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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/22/2015	.	
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The Committee on Appropriations (Hays) recommended the following:

Senate Amendment (with title amendment)

Delete lines 725 - 903
and insert:

(b) These factors make it necessary to provide other options for the Southwest Florida Water Management District, the South Florida Water Management District, and the St. Johns River Water Management District to be able to take the lead in developing and implementing one alternative water supply project within a restricted allocation area as a pilot alternative water



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11 supply development project.

12 (c) The development and implementation of an alternative
13 water supply project by the water management districts specified
14 in paragraph (b) within a restricted allocation area as a pilot
15 project is for the benefit of the public health, safety, and
16 welfare and is in the public interest. Each pilot project must
17 provide water supply and environmental benefits. Consideration
18 should be given to projects that provide reductions in damaging
19 discharges to tide or that are part of a recovery or prevention
20 strategy for minimum flows and minimum water levels.

21 (3) The water management districts specified in paragraph
22 (2) (b) may, at their sole discretion, designate and implement an
23 existing alternative water supply project that is identified in
24 each district's regional water supply plan as its one pilot
25 project or amend their respective regional water supply plans to
26 add a new alternative water supply project as their district
27 pilot project. A pilot project designation made pursuant to this
28 section should be made no later than July 1, 2016, and is not
29 subject to the rulemaking requirements of chapter 120 or subject
30 to legal challenge pursuant to ss. 120.569 and 120.57. A water
31 management district may designate an alternative water supply
32 project located within another water management district if the
33 project is located in a restricted allocation area designated by
34 the other water management district and a substantial quantity
35 of water provided by the alternative water supply project will
36 be used within the designating water management district's
37 boundaries.

38 (4) In addition to the other powers granted and duties
39 imposed under this chapter, if a district specified in paragraph



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40 (2) (b) elects to implement a pilot project pursuant to this
41 section, its governing board has the following powers and is
42 subject to the following restrictions in implementing the pilot
43 project:

44 (a) The governing board may not develop and implement a
45 pilot project on privately owned land without the voluntary
46 consent of the landowner, which consent may be evidenced by
47 deed, easement, license, contract, or other written legal
48 instrument executed by the landowner after July 1, 2015.

49 (b) The governing board may not engage in local water
50 supply distribution or sell water to the pilot project
51 participants.

52 (c) The governing board may join with one or more other
53 water management districts and counties, municipalities, special
54 districts, publicly owned or privately owned water utilities,
55 multijurisdictional water supply entities, regional water supply
56 authorities, self-suppliers, or other entities for the purpose
57 of carrying out its powers, and may contract with any such other
58 entities to finance or otherwise implement acquisitions,
59 construction, and operation and maintenance, if such contracts
60 are consistent with the public interest and based upon
61 independent cost estimates, including comparisons with other
62 alternative water supply projects. The contracts may provide for
63 contributions to be made by each party to the contract for the
64 division and apportionment of resulting costs, including
65 operations and maintenance, benefits, services, and products.
66 The contracts may contain other covenants and agreements
67 necessary and appropriate to accomplish their purposes.

68 (5) A water management district may provide up to 50



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69 percent of funding assistance for a pilot project.

70 (6) If a water management district specified in paragraph
71 (2)(b) elects to implement a pilot project, it shall submit a
72 report to the Governor, the President of the Senate, and the
73 Speaker of the House of Representatives by July 1, 2019, on the
74 effectiveness of its pilot project. The report must include all
75 of the following information:

76 (a) A description of the alternative water supply project
77 selected as a pilot project, including the quantity of water the
78 project has produced or is expected to produce and the
79 consumptive users who are expected to use the water produced by
80 the pilot project to meet their existing and future reasonable-
81 beneficial uses.

82 (b) Progress made in developing and implementing the pilot
83 project in comparison to the development and implementation of
84 other alternative water supply projects in the restricted
85 allocation area.

86 (c) The capital and operating costs to be expended by the
87 water management district in implementing the pilot project in
88 comparison to other alternative water supply projects being
89 developed and implemented in the restricted allocation area.

90 (d) The source of funds to be used by the water management
91 district in developing and implementing the pilot project.

92 (e) The benefits to the district's water resources and
93 natural systems from implementation of the pilot project.

94 (f) A recommendation as to whether the traditional role of
95 water management districts regarding the development and
96 implementation of alternative water supply projects, as
97 specified in ss. 373.705 and 373.707, should be revised and, if



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98 so, identification of the statutory changes necessary to expand
99 the scope of the pilot program.

100

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

102 And the title is amended as follows:

103 Delete lines 41 - 47

104 and insert:

105 authorizing certain water management districts to

106 designate and implement pilot projects; providing

107 powers and limitations for the governing boards of

108 such water management districts; requiring a

109 participating water management district to submit a

110 report to the Governor and the Legislature on the

111 effectiveness of its pilot project by a certain date;