

By the Committee on Natural Resources; and Senator Dockery

312-2499-03

1 A bill to be entitled
2 An act relating to water resources; amending s.
3 163.3167, F.S.; requiring local governments to
4 include projected water use in comprehensive
5 plans; amending s. 367.081, F.S.; providing for
6 the recovery of costs of alternative water
7 supply facilities; amending s. 367.0814, F.S.;
8 revising limit on the amount of revenues
9 received by a utility to qualify for staff
10 assistance in changing rates or charges;
11 amending s. 373.0361, F.S.; providing for a
12 public workshop in the development of regional
13 water supply plans; including the consideration
14 of population projections; providing for a list
15 of water source options in regional water
16 supply plans; providing for conservation
17 measures in regional water supply plans;
18 amending s. 373.1961, F.S.; providing for
19 funding for certain water management districts;
20 providing funding priorities; providing
21 conditions for certain projects to receive
22 funding assistance; amending s. 373.223, F.S.;
23 requiring the Department of Environmental
24 Protection and the water management districts
25 to submit reports to the Legislature; creating
26 s. 373.2234, F.S.; providing for preferred
27 water supply sources; authorizing water
28 management districts to adopt rules; providing
29 legislative findings and intent with regard to
30 landscape irrigation design; authorizing water
31 management districts to adopt rules; amending

1 s. 403.064, F.S.; providing for metering use of
2 reclaimed water and volume-based rates
3 therefor; requiring wastewater utilities to
4 submit plans for metering use and volume-based
5 rate structures to the department; creating s.
6 403.0645, F.S.; providing for reclaimed water
7 use at state facilities; requiring reports;
8 providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsection (13) is added to section
13 163.3167, Florida Statutes, to read:

14 163.3167 Scope of act.--

15 (13) Each local government shall address in its
16 comprehensive plan, as enumerated in this chapter, the water
17 supply projects necessary to meet and achieve the existing and
18 projected water use demand for the established planning
19 period, considering the applicable plan developed pursuant to
20 s. 373.0361.

21 Section 2. Subsection (2) of section 367.081, Florida
22 Statutes, is amended to read:

23 367.081 Rates; procedure for fixing and changing.--

24 (2)(a)1. The commission shall, either upon request or
25 upon its own motion, fix rates which are just, reasonable,
26 compensatory, and not unfairly discriminatory. In every such
27 proceeding, the commission shall consider the value and
28 quality of the service and the cost of providing the service,
29 which shall include, but not be limited to, debt interest; the
30 requirements of the utility for working capital; maintenance,
31 depreciation, tax, and operating expenses incurred in the

1 operation of all property used and useful in the public
2 service; and a fair return on the investment of the utility in
3 property used and useful in the public service. Pursuant to s.
4 373.1961(2)(k), the commission shall allow recovery of the
5 full, prudently incurred costs of alternative water supply
6 facilities. However, the commission shall not allow the
7 inclusion of contributions-in-aid-of-construction in the rate
8 base of any utility during a rate proceeding, nor shall the
9 commission impute prospective future
10 contributions-in-aid-of-construction against the utility's
11 investment in property used and useful in the public service;
12 and accumulated depreciation on such
13 contributions-in-aid-of-construction shall not be used to
14 reduce the rate base, nor shall depreciation on such
15 contributed assets be considered a cost of providing utility
16 service.

17 2. For purposes of such proceedings, the commission
18 shall consider utility property, including land acquired or
19 facilities constructed or to be constructed within a
20 reasonable time in the future, not to exceed 24 months after
21 the end of the historic base year used to set final rates
22 unless a longer period is approved by the commission, to be
23 used and useful in the public service, if:

24 a. Such property is needed to serve current customers;

25 b. Such property is needed to serve customers 5 years
26 after the end of the test year used in the commission's final
27 order on a rate request as provided in subsection (6) at a
28 growth rate for equivalent residential connections not to
29 exceed 5 percent per year; or

30 c. Such property is needed to serve customers more
31 than 5 full years after the end of the test year used in the

1 commission's final order on a rate request as provided in
2 subsection (6) only to the extent that the utility presents
3 clear and convincing evidence to justify such consideration.

4
5 Notwithstanding the provisions of this paragraph, the
6 commission shall approve rates for service which allow a
7 utility to recover from customers the full amount of
8 environmental compliance costs. Such rates may not include
9 charges for allowances for funds prudently invested or similar
10 charges. For purposes of this requirement, the term
11 "environmental compliance costs" includes all reasonable
12 expenses and fair return on any prudent investment incurred by
13 a utility in complying with the requirements or conditions
14 contained in any permitting, enforcement, or similar decisions
15 of the United States Environmental Protection Agency, the
16 Department of Environmental Protection, a water management
17 district, or any other governmental entity with similar
18 regulatory jurisdiction.

19 (b) In establishing initial rates for a utility, the
20 commission may project the financial and operational data as
21 set out in paragraph (a) to a point in time when the utility
22 is expected to be operating at a reasonable level of capacity.

23 Section 3. Subsection (1) of section 367.0814, Florida
24 Statutes, is amended to read:

25 367.0814 Staff assistance in changing rates and
26 charges; interim rates.--

27 (1) The commission may establish rules by which a
28 water or wastewater utility whose gross annual revenues are
29 \$200,000~~\$150,000~~ or less may request and obtain staff
30 assistance for the purpose of changing its rates and charges.

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1 A utility may request staff assistance by filing an
2 application with the commission.

3 Section 4. Subsections (1), (2), (5), and (6) of
4 section 373.0361, Florida Statutes, are amended to read:

5 373.0361 Regional water supply planning.--

6 (1) By October 1, 1998, the governing board shall
7 initiate water supply planning for each water supply planning
8 region identified in the district water management plan under
9 s. 373.036, where it determines that sources of water are not
10 adequate for the planning period to supply water for all
11 existing and projected reasonable-beneficial uses and to
12 sustain the water resources and related natural systems. The
13 planning must be conducted in an open public process, in
14 coordination and cooperation with local governments, regional
15 water supply authorities, government-owned and privately owned
16 water utilities, self-suppliers, and other affected and
17 interested parties. During development, but prior to
18 completion of the regional water supply plan, the district
19 must conduct at least one public workshop to discuss the
20 technical data and modeling tools anticipated to be used to
21 support the plan.A determination by the governing board that
22 initiation of a regional water supply plan for a specific
23 planning region is not needed pursuant to this section shall
24 be subject to s. 120.569. The governing board shall
25 reevaluate such a determination at least once every 5 years
26 and shall initiate a regional water supply plan, if needed,
27 pursuant to this subsection.

28 (2) Each regional water supply plan shall be based on
29 at least a 20-year planning period and shall include, but not
30 be limited to:

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1 (a) A water supply development component that
2 includes:

3 1. A quantification of the water supply needs for all
4 existing and reasonably projected future uses within the
5 planning horizon. The level-of-certainty planning goal
6 associated with identifying the water supply needs of existing
7 and future reasonable-beneficial uses shall be based upon
8 meeting those needs for a 1-in-10-year drought event.

9 Population projections used for determining public water
10 supply needs shall be based upon the best available data. In
11 determining the best available data, the district shall
12 consider the University of Florida's Bureau of Economic and
13 Business Research (BEBR) medium population projections and any
14 population projection data and analysis submitted by a local
15 government pursuant to the public process described in
16 subsection (1), where such data and analysis supports the
17 local government's comprehensive plan. Any adjustment or
18 deviation from the BEBR projections shall be fully described
19 and the original BEBR data shall be presented along with the
20 adjusted data.

21 2. A list of water source options ~~for water supply~~
22 ~~development~~, including traditional and alternative source
23 options ~~sources~~, from which local government, government-owned
24 and privately owned utilities, self-suppliers, and others may
25 choose, for water supply development the total capacity of
26 which will, in conjunction with water conservation and other
27 demand management measures, exceed the needs identified in
28 subparagraph 1.

29 3. For each option listed in subparagraph 2., the
30 estimated amount of water available for use and the estimated
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1 costs of and potential sources of funding for water supply
2 development.

3 4. A list of water supply development projects that
4 meet the criteria in s. 373.0831(4).

5 (b) A water resource development component that
6 includes:

7 1. A listing of those water resource development
8 projects that support water supply development.

9 2. For each water resource development project listed:
10 a. An estimate of the amount of water to become
11 available through the project.

12 b. The timetable for implementing or constructing the
13 project and the estimated costs for implementing, operating,
14 and maintaining the project.

15 c. Sources of funding and funding needs.

16 d. Who will implement the project and how it will be
17 implemented.

18 (c) The recovery and prevention strategy described in
19 s. 373.0421(2).

20 (d) A funding strategy for water resource development
21 projects, which shall be reasonable and sufficient to pay the
22 cost of constructing or implementing all of the listed
23 projects.

24 (e) Consideration of how the options addressed in
25 paragraphs (a) and (b) serve the public interest or save costs
26 overall by preventing the loss of natural resources or
27 avoiding greater future expenditures for water resource
28 development or water supply development. However, unless
29 adopted by rule, these considerations do not constitute final
30 agency action.

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1 (f) The technical data and information applicable to
2 the planning region which are contained in the district water
3 management plan and are necessary to support the regional
4 water supply plan.

5 (g) The minimum flows and levels established for water
6 resources within the planning region.

7 (h) An analysis, developed in cooperation with the
8 department, of areas or instances in which the variance
9 provisions of s. 378.212(1)(g) or s. 378.404 may be used to
10 create water supply development or water resource development
11 projects.

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13 Within the boundaries of a regional water supply authority,
14 the water supply development component of the regional water
15 supply plan relating to the use of water by the authority
16 shall be developed jointly by such authority and the district.

17 (5) By November 15, 1997, and Annually, and in
18 conjunction with the reporting requirements of s.
19 373.536(6)(a)4. thereafter, the department shall submit to the
20 Governor and the Legislature a report on the status of
21 regional water supply planning in each district. The report
22 shall include:

23 (a) A compilation of the estimated costs of and
24 potential sources of funding for water resource development
25 and water supply development projects, as identified in the
26 water management district regional water supply plans.

27 (b) A description of each district's progress toward
28 achieving its water resource development objectives, as
29 directed by s. 373.0831(3), including the district's
30 implementation of its 5-year water resource development work
31 program.

1 (c) An assessment of the overall progress being made
2 to develop water supply that is consistent with regional water
3 supply plans to meet existing and future reasonable,
4 beneficial needs during a 1-in-10-year drought.

5 (6) Nothing contained in the water supply development
6 component of the district water management plan shall be
7 construed to require local governments, government-owned or
8 privately owned water utilities, self-suppliers, or other
9 water suppliers to select a water supply development option
10 identified in the component merely because it is identified in
11 the plan, nor may the plan be used in the review of permits
12 under part II unless the plan, or applicable portion thereof,
13 has been adopted by rule. However, this subsection does not
14 prohibit a water management district from employing the data
15 or other information used to establish the plan in reviewing
16 permits under part II nor shall it not be construed to limit
17 the authority of the department or governing board under part
18 II.

19 Section 5. Subsection (2) of section 373.1961, Florida
20 Statutes, is amended to read:

21 373.1961 Water production.--

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

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

21 (a) The governing boards of the water management
22 districts where water resource caution areas have been
23 designated shall include in their annual budgets an amount for
24 the development of alternative water supply systems, including
25 reclaimed water systems, pursuant to the requirements of this
26 subsection. Beginning in 1996, such amounts shall be made
27 available to water providers and users no later than December
28 31 of each year, through grants, matching grants, revolving
29 loans, or the use of district lands or facilities pursuant to
30 the requirements of this subsection and guidelines established

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1 by the districts. In making grants or loans, funding priority
2 shall be given to projects in accordance with s. 373.0831(4).

3 (b) It is the intent of the Legislature that for each
4 reclaimed water utility, or any other utility, which receives
5 funds pursuant to this subsection, the appropriate
6 rate-setting authorities should develop rate structures for
7 all water, wastewater, and reclaimed water and other
8 alternative water supply utilities in the service area of the
9 funded utility, which accomplish the following:

10 1. Provide meaningful progress toward the development
11 and implementation of alternative water supply systems,
12 including reclaimed water systems;

13 2. Promote the conservation of fresh water withdrawn
14 from natural systems;

15 3. Provide for an appropriate distribution of costs
16 for all water, wastewater, and alternative water supply
17 utilities, including reclaimed water utilities, among all of
18 the users of those utilities; and

19 4. Prohibit rate discrimination within classes of
20 utility users.

21 (c) Funding assistance provided by the water
22 management districts for a water reuse system project shall
23 include the following grant or loan conditions for that
24 project when the water management district determines such
25 conditions will encourage water use efficiency:

26 1. Metering of reclaimed water use for the following
27 activities: residential irrigation, agricultural irrigation,
28 industrial uses except for electric utilities as defined in s.
29 366.02(2), golf course irrigation, landscape irrigation,
30 irrigation of other public access areas, commercial and
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1 institutional uses such as toilet flushing, and transfers to
2 other reclaimed water utilities.

3 2. Implementation of reclaimed water rate structures
4 based on actual use of reclaimed water for the types of reuse
5 activities listed in subparagraph 1.

6 3. Implementation of education programs to inform the
7 public about water issues, water conservation, and the
8 importance and proper use of reclaimed water.

9 4. Development of location data for key reuse
10 facilities.

11 (d)~~(c)~~ In order to be eligible for funding pursuant to
12 this subsection, a project must be consistent with a local
13 government comprehensive plan and the governing body of the
14 local government must require all appropriate new facilities
15 within the project's service area to connect to and use the
16 project's alternative water supplies. The appropriate local
17 government must provide written notification to the
18 appropriate district that the proposed project is consistent
19 with the local government comprehensive plan.

20 (e)~~(d)~~ Any and all revenues disbursed pursuant to this
21 subsection shall be applied only for the payment of capital or
22 infrastructure costs for the construction of alternative water
23 supply systems that provide alternative water supplies.

24 (f)~~(e)~~ By January 1 of each year, the governing boards
25 shall make available written guidelines for the disbursal of
26 revenues pursuant to this subsection. Such guidelines shall
27 include at minimum:

28 1. An application process and a deadline for filing
29 applications annually.

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1 2. A process for determining project eligibility
2 pursuant to the requirements of paragraphs (d)~~(c)~~ and (e)
3 ~~(d)~~.

4 3. A process and criteria for funding projects
5 pursuant to this subsection that cross district boundaries or
6 that serve more than one district.

7 (g)~~(f)~~ The governing board of each water management
8 district shall establish an alternative water supplies grants
9 advisory committee to recommend to the governing board
10 projects for funding pursuant to this subsection. The
11 advisory committee members shall include, but not be limited
12 to, one or more representatives of county, municipal, and
13 investor-owned private utilities, and may include, but not be
14 limited to, representatives of agricultural interests and
15 environmental interests. Each committee member shall
16 represent his or her interest group as a whole and shall not
17 represent any specific entity. The committee shall apply the
18 guidelines and project eligibility criteria established by the
19 governing board in reviewing proposed projects. After one or
20 more hearings to solicit public input on eligible projects,
21 the committee shall rank the eligible projects and shall
22 submit them to the governing board for final funding approval.
23 The advisory committee may submit to the governing board more
24 projects than the available grant money would fund.

25 (h)~~(g)~~ All revenues made available annually pursuant
26 to this subsection must be encumbered annually by the
27 governing board if it approves projects sufficient to expend
28 the available revenues. Funds must be disbursed within 36
29 months after encumbrance.

30 (i)~~(h)~~ For purposes of this subsection, alternative
31 water supplies are supplies of water that have been reclaimed

1 after one or more public supply, municipal, industrial,
2 commercial, or agricultural uses, or are supplies of
3 stormwater, or brackish or salt water, that have been treated
4 in accordance with applicable rules and standards sufficient
5 to supply the intended use.

6 (j)~~(i)~~ This subsection shall not be subject to the
7 rulemaking requirements of chapter 120.

8 (k)~~(j)~~ By January 30 of each year, each water
9 management district shall submit an annual report to the
10 Governor, the President of the Senate, and the Speaker of the
11 House of Representatives which accounts for the disbursement of
12 all budgeted amounts pursuant to this subsection. Such report
13 shall describe all projects funded and shall account
14 separately for moneys provided through grants, matching
15 grants, revolving loans, and the use of district lands or
16 facilities.

17 (l)~~(k)~~ The Florida Public Service Commission shall
18 allow entities under its jurisdiction constructing alternative
19 water supply facilities, including but not limited to aquifer
20 storage and recovery wells, to recover the full, prudently
21 incurred cost of such facilities through their rate structure.
22 Every component of an alternative water supply facility
23 constructed by an investor-owned utility shall be recovered in
24 current rates.

25 Section 6. Subsection (5) is added to section 373.223,
26 Florida Statutes, to read:

27 373.223 Conditions for a permit.--

28 (5) The Legislature finds that the issuance of
29 consumptive use permits has a direct relation to efficient and
30 effective water resource development. The Legislature further
31 finds that the management of consumptive use permits has a

1 direct relation to efficient and effective water supply
2 development. To help identify the changes necessary to better
3 utilize these permits, the Legislature directs that the
4 Department of Environmental Protection and each water
5 management district submit recommendations to the appropriate
6 substantive committees of each house of the Legislature. The
7 recommendations shall identify alternative methods of
8 extending the use of existing water resources, including, but
9 not limited to, the potential rights of existing permit holders
10 to share water allocated under a consumptive use permit. The
11 department and the districts are encouraged to use public
12 hearings to gather information and shall include information
13 provided by basin boards and regional water supply
14 authorities.

15 Section 7. Section 373.2234, Florida Statutes, is
16 created to read:

17 373.2234 Preferred water supply sources.--The
18 governing board of the district is authorized to adopt rules
19 identifying preferred water supply sources for which there is
20 sufficient data to establish that the source can be used to
21 provide a substantial new water supply to meet existing and
22 reasonably anticipated water needs in a water supply planning
23 region identified pursuant to s. 373.0361(1), while sustaining
24 the water resources and related natural systems. Such rules
25 shall, at a minimum, contain a description of the source and
26 an assessment of the water the source is projected to produce.
27 If a consumptive use permit applicant proposes to use such a
28 source consistent with the assessment, the proposed use shall
29 be subject to the provisions of s. 373.223(1) but such
30 proposed use shall be a factor deemed to be consistent with
31 the public interest pursuant to s. 373.223(1)(c). A

1 consumptive use permit issued approving the use of such a
2 source shall be for at least 20 years and may be subject to
3 the provisions of s. 373.226(3). However, nothing in this
4 section shall be construed to provide that the use of
5 nonpreferred sources must receive a permit duration of less
6 than 20 years or that such nonpreferred sources are not
7 consistent with the public interest.

8 Section 8. Landscape irrigation design.--

9 (1) The Legislature finds that multiple areas
10 throughout the state have been identified by water management
11 districts as water resource caution areas, which indicates
12 that water demand in those areas will, in the near future,
13 exceed the current available water supply and that
14 conservation is one of the mechanisms by which future water
15 demand will be met.

16 (2) The Legislature finds that landscape irrigation
17 comprises a significant portion of water use and the current
18 typical landscape irrigation system and xeriscape designs
19 offer significant potential water conservation benefits.

20 (3) It is the intent of the Legislature to improve
21 landscape irrigation water use efficiency by ensuring that
22 landscape irrigation systems meet or exceed minimum design
23 criteria.

24 (4) Each water management district shall develop and
25 adopt by rule landscape irrigation and xeriscape design
26 standards for new construction which incorporates a landscape
27 irrigation system. The standards shall be based on the
28 irrigation code defined in the Florida Building Code,
29 Plumber's Volume, Appendix F. Such design standards should
30 promote the effective and efficient use of irrigation water
31 and include a consideration of local demographic, hydrologic,

1 and other considerations as they apply to landscape irrigation
2 water use. Local governments, when adopting an ordinance or
3 regulation, shall use these approved irrigation design
4 standards.

5 (5) Each water management district shall work with the
6 Florida Chapter of the American Society of Landscape
7 Architects, the Florida Irrigation Society, the Florida
8 Nursery and Growers Association, the Department of Agriculture
9 and Consumer Services, the Institute of Food and Agricultural
10 Sciences, the Department of Environmental Protection, the
11 Florida League of Cities, and the Florida Association of
12 Counties to develop scientifically based model guidelines for
13 urban, commercial, and residential landscape irrigation,
14 including drip irrigation, for plants, trees, sod, and other
15 landscaping. Local governments shall use the scientific
16 information when developing a landscape irrigation ordinance
17 or guidelines. Every 3 years, the foregoing agencies and
18 entities shall review the model guidelines to determine
19 whether new research findings require a change or modification
20 of the guidelines.

21 Section 9. Subsection (6) of section 403.064, Florida
22 Statutes, is amended and subsection (16) is added to that
23 section, to read:

24 403.064 Reuse of reclaimed water.--

25 (6) A reuse feasibility study prepared under
26 subsection (2) satisfies a water management district
27 requirement to conduct a reuse feasibility study imposed on a
28 local government or utility that has responsibility for
29 wastewater management and the conclusions of the study shall
30 be given significant consideration in an analysis of the
31 feasibility of providing reclaimed water for reuse under part

1 II of chapter 373. A water management district shall not
2 require a separate study when a reuse feasibility study has
3 been completed under subsection (2).

4 (16) Utilities implementing reuse projects are
5 encouraged, except in the case of use by electric utilities
6 defined in s. 366.02(2), to meter use of reclaimed water by
7 all end users and to charge for the use of reclaimed water
8 based on the actual volume used when such metering and charges
9 can be shown to encourage water conservation. Metering and the
10 use of volume-based rates are effective water management tools
11 for the following reuse activities: residential irrigation,
12 agricultural irrigation, industrial uses, golf course
13 irrigation, landscape irrigation, irrigation of other public
14 access areas, commercial and institutional uses such as toilet
15 flushing, and transfers to other reclaimed water utilities.
16 Beginning with the submittal due on January 1, 2004, each
17 domestic wastewater utility that provides reclaimed water for
18 the reuse activities listed in this section shall include a
19 summary of its metering and rate structure as part of its
20 annual reuse report to the department.

21 Section 10. Section 403.0645, Florida Statutes, is
22 created to read:

23 403.0645 Reclaimed water use at state facilities.--

24 (1) The encouragement and promotion of reuse of
25 reclaimed water has been established as a state objective in
26 ss. 373.250 and 403.064. Reuse has become an integral part of
27 water and wastewater management in Florida, and Florida is
28 recognized as a national leader in water reuse.

29 (2) The state and various state agencies and water
30 management districts should take a leadership role in using
31 reclaimed water in lieu of other water sources. Use of

1 reclaimed water by state agencies and facilities will conserve
2 potable water and will serve an important public education
3 function.

4 (3) All state agencies and water management districts
5 are directed to use reclaimed water to the greatest extent
6 practicable for landscape irrigation, toilet flushing,
7 aesthetic features such as decorative ponds and fountains,
8 cooling water, and other useful purposes allowed by department
9 rules at state facilities, including, but not limited to,
10 parks, rest areas, visitor welcome centers, buildings, college
11 campuses, and other facilities.

12 (4) Each state agency and water management district
13 shall submit to the Secretary of Environmental Protection by
14 February 1 of each year a summary of activities designed to
15 utilize reclaimed water at its facilities along with a summary
16 of the amounts of reclaimed water actually used for beneficial
17 purposes.

18 Section 11. This act shall take effect July 1, 2003.
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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 2758

4 The committee substitute provides that in local comprehensive
5 plans, local governments must address water supply projects
6 necessary to meet and achieve existing and projected water
7 use. The PSC is authorized to allow the recovery of
8 alternative water supply facilities and is authorized to
9 provide assistance to additional small water utilities
10 requesting rate setting assistance. The committee substitute
11 provides additional responsibilities for the water management
12 districts when developing regional water supply plans, and
13 creates funding priority for grants and loans for projects
14 using alternative sources of water.

15 The committee substitute directs the DEP and the water
16 management districts to submit recommendations to the
17 Legislature to identify alternative methods of extending the
18 use of existing water resources. The governing boards of the
19 water management districts are authorized to adopt rules to
20 identify preferred water supply sources. Longer term permits
21 are authorized for consumptive use permit applicants proposing
22 to use preferred water supply sources. The committee
23 substitute creates new provisions to regulate Landscape
24 Irrigation Design, encourages utilities to meter and charge
25 for reclaimed water based on the actual volume used, and
26 mandates that state agencies use reclaimed water whenever
27 possible.

28 The committee substitute removes provisions of the original
29 bill authorizing the PSC to set water conservation or drought
30 rates; requiring that preference be given to consumptive use
31 permit applicants that have adopted water conservation rates
to promote water use efficiency; and permit variances for
reclamation projects that provide water supply development or
water resource development.