



# The Florida House of Representatives

## Select Committee on Water Policy

Dean Cannon  
Speaker

Trudi K. Williams  
Chair

February 24, 2011

The Honorable Dean Cannon, Speaker  
The Florida House of Representatives  
420 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300

Re: The Select Committee on Water Policy - Preliminary Report

Dear Mr. Speaker:

On December 7, 2010, you announced the creation of the House Select Committee on Water Policy and directed the committee to "conduct a comprehensive review of the state's water policies and recommend legislative actions to further ensure Florida uses its water resources in an effective and sustainable manner to meet future water supply needs." You also directed the committee to report its preliminary findings and recommendations prior to the 2011 regular session and final findings and recommendations prior to the 2012 regular session. I hereby submit to you the committee's preliminary findings and recommendations.

In order to arrive at these preliminary findings and recommendations, the committee met during four of the five interim committee weeks. The committee's four meetings may be summarized as follows:

Meeting 1 - January 13, 2011: In an effort to introduce members to the various governmental entities that have a role in Florida's water policy and governance structure, the committee heard testimony from representatives of the Department of Environmental Protection (DEP), the Department of Agriculture & Consumer Services (DACs), and the water management districts. I also invited any interested party to submit written comments or suggestions to the committee by January 25, 2011, with the intention of providing those comments to the members at the next meeting.

Meeting 2 - January 27, 2011: The introduction to the agencies and entities involved in implementing Florida's water policy was completed when the committee heard testimony from representatives of cities, counties, and water utilities. The committee was also introduced to major issues in water resource management and supply when it heard from a panel of speakers representing agricultural interests, business interests, environmental interests, and utilities. Lastly, the members were provided with a

compilation of written comments provided by 25 interested parties representing a wide range of interests and perspectives.

Meeting 3 - February 10, 2011: The committee was introduced to the issues surrounding the U.S. Environmental Protection Agency's numeric nutrient criteria rule by hearing from representatives of the DEP, the Florida Attorney General's Office, and a panel of speakers representing agricultural interests, environmental interests, local governments, business interests, and utilities. The committee also discussed its preliminary findings and recommendations.

Meeting 4 - February 24, 2011: The committee completed its pre-session work by hearing open public testimony from various interested parties. The remainder of the meeting was devoted to discussing and approving the committee's preliminary findings and recommendations.

### **Preliminary Findings**

Based upon the testimony heard and written comments received by the committee thus far, the committee finds that:

1. The long-term well-being of the people and economy of this state depends upon an adequate, sustainable, and affordable water supply for all existing and future reasonable beneficial uses, including the state's natural systems.
2. While Florida may be considered a water-rich state, there are areas of the state where growing demands have resulted in environmental impacts, shortages, and litigious competition for water.
3. Prior to refining Florida's existing water laws and policy to address these complex and interrelated concerns, a thorough and deliberative analysis should be performed, providing an equal voice to all regions and constituencies in Florida.
4. The state must consider strategies to minimize the economic impact on the state and other affected parties of the U.S. Environmental Protection Agency's numeric nutrient criteria, or any other criteria developed by the DEP, and assure that the criteria ultimately applied has a sound scientific basis.

### **Preliminary Recommendations**

Therefore, the committee recommends that, for remainder of 2011, it proceed with a thorough and deliberative analysis of water resource management issues, water supply issues, and water quality issues including, but not limited to, the following:


1. Evaluating Florida's policies and regulations affecting the protection and allocation of scarce water resources to determine what, if any, changes are necessary to address current and future conditions in Florida.
2. Evaluating the manner in which alternative water supplies and water storage capabilities are developed and funded, including disbursed water storage,

reservoirs, reverse osmosis, desalination, aquifer storage and recovery, and water reuse.

3. Evaluating water conservation as a demand management tool for public water supply utilities to ensure sustainability of the state's water resources by efficiently and economically using existing and alternative water resources, and evaluating financial options to incentivize water utilities to further implement water conservation programs.
4. Evaluating the implementation and effectiveness of current programs, including minimum flows and levels and water reservations, to protect the natural systems in Florida while considering the social and economic consequences of those programs.
5. Evaluating the interrelationship between growth management and water supply and whether refinements are advisable to promote adequate and sustainable water supplies for areas with growing populations.
6. Evaluating whether the current division of responsibilities between the DEP, the five water management districts, regional water supply authorities, and local water utilities should be refined to address inefficiencies in the implementation of Florida's water policy, including duplicative regulations. This evaluation will also examine whether the current regulations and allocation of responsibilities for water supply planning and permitting are appropriate and effective.
7. Evaluating the manner in which the state encourages preservation of agricultural lands for purposes of water storage and treatment and ground water recharge, including an evaluation of public-private partnerships to further the objectives of the state with respect to water resource management.
8. Evaluating the manner in which water management district board members are selected to determine if modifications to the current selection process are warranted.

Thank you again for the opportunity to serve as the Chair of the Select Committee. I look forward to working with you and the members to address these very important issues.

Respectfully,



Trudi K. Williams, Chair