

By Senator Albritton

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1 A bill to be entitled
2 An act relating to water resources; providing
3 legislative intent; creating s. 403.9339, F.S.;
4 requiring the Department of Environmental Protection
5 to conduct a comprehensive and quantitative needs-
6 based overview of this state's water resources;
7 specifying requirements for the overview; requiring
8 the department to submit a report every 5 years to the
9 Governor and the Legislature by a specified date;
10 providing an effective date.

11
12 WHEREAS, the Legislature finds that water constitutes a
13 public resource benefitting the entire state, and

14 WHEREAS, water is an essential element to this state's
15 current and future growth, sustainability, and environmental
16 health, and

17 WHEREAS, a needs-based water assessment is vital to
18 successfully plan for this state's current and future population
19 growth, and infrastructural and environmental needs, NOW,
20 THEREFORE,

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. It is the intent of the Legislature that the
25 Department of Environmental Protection interpret this act, to
26 the maximum extent practicable, in a manner that provides the
27 Legislature with a comprehensive overview of this state's water
28 infrastructure funding needs, including, but not limited to, its
29 residential, commercial, environmental, agricultural, and

26-00888-20

2020690__

30 industrial needs. The department shall coordinate, to the
31 maximum extent practicable, with private and public sector
32 entities to produce the report required under s. 403.9339,
33 Florida Statutes. The department may use any source of
34 information it deems reasonably reliable as long as the source
35 is identified in the report.

36 Section 2. Section 403.9339, Florida Statutes, is created
37 to read:

38 403.9339 Comprehensive overview of statewide water
39 resources report.-

40 (1) The department shall conduct a comprehensive and
41 quantitative needs-based overview of this state's water
42 resources.

43 (2) To determine the level of need, the overview must
44 include, but is not limited to, all of the following:

45 (a) The funds necessary for the infrastructure's capacity
46 to meet current and future demands.

47 (b) The funds necessary to provide for the infrastructure's
48 existing and near-future physical condition and to provide
49 expected levels of service and protection to the public safety.

50 (c) The funds necessary for the infrastructure to be
51 operated and maintained in compliance with federal, state, and
52 local government regulations.

53 (d) The funds necessary for the infrastructure to be able
54 to prevent or protect against significant multi-hazard threats
55 and incidents, and its ability to quickly return to a pre-hazard
56 or pre-threat level of service.

57 (e) The replacement costs for infrastructure that is
58 nearing, at, or exceeding its estimated service life.

26-00888-20

2020690__

59 (f) The costs of compliance with legislative intent that
60 sufficient water be available for all existing and future
61 reasonable-beneficial uses and for natural systems, and that
62 adverse effects of competition for water supplies be avoided.

63 (g) The infrastructure needs and funds necessary to
64 protect, restore, and enhance this state's water.

65 (h) The infrastructure, including stormwater systems, needs
66 and funds necessary to provide for adequate flood protection.

67 (3) The overview must be based on a short-term, 5-year
68 planning period and a long-term, 20-year planning period and
69 must include, but need not be limited to, all of the following:

70 (a) Water supply infrastructure, including, at a minimum,
71 water supply development projects, water resource development
72 projects, and water conservation.

73 (b) Water quality protection and restoration, including, at
74 a minimum, septic system conversion, basin management action
75 plans under s. 403.067(7) (a), and surface water improvement and
76 management plans under s. 373.453.

77 (c) Wastewater infrastructure.

78 (d) Stormwater infrastructure.

79 (e) Flood control infrastructure.

80 (f) Environmental restoration.

81 (4) The overview must also identify potential funding
82 options to meet the anticipated demand on water resources in
83 this state which are necessary to comply with laws and
84 regulations governing subsection (1), to comply with the
85 Legislature's intent that sufficient water be available for all
86 existing and future reasonable-beneficial uses and the natural
87 systems, and to avoid adverse effects of competition for water

26-00888-20

2020690__

88 supplies. The overview of funding options may include a review
89 of public and private funding options used in this state, other
90 states, or other countries.

91 (5) Beginning January 1, 2022, and every 5 years
92 thereafter, the department shall submit a report of the findings
93 of the overview to the Governor, the President of the Senate,
94 and the Speaker of the House of Representatives.

95 Section 3. This act shall take effect July 1, 2020.