

**Legislative Update**  
Water Resources Advisory Commission  
April 3, 2008

**Budget**

The Florida Legislature had to make over \$512 million in current year budget reductions early in this session. This is on top of the \$1.08 billion that was cut in Special Session 2007C.

The most recent revenue projections are predicting an additional \$3.2 billion in revenue shortfall for the up coming year and the House and Senate proposed budgets reflect this decrease in revenue. The House and Senate Appropriation bills were released this week.

Due to limited allocations to the Environment and Natural Resources Council, they did not include funding for Everglades, Florida Forever, or Alternative Water Supply Funding.

The Senate General Government Appropriations Committee included \$100 million for Everglades, \$300 million for Florida Forever, and \$60 million for Alternative Water Supply. Hopefully, the Senate position will prevail as we work toward conference later this week, but the budget climate in the state is very tight.

**Everglades Restoration Funding**

Senator Saunders and Representative Mayfield filed identical bills to increase the bonding authority for the Save Our Everglades Trust Fund from \$100 million to \$200 million and also extend the authority to issue bonds to fund the State's share of Everglades restoration through the year 2020. Chairman Mayfield's bill (HB 1135) has been referred to the Environment and Natural Resources Council. Chairman Saunder's bill (SB 1552) is now in Finance and Tax.

**Property Taxes**

The Taxation and Budget Reform Commission has passed one major referendum on March 17, that, if passed by the voters, would in 2011 get rid of more than \$9.5 billion in property taxes the state requires school districts to collect to qualify for state funding. That would cut tax bills for all property owners by roughly one-fourth. To offset the lost revenue, the amendment would require legislators to raise Florida's 6-cent state sales tax by a penny, eliminate some sales-tax exemptions and make potentially huge spending cuts. This proposal should not have an effect on district revenues

## **Agency Sunset**

The Department of Environmental Protection, Florida Fish and Wildlife Conservation Commission, and the Water Management Districts are all being reviewed this session as part of the Legislature's Agency Sunset procedures. The water management districts have been recommended to not sunset by the Joint Sunset Committee. The Senate Environmental Preservation and Conservation Committee passed its water management district sunset bill last week and recommended re-enacting the 5 water management districts.

## **Florida Forever Successor Program**

The House Conservation and State Lands Committee recommended their proposed successor program to Florida Forever become a Council Bill last Wednesday. The House Bill focuses on land management and recommends consolidated state land management under the Commissioner of Agriculture with the land acquisition remaining with the DEP Division of State Lands

The Senate Environmental Preservation and Conservation Committee discussed their proposal but temporarily passed it and will discuss further this Thursday. Senator Dockery introduced an amendment to delete the WMDs' share. We will work with her this week to resolve any outstanding concerns in order to keep the district's share of the funding.

## **Ocean Outfalls**

This bill was temporarily postponed in General Government Appropriations Committee Agenda on March 26th and is now on the agenda for April 2<sup>nd</sup>. This legislation requires all ocean outfalls to go to advanced wastewater treatment by 2018 and to eliminate the discharges (except for wet weather) by 2025.

## **Water Use Restriction Compliance**

Senator Aronberg and Representative Williams filed legislation regarding Water Use Restriction Compliance. This legislation would improve our enforcement authority for non-compliance of water use restrictions. The bill will provide administrative enforcement authority for violations during declared water shortage emergencies. Currently, water use restriction violations are enforced through the County Courts. Under the proposed legislation the District simply sends the Administrative Complaint, and the violator then sends in the fine. If the violator challenges, the complaint will be settled through the State's Division of Administrative Hearings. The bill will most likely not move forward this session but we will hold workshops during the summer and bring a consensus bill forward next session.

## **Expedited Permitting**

This bill passed out of the House Natural Resources and Environment Council and was placed on the Calendar, on second reading. The bill requires the Department of Environmental Protection (DEP) and the water management districts to create a 45-day expedited permitting process for businesses that have been identified by a municipality or county as a target industry business pursuant to s. 288.106, F.S., with the exception of those projects requiring approval by the Board of Trustees. The bill requires a mandatory preapplication review process to reduce permitting conflicts by providing guidance to applicants regarding the permits needed from each agency and governmental entity, site planning and development, site suitability and limitations, facility design, and steps the applicant can take to ensure expeditious permit application review. The program is limited to wetland resource and environmental resource permits.

## **Desalination**

This bill requires the Secretary of the Department of Environmental Protection (DEP), in coordination with the five water management districts (WMDs), to conduct a study examining all current and available desalination technologies. The study must include an analysis of existing desalination projects in the state, and recommendations for a plan to implement desalination technologies that are environmentally and fiscally sound. The plan to implement these technologies should provide sustainability of the current water supply demands of the state as well as of long-term potable water supply demands based on projected population growth. A report of the findings of the study and plan recommendations must be submitted by June 30, 2009. The House Bill passed out of council and was placed on the calendar, on second reading. The Senate Bill passed out of Environmental Preservation and Conservation.

## **Protecting Urban and Residential Environment**

This bill requires all county and municipal governments to adopt, at a minimum, the "Florida Friendly Fertilizer Use on Urban Landscapes Model Ordinance" by December 31, 2008. A county or municipal government that adopts its own fertilizer use ordinance prior to July 1, 2008, is exempt from the adoption requirement for the model ordinance. It also establishes a certification category, within the Department of Agriculture and Consumer Services for commercial application of fertilizer to urban turf. This bill passed out of the Environment and Natural Resources Council. Local governments have expressed concern about preemption.

If you have any questions, please contact:

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