



HB 0611

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A bill to be entitled
 An act relating to the regulation of water production and distribution facilities within the South Florida Water Management District and the St. Johns Water Management District; providing a popular name; requiring an agreement establishing jurisdiction of a single water management district over the implementation of consumptive use permitting pursuant to chapter 373, Florida Statutes; providing an effective date.

WHEREAS, Orange County operates a water supply system within the geographical limits of the South Florida Water Management District and the St. Johns River Water Management District, and

WHEREAS, both the South Florida Water Management District and the St. Johns River Water Management District assert jurisdiction over portions of the county's water supply system, and

WHEREAS, both the South Florida Water Management District and the St. Johns River Water Management District require the county to obtain separate consumptive use permits, pursuant to part II of chapter 373, Florida Statutes, and their respective rules promulgated thereunder, for the operation of portions of the county's water supply system, and

WHEREAS, Orange County incurs significant additional costs due to the dual permitting programs of the South Florida Water Management District and the St. Johns River Water Management District, and



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30 WHEREAS, consolidation of the consumptive use
 31 permitting programs as applied to Orange County's water
 32 supply system will result in greater operational
 33 efficiency and cost savings, and

34 WHEREAS, it is the intent of the Legislature to
 35 require the water management districts to enter into an
 36 interagency agreement to designate one of the water
 37 management districts as the exclusive regulator of the
 38 Orange County potable water supply facilities under part
 39 II of chapter 373, Florida Statutes, NOW, THEREFORE,

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

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 43 Section 1. This act may be referred to by the popular name
 44 "Orange County Consumptive Use Permit Consolidation Act."

45 Section 2. For purposes of consumptive water use
 46 permitting pursuant to chapter 373, Florida Statutes, any
 47 potable water production and distribution facilities owned or
 48 controlled by Orange County are to be regulated by a single
 49 water management district. The affected districts shall
 50 designate a single affected district by interagency agreement
 51 consistent with section 373.046, Florida Statutes, to regulate
 52 the potable water supply facilities operated by Orange County
 53 exclusively under the rules of the designated district and to
 54 issue any permit for consumptive use of water under part II of
 55 the Florida Water Resources Act of 1972, as amended, as set
 56 forth in sections 373.203-373.250, Florida Statutes. In the
 57 event that the affected districts do not enter into such an
 58 interagency agreement by June 30, 2003, Orange County may
 59 designate a single affected water management district to



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60 regulate its facilities until such time as the required
61 interagency agreement is entered.

62 Section 3. This act is not intended to conflict with the
63 exclusive authority of the Water Resources Act to regulate the
64 consumptive use of water as provided in section 373.217, Florida
65 Statutes. In the event that a general law is enacted that has
66 the effect of directing the affected water management districts
67 to enter into an interagency agreement by a date certain
68 designating a single water management district to regulate the
69 Orange County potable water supply facilities, the general law
70 shall control. Until such a comprehensive revision to general
71 law is enacted, this act shall control in the event of a
72 conflict.

73 Section 4. This act shall take effect upon becoming a law.