

By Senator Argenziano

3-752-03

1 A bill to be entitled
2 An act relating to water resources; amending s.
3 373.036, F.S.; providing that amendments to the
4 water resource implementation rule take effect
5 only upon approval by the Legislature; amending
6 s. 373.1502, F.S.; providing for water
7 reservations to be adopted by rule under the
8 Comprehensive Everglades Restoration Plan
9 Regulation Act; amending s. 373.219, F.S.;
10 exempting the consumption or use of domestic
11 wastewater effluent from certain permit
12 requirements; repealing s. 373.223(4), F.S.,
13 relating to water reservations for the purposes
14 of protecting fish and wildlife or the public
15 health and safety; providing an effective date.

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

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19 Section 1. Subsection (1) of section 373.036, Florida
20 Statutes, is amended to read:

21 373.036 Florida water plan; district water management
22 plans.--

23 (1) FLORIDA WATER PLAN.--In cooperation with the water
24 management districts, regional water supply authorities, and
25 others, the department shall develop the Florida water plan.
26 The Florida water plan shall include, but not be limited to:

27 (a) The programs and activities of the department
28 related to water supply, water quality, flood protection and
29 floodplain management, and natural systems.

30 (b) The water quality standards of the department.

31 (c) The district water management plans.

1 (d) Goals, objectives, and guidance for the
2 development and review of programs, rules, and plans relating
3 to water resources, based on statutory policies and
4 directives. The state water policy rule, renamed the water
5 resource implementation rule pursuant to s. 373.019(20), shall
6 serve as this part of the plan. Amendments or additions to
7 this part of the Florida water plan shall be adopted by the
8 department as part of the water resource implementation rule.
9 In accordance with s. 373.114, the department shall review
10 rules of the water management districts for consistency with
11 this rule. Amendments to the water resource implementation
12 rule must be adopted by the secretary of the department and be
13 submitted to the President of the Senate and the Speaker of
14 the House of Representatives within 7 days after publication
15 in the Florida Administrative Weekly. Amendments shall ~~not~~
16 become effective only upon approval by ~~until the conclusion of~~
17 ~~the next regular session of the Legislature following their~~
18 ~~adoption.~~

19 Section 2. Subsection (4) is added to section
20 373.1502, Florida Statutes, to read:

21 373.1502 Regulation of comprehensive plan project
22 components.--

23 (4) RULES.--Water reservations may be adopted by rule
24 in order to assist in the purposes of the comprehensive plan
25 as defined in s. 373.470(2)(a) and the purposes provided in
26 the Federal Water Resource Development Act of 2002, which
27 include restoring, preserving, and protecting the South
28 Florida ecosystem; providing for the protection of water
29 quality in and the reduction of the loss of fresh water from
30 the Everglades; and providing features that are necessary to
31 meet the other water-related needs of the region, including

1 flood control, the enhancement of water supplies, and other
2 objectives served by the project.

3 Section 3. Subsection (1) of section 373.219, Florida
4 Statutes, is amended to read:

5 373.219 Permits required.--

6 (1) The governing board or the department may require
7 such permits for consumptive use of water and may impose such
8 reasonable conditions as are necessary to assure that such use
9 is consistent with the overall objectives of the district or
10 department and is not harmful to the water resources of the
11 area. However, no permit shall be required for domestic
12 consumption of water by individual users or for consumption or
13 use of domestic wastewater effluent which is subject to review
14 under s. 403.064.

15 Section 4. Subsection (4) of section 373.223, Florida
16 Statutes, is repealed.

17 Section 5. This act shall take effect upon becoming a
18 law.

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21 SENATE SUMMARY

22 Provides that amendments to the water resource
23 implementation rule of the Florida water plan require
24 legislative approval. Authorizes the adoption of rules
25 providing for water reservations under the Comprehensive
26 Everglades Restoration Plan Regulation Act. Provides that
27 the consumption or use of domestic wastewater effluent is
28 exempt from certain permit requirements. Repeals a
29 provision authorizing water reservations for purposes of
30 protecting fish and wildlife or the public health and
31 safety.