

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Government Efficiency Appropriations Committee

BILL: CS/CS/SB 2462

SPONSOR: Government Efficiency Appropriations Committee, Environmental Preservation Committee and Senator Atwater

SUBJECT: Water resource planning and reporting

DATE: April 14, 2005

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Kiger</u>	<u>Kiger</u>	<u>EP</u>	<u>Fav/CS</u>
2.	<u>Gilreath</u>	<u>Johansen</u>	<u>GE</u>	<u>Fav/CS</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill would codify a pilot project undertaken by the South Florida Water Management District regarding the consolidation of numerous statutorily required reports into a single annual report. Changes made by the bill to reporting requirements would now apply to all of the state's water management districts.

The bill also gives the water management districts the option to develop a strategic management plan in lieu of a district water management plan. The strategic plan may be substituted for the district management plan, provided it meets a series of minimum requirements.

This bill substantially amends ss. 11.80, 163.3177, 193.625, 373.036, 373.0397, 373.042, 373.145, 373.1961, 373.199, 373.207, 373.414, 373.4592, 373.45926, 373.4595, 373.470, 373.536, Florida Statutes and repeals s. 373.0395, Florida Statutes.

II. Present Situation:

Currently, numerous statutes require the water management districts to complete various reports and planning documents regarding the status of programs and water resources within their respective jurisdictions. These reports and planning documents also have a myriad of deadlines.

Senate Bill 2832 (ch. 2004-53, L.O.F.), passed during the 2004 Legislative Session, permitted the South Florida Water Management District to initiate a pilot project to coordinate, and where appropriate, consolidate legislatively-mandated plans and reports regarding the status of district programs and water resources within the district's jurisdiction. In addition, the bill included legislative findings that the consolidation of reports will allow stakeholders, the Legislature, and

the Governor to be better informed, and that increased access to information reported by the District would enhance accountability and ultimately improve protection of state's water resources.

Section 373.036, F.S., requires each of the water management districts to submit a district water management plan (plan). The plan is designed to address water supply, water quality, flood protection, floodplain management, and natural systems for the water resource within the jurisdiction of each district. The plan must be based on a 20-year period and updated a least every 5 years.

Each plan, at a minimum, includes the following:

- Scientific methods for establishing minimum flows and levels.
- Identification of one or more alternate water supply planning regions that cover the entire district.
- Technical data and information as required by law.
- District-wide water supply assessments on the current use of water supplies and the impact of current and expected water uses on overall water availability.
- Additional completed water supply plans.

Section 373.0395, F.S., requires each water management district to develop a groundwater basin resource availability inventory for areas in the districts where appropriate. This inventory includes the designation of prime groundwater recharge areas, criteria to establish minimum flows and levels, identification of suitable areas for future water resource development in the basin, potential availability of consumptive water, and identification of wastewater sources.

III. Effect of Proposed Changes:

The bill amends s. 373.036, F.S., (Florida water plan; district water management plans) to require each water management district to annually prepare a consolidated report on the management of water resources. The annual report is to be submitted to the Department of Environmental Protection, the Governor, President of the Senate and Speaker of the House. The first report is due by March 1, 2006 and copies are to be provided to the chairs of all legislative committees having substantive or fiscal jurisdiction over the water management districts. Copies shall also be sent to the governing boards of all county entities having jurisdiction or deriving any funds for operations of the district. Copies shall also be available to members of the public.

The consolidated report must include the following individual reports:

- A district water management plan annual report or the annual strategic plan created by the bill.
- The approved minimum flows and levels annual priority list.
- The annual 5-year capital improvement plan.
- The alternative water supplies annual reports.
- The final annual 5-year water resource development work program.

- The Florida Forever Water Management District Work Plan annual report.
- The mitigation donation annual report.

Each of the reports identified above must be addressed in separate chapters of the consolidated report. Any common elements may be consolidated where appropriate. The districts may include additional information at their discretion.

The bill provides additional requirements for the consolidated report prepared by the South Florida Water Management District. Additional statutorily required reports to be included are:

- The Lake Okeechobee Protection Program annual progress report.
- The Everglades annual progress reports.
- The Everglades restoration annual report.
- The Everglades Forever Act annual implementation report.
- The Everglades Trust Fund annual expenditure report.

The bill gives the water management districts the option to develop a strategic management plan in lieu of a district water management plan. The strategic plan may be substituted for the district management plan, provided it meets the following minimum requirements:

- It establishes the district's strategic priorities for at least a future 5-year period.
- It identifies goals, strategies, success indicators, funding sources, deliverables, and milestones to accomplish the strategic priorities.
- The development process includes at least one publicly noticed meeting seeking public participation in its development.
- It includes as an addendum, an annual work plan report on the implementation of the strategic plan for the previous fiscal year, addressing success indicators, deliverables, and milestones.

The bill clarifies that the bills' provision to allow a board to substitute an annual strategic plan for the requirement to develop a district water management plan and annual report does not affect any other provision or requirement of law concerning the completion of the regional water supply plan.

Section 373.0395, F.S., is repealed by the bill because the requirements for identification of prime groundwater recharge areas will not be included in the strategic plan.

The bill amends section 163.3177, F.S., to delete a reference.

The bill amends section 193.625, F.S., to delete a reference.

The bill also provides the necessary conforming changes to applicable statutes.

The bill shall take effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The South Florida Water Management District estimates that it realized a savings of \$350,000 as a result of a pilot project to develop a consolidated report. Reduction in costs associated with developing, reviewing, editing and producing more than 50 plans or reports are estimated to be \$300,000. Annual publication and distribution savings are estimated to be \$50,000.

The district estimates a potential savings of nearly \$1 million if consolidated reporting is extended to all water management districts.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Summary of Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
