

By Senator Brodeur

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1 A bill to be entitled
2 An act relating to water storage north of Lake
3 Okeechobee; creating s. 373.4599, F.S.; defining
4 terms; requiring the South Florida Water Management
5 District to request that the United States Army Corps
6 of Engineers seek congressional approval of a project
7 implementation report for the Lake Okeechobee
8 Watershed Restoration Project by a specified date;
9 requiring the district to seek a project partnership
10 agreement with the corps upon such approval; requiring
11 the district, in partnership with the corps, to
12 expedite the development and implementation of aquifer
13 storage and recovery wells; requiring the district to
14 perform necessary scientific investigation and
15 monitoring with implementation of such storage and
16 recovery; requiring the district to expedite
17 implementation of the aquifer storage and recovery
18 science plan developed by the district and the corps;
19 providing an implementation schedule for project
20 sites; requiring the district, in partnership with the
21 corps, to pursue expeditious implementation of certain
22 wetland restoration projects; requiring the district
23 to submit a report to the Legislature by a specified
24 date; providing requirements for the report; providing
25 a directive to the Division of Law Revision; providing
26 an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
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30 Section 1. Section 373.4599, Florida Statutes, is created
31 to read:

32 373.4599 Water storage north of Lake Okeechobee.-

33 (1) DEFINITIONS.-As used in this section, the term:

34 (a) "Corps" means the United States Army Corps of
35 Engineers.

36 (b) "District" means the South Florida Water Management
37 District.

38 (c) "Lake Okeechobee Watershed Restoration Project" or
39 "LOWRP" means the recommended plan contained within the Lake
40 Okeechobee Watershed Restoration Project Final Integrated
41 Project Implementation Report and Environmental Impact Statement
42 dated August 2020 or as amended by the district and corps.

43 (2) PROJECT IMPLEMENTATION REPORT.-Upon the effective date
44 of this act, the district shall request that the corps seek
45 congressional approval of a project implementation report for
46 the LOWRP before passage of the Water Resources Development Act
47 of 2022.

48 (3) AGREEMENTS.-Immediately following congressional
49 approval of the LOWRP, the district shall seek to execute with
50 the corps a project partnership agreement for the LOWRP. The
51 project partnership agreement must be consistent with this
52 section.

53 (4) PROJECT IMPLEMENTATION.-

54 (a) *Projects, locations, or structures.*-Projects,
55 locations, or structures referred to in this subsection shall
56 mean those described in the Lake Okeechobee Watershed
57 Restoration Project Final Integrated Project Implementation
58 Report and Environmental Impact Statement dated August 2020 or

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59 as amended by the district and the corps.

60 (b) Aquifer storage and recovery.—

61 1. Expedition of the LOWRP.—The district, in partnership
62 with the corps, shall expedite the development and
63 implementation of the LOWRP aquifer storage and recovery wells.
64 Implementation of this subsection must comply with all
65 applicable federal and state laws and rules, including the
66 department's underground injection control program.

67 2. Investigation and monitoring.—The district shall perform
68 any necessary scientific investigation and monitoring
69 concurrently with the implementation of the LOWRP aquifer
70 storage and recovery wells. To ensure public health and safety,
71 technical feasibility, and achievement of environmental
72 benefits, implementation of the LOWRP aquifer storage and
73 recovery wells must use a phased approach that confirms
74 feasibility and site suitability and addresses uncertainties
75 identified in the aquifer storage and recovery science plan
76 developed by the district and the corps.

77 3. Aquifer storage and recovery science plan.—The district
78 shall expedite implementation of the aquifer storage and
79 recovery science plan developed by the district and the corps.

80 4. LOWRP watershed aquifer storage and recovery wells.—

81 a. For the Kissimmee River Basin site with the existing
82 Kissimmee River Aquifer Storage and Recovery Pilot Project
83 system, the district shall, by January 30, 2022, reactivate the
84 existing aquifer storage and recovery system on the site,
85 including any necessary testing. By March 30, 2027, the district
86 shall ensure that all other feasible aquifer storage and
87 recovery wells on the site are operational.

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88 b. For all remaining feasible cluster sites in the
89 Kissimmee River Basin and Taylor Creek/Nubbin Slough Basin, the
90 district shall, by August 1, 2021, construct or execute
91 contracts for any necessary exploratory and monitoring wells on
92 each site, in addition to any other necessary evaluations, to
93 evaluate or confirm site suitability for well clusters. By March
94 30, 2027, the district shall ensure that all feasible aquifer
95 storage and recovery wells on those sites with suitable
96 locations are operational.

97 c. For all other feasible LOWRP watershed aquifer storage
98 and recovery cluster sites not colocated with the wetland
99 attenuation feature, the district shall, by December 31, 2022,
100 for any other currently or subsequently proposed site for LOWRP
101 watershed aquifer storage and recovery, execute contracts for
102 the construction of any necessary exploratory and monitoring
103 wells on each site, in addition to any other necessary
104 evaluations, to evaluate site suitability for well clusters. By
105 March 30, 2027, the district shall ensure that all feasible
106 aquifer storage and recovery wells on those sites with suitable
107 locations are operational.

108 (c) Wetland restoration.—The district, in partnership with
109 the corps, shall pursue expeditious implementation of the
110 Paradise Run wetland restoration project and Kissimmee River
111 Center wetland restoration project.

112 (5) REPORT.—By November 1, 2021, the district shall submit
113 to the Legislature a report describing the district's compliance
114 with this section, including steps taken and any plans necessary
115 for ongoing compliance. The report must include updates on
116 congressional approval for the LOWRP project implementation

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117 report; the aquifer storage and recovery science plan; any
118 scientific investigations; and designs, construction, and
119 operations.

120 Section 2. The Division of Law Revision is directed to
121 replace the phrase "the effective date of this act" wherever it
122 occurs in this act with the date this act becomes a law.

123 Section 3. This act shall take effect upon becoming a law.