

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB ANRS 11-05 The Florida Water Resources Act of 1972

SPONSOR(S): Agriculture & Natural Resources Subcommittee

TIED BILLS: None **IDEN./SIM. BILLS:** None

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Agriculture & Natural Resources Subcommittee		Deslatte	Blalock

SUMMARY ANALYSIS

The Florida Water Resources Act of 1972¹ addresses various policies pertaining to water resources, water supply planning and management, water quality, and the permitting of activities that impact water resources in the state. The Department of Environmental Protection (DEP) and water management districts (WMDs) implement these policies by:

- Establishing state and regional water supply plans;
- Permitting the consumptive use of water;
- Establishing minimum flows and levels;
- Establishing alternative water supplies;
- Permitting the construction or alteration of any stormwater management system, dam, impoundment, reservoir, appurtenant work, or works, including dredging, filling, and construction activities in, on, and over wetlands and other surface waters; and
- Enforcing water quality standards.

Currently, two statutes provide that the provisions of ch. 373, F.S., must be liberally construed in order to effectively carry out its purposes.

The bill repeals one of these statutes.

The bill does not appear to have a fiscal impact on state or local governments.

¹ Chapter 373, F.S.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

The Florida Water Resources Act of 1972² addresses various policies pertaining to water resources, water supply planning and management, water quality, and the permitting of activities that impact water resources in the state. The Department of Environmental Protection (DEP) and water management districts (WMDs) implement these policies by:

- Establishing state and regional water supply plans;
- Permitting the consumptive use of water;
- Establishing minimum flows and levels;
- Establishing alternative water supplies;
- Permitting the construction or alteration of any stormwater management system, dam, impoundment, reservoir, appurtenant work, or works, including dredging, filling, and construction activities in, on, and over wetlands and other surface waters; and
- Enforcing water quality standards.

Currently, ss. 373.616 and 373.6161, F.S., provide that ch. 373, F.S., must be liberally construed in order to effectively carry out its purposes.

Effect of Proposed Changes

The bill repeals s. 373.616, F.S. because the language is duplicative to s. 373.6161, F.S.

B. SECTION DIRECTORY:

Section 1. Repeals s. 373.616, F.S., relating to the liberal interpretation of ch. 373, F.S.

Section 2. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

² Chapter 373, F.S.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES