and report on the discharge of reclaimed water in
22 specified canals.
23
24
25
26
27
28
29
30
31