# **HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

HB 407 w/CS BILL #: Water Management/Interdistrict Water Projects

SPONSOR(S): McInvale

**TIED BILLS:** IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Public Lands & Water Resources (Sub)	10 Y, 0 N	_McKinnon	Lotspeich
2) Natural Resources	15 Y, 0 N w/CS	McKinnon	Lotspeich
3) Local Government & Veterans Affairs			
4)			
5)			

# **SUMMARY ANALYSIS**

HB 407 addresses those situations where a water utility service area falls within two or more water management districts (WMD). The bill is expected to have a positive fiscal impact for private water utilities.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives. STORAGE NAME: h0407b.nr.doc March 27, 2003

DATE:

#### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

1.	Reduce government?	Yes[]	No[]	N/A[X]
2.	Lower taxes?	Yes[]	No[]	N/A[X]
3.	Expand individual freedom?	Yes[]	No[]	N/A[X]
4.	Increase personal responsibility?	Yes[]	No[]	N/A[X]
5.	Empower families?	Yes[]	No[]	N/A[X]

For any principle that received a "no" above, please explain:

#### B. EFFECT OF PROPOSED CHANGES:

# **Present Situation**

The Orlando Utilities Commission (OUC) has a public water supply service area that partially lies within the boundaries of the St. John River Water Management District (SJRWMD) and partially within the boundaries of the South Florida Water Management District (SFWMD). Agreements to allow one district to issue a single permit for water uses that cross district boundaries are authorized under Section 373.046 (6).

Both districts have agreed in concept that it is appropriate to issue one permit for the OUC system. However, the General Counsel for SJRWMD has raised a number of concerns over the years regarding the permit. The most recent concern is that the interagency agreements authorized in s. 373.046(6), F.S., are not available when groundwater is transferred for use across water management district boundaries.

### **Effect of Proposed Changes**

### Interdistrict transfers of groundwater

HB 407 amends Section 373.2295, F.S., to provide that water withdrawal from one WMD for use outside that district is not an "interdistrict transfer and use" if both withdrawal and use occur within the same county. Additionally, the bill provides that in administering the interdistrict transfer provisions, the WMD may enter into interagency agreements as provided in 373.046(6) prior to the effective date of this act are authorized.

PAGE: 2

## C. SECTION DIRECTORY:

Section 1. Amends s. 373.2295, F.S., dealing with interdistrict water transfer of groundwater

Section 2. Amends s. 373.2295, F.S., dealing with interagency agreements.

Section 3. Provides that the act shall take effect upon becoming law.

STORAGE NAME: h0407b.nr.doc March 27, 2003

# II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A.	FIS	SCAL IMPACT ON STATE GOVERNMENT:		
	1.	Revenues: None		
	2.	Expenditures: None.		
В.	FIS	SCAL IMPACT ON LOCAL GOVERNMENTS:		
	1.	Revenues: None.		
	2.	Expenditures: The bill may reduce the cost of obtaining permits by requiring permits from one WMD rather than two.		
C.	Th	RECT ECONOMIC IMPACT ON PRIVATE SECTOR: e bill may reduce the cost of obtaining permits by requiring permits from one WMD rather than two by up \$500,000.		
D.		SCAL COMMENTS: one.		
III. COMMENTS				
A.	CC	ONSTITUTIONAL ISSUES:		
		Applicability of Municipality/County Mandates Provision:  Not applicable. The bill does not affect municipal or county government.		
		Other: None.		
B.		JLE-MAKING AUTHORITY: one.		
C.	DF	RAFTING ISSUES OR OTHER COMMENTS:		
		IV AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES		

> Provides that agreements between water management districts entered into before the effective date of the act are authorized.

On March 26, 2002, the House Natural Resources Committee favorably adopted a committee substitute for HB 407. The committee substitute does the following:

STORAGE NAME: h0407b.nr.doc **PAGE**: 3 March 27, 2003

> Allows for interdistrict withdrawal and use of groundwater within the same county; and

DATE:

 STORAGE NAME:
 h0407b.nr.doc
 PAGE: 4

 DATE:
 March 27, 2003