

**Peace River Manasota Regional Water Supply Authority  
Legislative Priorities 2020**

Issue	Legislative/ Regulatory	Activity
<b>STATE</b>		
State Water Infrastructure Funding <ul style="list-style-type: none"> <li>• Submit State budget water project funding request for new regional reservoir at Peace River Facility.</li> <li>• Support State budget funding for alternative water supply with priority given to regional projects.</li> <li>• Support funding of State trust funds established in existing statutes.               <ul style="list-style-type: none"> <li>○ Water Protection and Sustainability Program; and</li> <li>○ West-Central Florida Water Restoration Action Plan</li> </ul> </li> </ul>	Legislative	Submit project application for State funding. Monitor and participate in legislative process
Monitor legislation resulting from the Potable Reuse Commission recommendations	Legislative	Monitor legislative process
Monitor implementation of recent legislation and rules <ul style="list-style-type: none"> <li>• 'Florida Springs Act'; and</li> <li>• 'Implementation of the Water and Land Conservation Constitutional Amendment.</li> </ul>	Legislative and Regulatory	Monitor and participate in implementation process
Support acquisition by the State and SWFWMD of lands to enhance water management and supply.	Multiple Agencies	Participate in funding process
Support Senate confirmation of Southwest Florida Water Management District Governing Board Member appointments and Executive Director.	Legislative	Support Senate confirmations
<b>FEDERAL</b>		
Support the continuation of tax-exempt financing and preserve the ability of water systems to use tax-exempt bonds.	Legislative	Monitor
Support the continuation of U.S. EPA as the lead agency for security at drinking water facilities and the explicit prohibition on the disclosure of security program information under federal, state and local information laws.	Legislative and U.S. EPA	Monitor
Support research to impacts of climate change on the viability and sustainability of drinking water supplies.	Legislative and U.S. EPA	Monitor
Monitor rulemaking of the Clean Water Rule: Definition of 'Waters of the United States'.	U.S. EPA	Monitor

## STATE ISSUES

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*'Through Cooperation and collaboration the Authority and its members shall create, maintain and expand a sustainable, interconnected regional water supply system.'*

### **State Water Infrastructure Funding**

- New Reservoir at Peace River Facility

The Authority has successfully constructed a regional drinking water system based on alternative water supply in a water critical area designated by the SWFWMD (Southern Water Use Caution Area) providing drinking water to Charlotte, DeSoto and Sarasota counties. The key to the water system is storage, utilizing off-stream reservoirs to capture a small percentage of seasonal high flows from the Peace River. This model yields a reliable drinking water supply while preserving the freshwater flow needed to support Charlotte Harbor estuary downstream. An additional off-stream reservoir at the Peace River Facility is needed to support regional economic growth and ensure that the needs of existing and future users are met. The Authority will submit a State budget water project funding application for inclusion in the State budget.

- Alternative Water Supply Funding

The State budget for FY 2019-2020 appropriated \$40M (line item 1657A) to establish a water resource development grant program to help communities plan for and implement conservation, reuse and other water supply and water resource development projects. Priority funding will be given to regional projects in the areas of greatest need and for projects that provide the greatest benefit. The DEP is to identify and research all viable alternative water supply resources and provide an assessment of funding needs critical to supporting Florida's growing economy.

- Funding of Trust Funds

State statute currently establishes trust funds through the Water Protection and Sustainability Program (sections 403.890 and 403.891, F.S.) and West-Central Florida Water Restoration Action Plan (sections 373.0363, F.S.) that provide allocation of state funding through the water management districts. The Authority received funding through these trust funds in the past and supports funding for these trust funds in the State budget.

The Authority supports the allocation of State funds for water infrastructure without creating additional bureaucracy by establishing a state water board or council.

### **Potable Reuse Commission**

The Florida Potable Reuse Commission (PRC) is a coalition of a diverse group of water resource, industry, agricultural and health professionals. The purpose of the PRC is to create a consensus driven partnership to develop the framework for the implementation of potable reuse in Florida. The framework will help advance potable reuse in Florida by augmenting future water supplies and protecting public health. The results and recommendations of the PRC will provide information for elected officials and regulatory agencies on statutory and regulatory needs.

### **Recent Legislation and Rules**

Chapter 2016-1, L.O.F., 'Florida Springs Act' creates the Florida Springs and Aquifer Protection Act to provide for the protection and restoration of outstanding Florida Springs, codifies the Central Florida Initiative, and updates and restructures the Northern Everglades and Estuaries Protection Program in addition to other issues.

Chapter 2016-201, L.O.F., 'Implementation of the Water and Land Conservation Constitutional Amendment' provides for the distribution of funds deposited into the Land Acquisition Trust Fund.

### **Acquisition of Lands to Enhance Water Management and Supply**

Public ownership of specific lands can offer benefits to both regional and local drinking water supply, protect existing water supply infrastructure and operations, and provide opportunities for development of future regional water supply projects on the RV Griffin Reserve to meet future public water supply needs of the region. Acquisition of specific lands in the vicinity of the Peace River Facility and RV Griffin Reserve can provide the opportunity for restoration and mitigation for new reservoir construction along with providing other significant public and environmental benefits in the region, including wildlife habitat connectivity, recreational opportunities, and enhanced flood protection.

### **Senate confirmation of Southwest Florida Water Management District Governing Board Members**

Water Management District Governing Board members are appointed by the Governor, subject to confirmation by the Senate at the next regular session of the Legislature along with the SWFWMD Executive Director Brian Armstrong. The Authority supports the confirmation of the Governing Board members and Executive Director.

## **FEDERAL ISSUES**

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### **Tax-Exempt Financing**

The Authority urges Congress to preserve the ability of water systems to use tax-exempt bonds to finance water infrastructure projects. This authority to finance essential governmental services on a tax-exempt basis is vital to the efforts of water utilities to continue to provide high quality, safe and reliable supplies of drinking water at a price that is affordable to ratepayers.

As Congress considers comprehensive tax reform, it must keep in mind that any new tax revenue collected from investors by limiting or eliminating tax-exempt municipal bonds would be offset by increased interest costs that would be borne by local water system ratepayers. Limiting or eliminating the exemption would therefore represent a de-facto tax hike on local communities while encumbering public agencies efforts to raise needed capital to address water supply needs.

### **Drinking Water Security and Treatment Mandates**

The Authority recognizes that water utilities protect their critical facilities from acts of terrorism and other hazards. Drinking water utilities first responsibility is to protect public health by providing potable.

The Authority supports that the U.S. Environmental Protection Agency (EPA) should continue to be the lead federal agency for security regulations at drinking water and wastewater facilities. Having more than one federal agency with oversight of water security could not only be inefficient, but would also impair the ability of drinking water systems to properly and efficiently treat their water supplies. It also could result in making simultaneous compliance with multiple standards or guidelines that will be difficult or even impossible to satisfy. If contradictory or duplicative security measures were recommended by different federal agencies, water systems would faces difficulties in assuring compliance and could incur substantial costs with no real improvement in security.

Some water security programs include the collection of data from water providers. Given the sensitive nature of water security information, the Authority believes that Congress should continue the explicit prohibition on the disclosure of such information under federal, state, and local public information laws. Likewise, federal, state, and local agencies must take all internal precautions to prevent the inappropriate disclosure of water system information.

Any new federal security requirements should be accompanied by federal funding assistance. Such assistance could be targeted to help utilities update existing vulnerability assessments or implement other physical security without compromising public health. Otherwise, new security requirements will amount to unfunded federal mandates on local governments at a time when water treatment facilities are facing hundreds of billions of dollars in other priority infrastructure projects.

## **Climate Change**

The Authority supports federal action to research and respond to the impacts of global climate change upon the nation's drinking water supplies. The long-term viability and sustainability of the nation's water supply is integral to a viable regional, state and national economy and therefore a comprehensive, unified, and coordinated federal research program is essential for developing decision support tools, adaptation and mitigation strategies, and for helping local utility managers access better information on the regional impacts of climate change on drinking water quality and quantity. The EPA, the National Oceanic and Atmospheric Administration, and other federal departments and agencies currently conducting climate change research must increase their efforts to develop reliable modeling systems and regional projections of freshwater quality and quantity changes and offer clear guidance on how water utilities may prepare for changing climate conditions over the next several decades.

Climate change legislation must recognize that water resources and infrastructure in much of the United States are significantly threatened by changing hydrological conditions. Therefore, increased assistance and investment are necessary to help water systems adapt to changing climate conditions and deliver uninterrupted water service to rapidly growing service populations.

## **Waters of the United States**

The EPA and the U.S. Army Corps of Engineers (Corps) signed the final rule for repealing the 2015 Waters of the United States rule (WOTUS) on September 12, 2019. This action will reinstate pre-2015 regulations. The EPA will propose a new definition for WOTUS, expected by December of 2019. Authority staff will monitor the rulemaking and potential impact to the Authority.