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CHAMBER ACTION

Senate

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House

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1 Senator Saunders moved the following **amendment**:

2
3 **Senate Amendment (with title amendment)**

4 Delete everything after the enacting clause
5 and insert:

6 Section 1. (1) LEGISLATIVE INTENT.--The Legislature finds
7 that desalination of seawater is a proven technology for
8 providing water supply solutions for countries around the world
9 and an increasingly cost-competitive alternative for coastal
10 cities within the United States. The potential success of
11 desalination projects would benefit the communities they directly
12 serve and the state as a whole by preserving existing natural
13 water resources and providing a practical means of ensuring
14 adequate supplies of water for future generations of Floridians.
15 Therefore, it is the intent of the Legislature to aggressively
16 pursue desalination technologies for use in the state.



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17 (2) DESALINATION TECHNOLOGY STUDY; REPORT.--The Secretary
18 of Environmental Protection is directed to coordinate with the
19 water management districts to conduct a study examining all
20 current and available desalination technologies. The study shall
21 include an analysis of the existing desalination projects in the
22 state and recommendations for a plan to effectively utilize and
23 implement desalination technologies that are environmentally and
24 fiscally sound and that will provide sustainability of the
25 current water supply demands of the state as well as long-term
26 potable water supply demands based on projected population
27 growth. The secretary shall submit a report of the findings of
28 the study and plan recommendations to the Governor, the President
29 of the Senate, and the Speaker of the House of Representatives by
30 June 30, 2009.

31 Section 2. Subsection (3) of section 373.323, Florida
32 Statutes, is amended to read:

33 373.323 Licensure of water well contractors; application,
34 qualifications, and examinations; equipment identification.--

35 (3) An applicant who meets the following requirements shall
36 be entitled to take the water well contractor licensure
37 examination to practice water well contracting:

38 (a) Is at least 18 years of age.

39 (b) Has at least 2 years of experience in constructing,
40 repairing, or abandoning water wells. Satisfactory proof of such
41 experience shall be demonstrated by providing:

42 1. Evidence of the length of time the applicant has been
43 engaged in the business of the construction, abandonment, and
44 repair of water wells as a major activity, as attested to by
45 three letters from any of the following persons:

46 a. Water well contractors.



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47 | b. Water well drillers.

48 | c. Water well parts and equipment vendors.

49 | d. Water well inspectors employed by a governmental agency.

50 | 2. A list of at least 10 water wells that the applicant has
51 | constructed, repaired, or abandoned, which includes the following
52 | information:

53 | a. The name and address of the owner or owners of each
54 | well.

55 | b. The location, primary use, and approximate depth and
56 | diameter of each well that the applicant has constructed,
57 | repaired, or abandoned.

58 | c. The approximate date the construction, repair, or
59 | abandonment of each well was completed.

60 | 3. All listed wells must have been constructed, repaired,
61 | or abandoned within 5 years immediately preceding the filing of
62 | the license application. At least seven of the 10 water wells
63 | must have been constructed by the applicant, as defined in s.
64 | 373.303(2).

65 | (c) Has completed the application form and remitted a
66 | nonrefundable application fee.

67 | Section 3. Section 373.0363, Florida Statutes, is created
68 | to read:

69 | 373.0363 West-Central Florida Water Restoration Action
70 | Plan.--

71 | (1) As used in this section, the term:

72 | (a) "Central Florida Coordination Area" means all of Polk,
73 | Osceola, Orange and Seminole Counties, and southern Lake County,
74 | as designated by the Southwest Florida Water Management District,
75 | the South Florida Water Management District, and the St. Johns
76 | River Water Management District.



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77 (b) "District" means the Southwest Florida Water Management
78 District.

79 (c) "Southern Water Use Caution Area" means an area that
80 the district designated, after extensive collection of data and
81 numerous studies, in order to comprehensively manage water
82 resources in the Southern West-Central Groundwater Basin, which
83 includes all of Desoto, Hardee, Manatee, and Sarasota Counties
84 and parts of Charlotte, Highlands, Hillsborough, and Polk
85 Counties.

86 (d) "Southern Water Use Caution Area Recovery Strategy"
87 means the district's planning, regulatory, and financial strategy
88 for ensuring that adequate water supplies are available to meet
89 growing demands while protecting and restoring the water and
90 related natural resources of the area.

91 (e) "West-Central Florida Water Restoration Action Plan"
92 means the district's regional environmental restoration and
93 water-resource sustainability program for the Southern Water Use
94 Caution Area.

95 (2) The Legislature finds that:

96 (a) In response to growing demands from public supply,
97 agriculture, mining, power generation, and recreational users,
98 ground water withdrawals in the Southern Water Use Caution Area
99 have steadily increased for nearly a century before peaking in
100 the mid-1970s. These withdrawals resulted in declines in aquifer
101 levels throughout the groundwater basin, which in some areas
102 exceeded 50 feet.

103 (b) While ground water withdrawals have since stabilized as
104 a result of the district's management efforts, depressed aquifer
105 levels continue to result in saltwater intrusion, reduced flows
106 in the Upper Peace River, lowered water levels, and adverse water



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107 quality impacts for some lakes in the Lake Wales Ridge areas of
108 Polk and Highlands Counties.

109 (c) In response to these resource concerns, and as directed
110 by s. 373.036, the district determined that traditional sources
111 of water in the region are not adequate to supply water for all
112 existing and projected reasonable and beneficial uses and to
113 sustain the water resources and related natural systems.

114 (d) The expeditious implementation of the Southern Water
115 Use Caution Area Recovery Strategy is needed to meet the minimum
116 flow requirement for the Upper Peace River, slow saltwater
117 intrusion, provide for improved lake levels and water quality
118 along the Lake Wales Ridge, and ensure sufficient water supplies
119 for all existing and projected reasonable and beneficial uses.

120 (e) Sufficient research has been conducted and sufficient
121 plans developed to immediately expand and accelerate programs to
122 sustain the water resources and related natural systems in the
123 Southern Water Use Caution Area.

124 (f) Implementation of components of the Southern Water Use
125 Caution Area Recovery Strategy, which are contained in the West-
126 Central Florida Water Restoration Action Plan, is for the benefit
127 of the public health, safety, and welfare and is in the public
128 interest.

129 (g) Implementation of the West-Central Florida Water
130 Restoration Action Plan is necessary to meet the minimum flow
131 requirement for the Upper Peace River, slow saltwater intrusion,
132 provide for improved lake levels and water quality along the Lake
133 Wales Ridge, and ensure sufficient water supplies for all
134 existing and projected reasonable and beneficial uses.

135 (h) A continuing source of funding is needed to effectively
136 implement the West-Central Florida Water Restoration Action Plan.



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137 | (3) The district shall implement the West-Central Florida
138 | Water Restoration Action Plan in a manner that furthers
139 | progressive strategies for the management of water resources, is
140 | watershed-based, provides for consideration of water quality
141 | issues, and includes monitoring, the development and
142 | implementation of best-management practices, and structural and
143 | nonstructural projects, including public works projects. The
144 | district shall coordinate its implementation of the plan with
145 | regional water supply authorities, public and private
146 | partnerships, and local, state, and federal partners in order to
147 | maximize opportunities for the most efficient and timely
148 | expenditures of public funds.

149 | (4) The West-Central Florida Water Restoration Action Plan
150 | includes:

151 | (a) The Central West Coast Surface Water Enhancement
152 | Initiative. The purpose of this initiative is to make additional
153 | surface waters available for public supply through restoration of
154 | surface waters, natural water flows, and freshwater wetland
155 | communities. This initiative is designed to allow limits on
156 | ground water withdrawals in order to slow the rate of saltwater
157 | intrusion. The initiative shall be an on-going program in
158 | cooperation with the Peace River-Manasota Regional Water Supply
159 | Authority created under s. 373.1962. The initiative shall include
160 | the following components, if feasible:

161 | 1. The Dona Bay-Cow Pen Slough Component. This component is
162 | anticipated to increase the capacity to store excess freshwater
163 | flows for the purpose of supplying potable water and of restoring
164 | wetland ecosystems, including the quality and clarity of water in
165 | the system and the subsequent rejuvenation of the system's
166 | mollusks, oyster beds, seagrasses, and salinity.



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167 2. The Shell Creek Watershed Component. This component is
168 anticipated to increase water storage capacity upstream, redirect
169 the stored water to its natural and historical flow pattern
170 resulting in a benefit to the downstream ecosystem, and capture
171 high flows for use as public supply during low-flow periods.

172 3. The Upper Myakka River-Flatford Swamp Component. This
173 component is anticipated to reduce the amount of water entering
174 the swamp so that normal hydroperiods are restored, to create a
175 historically more natural system, and to increase the
176 availability of water for public supply.

177 (b) The Facilitating Agricultural Resource Management
178 Systems Initiative. The purpose of this initiative is to expedite
179 the implementation of production-scale, best-management practices
180 in the agricultural sector which will result in reductions in
181 groundwater withdrawals and improvements in water quality, water
182 resources, and ecology. The initiative is a cost-share
183 reimbursement program to provide funding incentives to
184 agricultural landowners for the implementation of best-management
185 practices. The initiative shall be implemented by district in
186 cooperation with the Department of Agriculture and Consumer
187 Services.

188 (c) The Ridge Lakes Restoration Initiative. The purpose of
189 this initiative is to protect, restore, and enhance natural
190 systems and flood protection by improving and protecting the
191 water quality of approximately 130 lakes located along the Lake
192 Wales Ridge in Polk County and Highlands County, which quality is
193 threatened by stormwater runoff, wastewater effluent, fertilizer
194 applications, groundwater pollution, degradation of shoreline
195 habitats, and hydrologic alterations. This initiative shall be
196 accomplished through the construction of systems designed to



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197 treat the stormwater runoff that threatens the water quality of
198 such lakes. Such systems include swales, retention basins, and
199 long infiltration basins, if feasible.

200 (d) The Upper Peace River Watershed Restoration Initiative.

201 The purpose of this initiative is to improve the quality of
202 waters and ecosystems in the watershed of the Upper Peace River
203 by recharging aquifers, restoring the flow of surface waters, and
204 restoring the capacity of natural systems to store surface
205 waters. The Legislature finds that such improvements are
206 necessary because the quantity and quality of the fresh water
207 that flows to the basin of the Peace River and Charlotte Harbor
208 are adversely affected by the significant alteration and
209 degradation of the watershed of the Upper Peace River, and
210 because restoration of the watershed of the Upper Peace River is
211 a critical component of the Charlotte Harbor National Estuary
212 Program's Comprehensive Conservation and Management Plan, the
213 Southwest Florida Water Management District's Surface Water
214 Improvement and Management Plan, and the Southern Water Use
215 Caution Area Recovery Strategy. This initiative shall include an
216 Upper-Peace-River component. In addition to the initiative's
217 other purposes, this component will provide a critical link to a
218 major greenway that extends from the lower southwest coast of
219 this state through the watershed of the Peace River and the Green
220 Swamp and further north to the Ocala National Forest. Projects
221 that are included in the Upper-Peace-River component include:

222 1. The Lake Hancock Component. The purpose of this
223 component is to help meet the minimum-flow requirements in the
224 Upper Peace River and to improve water quality. The component
225 shall include modifications of a structure to control the



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226 elevation of water levels in Lake Hancock and the treatment of
227 outfall from the lake.

228 2. The Peace Creek Canal Restoration Project. The purpose
229 of this project is to enhance the recharge of aquifers, restore
230 the capacity of natural systems to store waters, and provide
231 flood protection. The project shall be implemented by undertaking
232 the actions needed to meet the minimum-flow requirements under s.
233 373.042 and thereafter holding excess surface water from the
234 Peace Creek Canal in storage for public water supply or
235 commercial or industrial water users.

236 (e) The Central Florida Water Resource Development
237 Initiative. The purpose of this initiative is to create and
238 implement a long-term plan that takes a comprehensive approach to
239 limit ground water withdrawals in the Southern Water Use Caution
240 Area and to identify and develop alternative water supplies for
241 Polk County. The project components developed pursuant to this
242 initiative are eligible for state and regional funding under s.
243 373.196 as an alternative water supply, as defined in s. 373.019,
244 or as a supplemental water supply under the rules of the
245 Southwest Florida Water Management District or the South Florida
246 Water Management District. The initiative shall be implemented by
247 the district as an on-going program in cooperation with Polk
248 County and the South Florida Water Management District. The
249 initiative shall include:

250 1. The Kissimmee River component. This component shall
251 include developing, if feasible, a public water supply from
252 surface waters in the Kissimmee Basin near Lake Kissimmee,
253 blending such supply with other potable water supplies, and
254 distributing such potable waters by connecting to the water-
255 distribution systems of municipal water utilities. This project



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256 is intended to increase the amount of water available for meeting
257 public demand for water in the Central Florida Coordination Area.

258 2. The Upper Peace River component. This component shall be
259 implemented by investigating the feasibility of using an off-
260 stream reservoir that may include the storage of water on private
261 lands to capture water from the Peace River during high-flow
262 periods for use as a public water supply. If it is determined
263 that the most feasible location of an off-stream reservoir is
264 outside Polk County, the district shall promote Polk County's
265 participation in the development and use of such reservoir so
266 long as such development and use satisfies all requirements of
267 this chapter and the rules of the district.

268 (5) By March 1 each year, the district shall report on the
269 implementation of this section as part of the consolidated annual
270 report required in s. 373.036(7). The district shall annually
271 submit a copy of the implementation report and recommended
272 legislative proposals to the Governor, the President of the
273 Senate, and the Speaker of the House of Representatives. The
274 district shall prepare the implementation report in cooperation
275 with the other coordinating agencies and affected local
276 governments. The implementation report must include, at a
277 minimum:

278 (a) A summary of the conditions of the Southern Water Use
279 Caution Area, including the status of the components of the West-
280 Central Florida Water Restoration Action Plan; and

281 (b) An annual accounting of the expenditure of funds. The
282 accounting must, at a minimum, provide details of expenditures
283 separately by plan component and any subparts of a plan
284 component, and include specific information about amount and use
285 of funds from federal, state, and local government sources. In



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286 detailing the use of these funds, the district shall indicate
287 those funds that are designated to meet requirements for matching
288 funds.

289 Section 4. This act shall take effect July 1, 2008.

290 ===== T I T L E A M E N D M E N T =====

291 And the title is amended as follows:

292 Delete everything before the enacting clause
293 and insert:

294 A bill to be entitled
295 An act relating to water resources; providing legislative
296 intent; directing the Secretary of Environmental
297 Protection to coordinate with the water management
298 districts to conduct a study of certain desalination
299 technologies; providing study requirements; requiring the
300 secretary to report to the Governor and the Legislature by
301 a specified date; amending s. 373.323, F.S.; providing for
302 applicants who meet certain conditions to be certified as
303 a licensed water well contractor; creating s. 373.0363,
304 F.S.; providing definitions; providing legislative
305 findings and intent; providing criteria governing the
306 implementation of the West-Central Florida Water
307 Restoration Action Plan by the Southwest Florida Water
308 Management District; requiring that the district
309 coordinate with regional water supply authorities and
310 governmental partners to maximize opportunities concerning
311 the efficient expenditure of public funds; specifying the
312 plan's purpose; specifying the initiatives that are
313 included in the plan; providing criteria governing
314 implementation of the Central West Coast Surface Water
315 Enhancement Initiative, the Facilitating Agricultural



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316 Resource Management Systems Initiative, the Ridge Lakes
317 Restoration Initiative, the Upper Peace River Watershed
318 Restoration Initiative, and the Central Florida Water
319 Resource Development Initiative and certain components or
320 projects included in such initiatives; providing for the
321 district to implement certain initiatives or parts thereof
322 in cooperation with the Peace River-Manasota Regional
323 Water Supply Authority or Polk County; requiring an annual
324 report that meets specified criteria concerning
325 implementation of the plan, regional conditions, and the
326 use of funds; requiring that the Southwest Florida Water
327 Management District prepare the report in cooperation with
328 coordinating agencies and affected local governments and
329 provide the report and legislative proposals to the
330 Governor, the President of the Senate, and the Speaker of
331 the House of Representatives; providing an effective date.