

By Senator Dockery

15-787-04

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; creating s. 373.2234, F.S.; authorizing
 6 the governing board of a water management
 7 district to adopt rules identifying certain
 8 preferred water supply sources; providing
 9 requirements with respect to such rules;
 10 providing construction; amending s. 373.250,
 11 F.S.; authorizing water management districts to
 12 require the use of reclaimed water in lieu of
 13 surface or groundwater when the use of
 14 uncommitted reclaimed water is environmentally,
 15 economically, and technically feasible;
 16 providing construction with respect to such
 17 authority; providing legislative findings and
 18 intent with regard to landscape irrigation
 19 design; requiring water management districts to
 20 develop landscape irrigation and xeriscape
 21 design standards; providing an effective date.

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

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 25 Section 1. Subsection (13) is added to section
 26 163.3167, Florida Statutes, to read:

27 163.3167 Scope of act.--

28 (13) Each local government shall address in its
 29 comprehensive plan, as enumerated in this chapter, the water
 30 supply projects necessary to meet and achieve the existing and
 31 projected water use demand for the established planning

1 period, considering the applicable plan developed pursuant to
2 s. 373.0361.

3 Section 2. Section 373.2234, Florida Statutes, is
4 created to read:

5 373.2234 Preferred water supply sources.--The
6 governing board of the district is authorized to adopt rules
7 identifying preferred water supply sources for which there is
8 sufficient data to establish that the source can be used to
9 provide a substantial new water supply to meet existing and
10 reasonably anticipated water needs in a water supply planning
11 region identified pursuant to s. 373.0361(1) while sustaining
12 the water resources and related natural systems. Such rules
13 must, at a minimum, contain a description of the source and an
14 assessment of the water the source is projected to produce. If
15 a consumptive use permit applicant proposes to use such a
16 source consistent with the assessment, the proposed use is
17 subject to s. 373.223(1), but such proposed use shall be a
18 factor deemed to be consistent with the public interest
19 pursuant to s. 373.223(1)(c). A consumptive use permit issued
20 approving the use of such a source is valid for at least 20
21 years and may be subject to s. 373.226(3). However, this
22 section does not require that the use of nonpreferred sources
23 receive a permit duration of less than 20 years nor imply that
24 such nonpreferred sources are not consistent with the public
25 interest.

26 Section 3. Paragraph (c) is added to subsection (2) of
27 section 373.250, Florida Statutes, to read:

28 373.250 Reuse of reclaimed water.--

29 (2)

30 (c) A water management district may require the use of
31 reclaimed water in lieu of surface water or groundwater when

1 the use of uncommitted reclaimed water is environmentally,
2 economically, and technically feasible. However, this
3 paragraph does not authorize a water management district to
4 require a provider of reclaimed water to redirect reclaimed
5 water from one user to another or to provide uncommitted water
6 to a specific user if such water is anticipated to be used by
7 the provider, or a different user selected by the provider,
8 within a reasonable amount of time.

9 Section 4. Landscape irrigation design.--

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

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

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

26 (4) The water management districts shall develop and
27 adopt by rule landscape irrigation and xeriscape design
28 standards for new construction which incorporate a landscape
29 irrigation system. The standards must be based on the
30 irrigation code defined in the Florida Building Code,
31 Plumber's Volume, Appendix F. Such design standards should

1 promote the effective and efficient use of irrigation water
2 and include a consideration of local demographic, hydrologic,
3 and other considerations as they apply to landscape irrigation
4 water use. When adopting an ordinance or regulation, local
5 governments shall use these approved irrigation design
6 standards.

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

23 Section 5. This act shall take effect upon becoming a
24 law and shall apply to all contracts pending on that date.
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SENATE SUMMARY

Requires local governments to include projected water use in comprehensive plans. Authorizes the governing board of a water management district to adopt rules identifying certain preferred water supply sources. Provides requirements with respect to such rules. Provides construction. Authorizes water management districts to require the use of reclaimed water in lieu of surface or groundwater when the use of uncommitted reclaimed water is environmentally, economically, and technically feasible. Provides construction with respect to such authority. Provides for applicability.