



WES-PP-05: STATEWIDE WATER RESOURCES & PLANNING

COMMITTEE RECOMMENDATION: ADOPT AND AMEND

RECOMMENDED AMENDED PROPOSED POLICY: SUPPORT creation of a recurring five-year water-related work plan and statewide strategic plan. SUPPORT increased funding for local water infrastructure projects with direction for coordination of the various state/regional entities funding water issues toward local priorities.

BACKGROUND: Florida needs a more effective comprehensive framework for coordinating and prioritizing funding for local water projects to address challenges such as but not limited to: algal blooms, water conservation, marine resources/habitat/coral reef protection, water quality protection, minimum flows and levels, stormwater management, and climate change adaptation and resiliency. Local governments need a framework for improving coordination and prioritization of funding for local and regional water projects similar to the organizational structure of the Florida Department of Transportation (FDOT), which has proven successful for transportation planning. FDOT includes a Transportation Commission that's mission is to provide leadership in meeting Florida's transportation needs through policy guidance on issues of statewide importance and by maintaining oversight, public accountability to the department, and other statutorily specified transportation authorities. The Florida Transportation Commission was created in 1987, under Section 20.23, Florida Statutes, to serve as a citizen's oversight board for FDOT. The Commission is assigned to the Department for administrative and fiscal purposes; otherwise, it functions independently of the control and direction of the Department. Additionally, the Florida Transportation Plan, under Section 339.155, Florida Statutes, provides the framework for the development of the state's long-range transportation goals and objectives to be updated every five years.

The State structure for addressing water issues includes programs at the Department of Environmental Protection; Dept. of Agriculture and Consumer Services; the Water Management Districts; and, the Fish and Wildlife Conservation Commission. In addition, the Florida Legislature annually provides funding through the member project process – outside the review of existing agency programs.

Florida's water infrastructure planning process should be modeled in state statute of similar structure to the Florida Transportation Commission. This would allow independent insight and expertise into the planning and prioritization process for Florida's water quality projects. This structure creates stability amongst stakeholders while streamlining and optimizing efficiency of limited state resources.

ANALYSIS: A cursory review of the GAA for FY 22-23 finds that the State of Florida allocates over \$1,000,000,000 in funding to address a variety of water-related issues. Issue where funding is allocated include –



- Water projects submitted by members – close to \$400,000,000
- Water Treatment Facility Revolving Loan funds - \$250,000,000
- Resiliency Grant funding - \$200,000
- Everglades Water Quality - \$100,000,000
- Springs Watershed and Restoration - \$95,000,000
- Ag Water Policy Coordination - \$47 million plus
- Funding through Water Management Districts and other DEP programs

The Office of Economic and Demographic Research (EDR) annually assesses Florida's water resources and conservation lands pursuant to section 403.928, Florida Statutes. Land conservation, water supply, water quality, and water infrastructure are all interrelated, and investments in one of these areas will almost certainly benefit another. Here is a link to the report [Annual Assessment of Florida's Water Resources and Conservation Lands – Annual Report for 2021](#)

In addition, CS/CS/CS/HB 53 passed in the 2021 Legislative Session. The bill indicated that wastewater and stormwater must be managed to protect public health, water quality, recreation, fish, wildlife, and the aesthetic appeal of Florida's waterways. The legislation requires the Office of Economic & Demographic Research (EDR) to include an analysis of the expenditures necessary to repair, replace, and expand water-related infrastructure in its annual assessment of Florida's water resources and conservation lands. The bill requires by June 30, 2022, and every five years thereafter, each county, municipality, or special district providing wastewater or stormwater services to develop a needs analysis for its jurisdiction over the subsequent 20 years. The analyses must be compiled and submitted to EDR and EDR must evaluate the compiled documents for the purpose of developing a statewide analysis for inclusion in the annual assessment due January 1, 2023. These needs analyses will highlight a significant number of infrastructure projects needed to address stormwater and wastewater needs at the local level.

FISCAL IMPACT: Indeterminate

FAC STAFF NOTES:

- FAC 2022 Policy Conference
 - WES-PP-05 and WES-PP-06 sponsors agreed to consolidate their proposals
 - Proposals, WES-PP-05 and WES-PP-06, were recommended by the committee to be combined and amended into one proposal
- Statutes:
 - [Section 373.036](#), F.S. – *Florida Water Plan; District Water Management Plans* directs the Department of Environmental Protection (DEP) to develop an annual plan addressing, at minimum, DEP's activities and programs concerning the following:

- Water supply, water quality, flood protection and floodplain management, and natural systems
 - Specific DEP water quality standards
 - The respective water management district water management plans
 - Goals, objectives, and guidance for the development and review of new and existing programs, rules, and plans relating to water resources
 - [Section 373.709](#), F.S. – *Regional Water Supply Planning* directs the governing board of each water management district to periodically conduct evaluations of whether adequate water supplies exist to meet the current and future reasonable-beneficial uses of their district.
 - In the event that future water supplies appear inadequate to meet these needs, the water management district must prepare a regional water supply plan, in coordination with local governments, regional water supply authorities, water and wastewater utilities, DEP, the Florida Department of Agriculture and Consumer Services (FDACS), and any other affected or interested parties
 - This water supply plan should address alternative water supply approaches to ensure water supply needs can be met for the next 20 years
- Florida Administrative Code:
 - [Ch. 62-40](#), F.A.C. – *Water Resource Implementation Rule*
 - Per the rule: This chapter is intended to provide water resource implementation goals, objectives, and guidance for the development and review of programs, rules, and plans relating to water resources, based on statutory policies and directives in Chapters 187, 373, and 403, F.S.
- Bills:
 - [Ch. 2021-194](#), L.O.F. – Public Works (HB 53 by Rep. DiCeglie)
- Florida Department of Transportation (FDOT) Model:
 - [S. 339.135](#), F.S. - *Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment*
 - Provides the framework for FDOT’s 5-Year Work Program
 - Each of the seven transportation districts submit their planned transportation projects for the subsequent five years to the central office
 - The FDOT central office then compiles each of the district 5-year plans into the FDOT Adopted Work Program
 - The current FDOT 5-year Program and Resource Plan can be found [here](#).
- Regional Resiliency Compacts:



- e.g.) The Southwest Florida Regional Resiliency Compact is currently comprised of 14 member jurisdictions: Collier County, Lee County, Charlotte County, City of Punta Gorda, City of Sanibel, City of Fort Myers, City of Cape Coral, Town of Fort Myers Beach, Village of Estero, City of Bonita Springs, Captiva Erosion Prevention District, City of Naples, City of Everglades, and City of Marco Island.
 - The Compact’s members ratified a non-legally binding memorandum of understanding, collectively committing their communities to:
 - Evaluating climate change and sea level rise vulnerabilities
 - Sharing resiliency strategies for adaptation and mitigation of climate change/sea level rise impacts
 - Leveraging shared resources
 - Pursuing public-private partnerships
 - Southeast Florida, East Central Florida, and the Tampa Bay metropolitan area have respectively developed similar regional compacts.
- Previous FAC Statements & Guiding Principles:
 - WES-PP-07 (21-22): SUPPORT state policies to improve coordination of water project planning on a recurring five-year work plan and a statewide strategic plan for all things water
 - Guiding Principle WES 3: The Florida Association of Counties supports efforts of the Water Management Districts to facilitate regional partnerships and prescribe regional resolutions to address the need of finding alternative water sources to accommodate the state’s growing population.
 - Guiding Principle WES 4: The Florida Association of Counties supports policies that enhance regional and local financial capacity to address water supply development with allocation flexibility in all available funding sources.

SUBMITTING COUNTY AND CONTACT: Gilchrist, Hendry, Levy – Darrell Smith, Ramon Iglesias, and John Meeks

ASSIGNED COMMITTEE: WES

BOARD SUPPORT: No

UNFUNDED MANDATE: No

PROTECTIVE OF HOME RULE: This proposal seeks to coordinate local and regional control of water policy planning.

