



Protecting Florida's Clean Water Environment

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Memorandum

Date: January 17, 2018
To: FWEA Board
From: FWEAUC
RE: Report of FWEAUC November, December, January Activities

1. 2018 LEGISLATIVE SESSION

With the start of the 2018 legislative session (1/9/18 – 3/9/18), the FWEAUC and legal and policy consultants have been busy monitoring, supporting and moving legislation that benefits our members.

One set of bills the FWEAUC and consulting team are working to pass this session are the "Blue Star" Domestic Wastewater Collection System Assessment and maintenance Legislation (SB 244 / HB 837). This legislation:

- Establishes in FDEP a statewide voluntary program for advanced collection system assessment, investment, rehabilitation, and electric power outage mitigation planning.
- Provides regulatory incentives for utilities to implement the program.
- Allows financially disadvantaged utilities to apply for grant funds to implement the program.
- Allows certified utilities to demonstrate they are making the right investments to protect the public health and environment.

Another set of bills the FWEAUC and consulting team are working to pass this session are the Aquifer Recharge Legislation (SB 1308 / HB 1149). This legislation:

- Identifies that reclaimed water impact offset projects may include the use of reclaimed water to prevent or stop further saltwater intrusion, raise aquifer

levels, improve the water quality of an aquifer, or augment surface water to increase the quantity of water available for water supply.

- Directs FDEP to develop a uniform rule for incorporating impact offsets and credits into permits at renewal, issuance, or extension.
- Provides that the credit may help achieve the requirements of a minimum flow or level.
- Adds a legislative finding that the reuse of reclaimed water through aquifer recharge is a critical component of meeting the state's existing and future water supply needs while sustaining natural systems.
- Requires the department and water management districts to enter into a memorandum of agreement providing for a voluntary, applicant-initiated coordinated review of any reclaimed water project requiring a reclaimed water facility permit, an underground injection control permit, and a consumptive use permit, and the goal of the coordinated review shall be to share information, avoid requesting the applicant to submit redundant information, and to ensure, to the extent feasible, harmonized review of the reclaimed water project under these various permitting programs, including the use of a proposed impact offset or substitution credit in accordance with s. 373.250(5).

A set of bills the FWEAUC and consulting team are working to amend are SB 324 / HB 697 regarding Impact Fees. The amendment involves clarifying impact/connection fees are exempt from the proposed requirements.

The FWEAUC and consulting team are also monitoring:

- SB 806 / HB 703 – Water Management District Surplus Lands
- SB 658 / HB 585 – Tourism Development Tax
- SB 1402 – State's effort to assume the section 404 wetland permitting program for the Army Corps of Engineers.
- SB 204, SB 786 / HB 339, and SB 370 / HB 1353 – Land Acquisition Trust Fund
- SB 912 / HB 83 – Agency Rulemaking

Also of note, the FWEAUC and consulting team are actively watching the Constitutional Revision Commission Proposal proposed amendments. Of specific concern was Proposal 23 – Right to a Clean and Healthful Environment proposed by Commissioner and Proposal 48 – Fish and Wildlife Conservation Commission both by Thurlow-Lippisch. Proposal 23 has since taken off the table.

2. OSTDS WORKGROUP

The workgroup continued to work with Terri Lowery of Jones Edmunds on the Guidance Document to Assist Communities with Developments and Implementation of OSTDS Remediation Plans. A draft document is currently being reviewed.

2. RECLAIMED WATER WORKGROUP:

The workgroup held a conference call on November 21st, met with representative of FSAWWAUC and WaterReuse on November 28th in Orlando to further discuss the WaterReuse proposal. A small group of FWEAUC Board members has recently met twice with representatives from FSAWWAUC and WaterReuse to further refine the proposal and is reporting back to the workgroup on a January 22nd conference call.

3. FWEAUC BOARD MEETING

FWEAUC held a joint Board meeting with the Southeast Florida Utility Council (SEFLUC) on December 11th in Boca Raton. Approximately 90 people were in attendance or called in by phone. Topics discussed included reclaimed water, emergency preparedness/response, Blue Star Certification, and septic to sewer conversion project. Updates on WOTUS, the EPA Sue & Settle directive, the Florida Constitution Commission Revision Process, and Human Health Based Criteria were also given.

The next Board meeting is scheduled for January 26th in Altamonte Springs. In addition to regular agenda items, the Board will be discussing an open Board position as well developing a nominating committee to present a slate of officers at the Annual meeting in April.

4. FWEA CERTIFICATION TASK FORCE

Attended the FWEA Certification Task Force meeting on November 27th as well as participated in subsequent conference calls on December 14th and January 11th. The task force is gathering information on existing programs as well as developing a proposed certification framework for wastewater mechanics, electricians, collections, telemetry, and lift station personnel.

5. LEGISLATIVE AND REGULATORY UPDATE SESSION AT FWRC

The FWEA and FSAWWA Utility Councils along with the FWEA WR3 committee will be presenting a joint session for a Reclaimed Water, Legislative and Regulatory Update at the FWRC in April. The session will be held on Monday, April 16th from 1:30 – 4:30pm. Please encourage all of our members to attend!