

CHAPTER 2017-111

Committee Substitute for Committee Substitute for House Bill No. 573

An act relating to water protection and sustainability; creating the “Heartland Headwaters Protection and Sustainability Act”; creating s. 373.462, F.S.; providing legislative findings and intent; creating s. 373.463, F.S.; requiring the Polk Regional Water Cooperative to prepare an annual report concerning water resource projects within a specified area; specifying requirements for such report; requiring the report to be submitted annually to the Legislature, the Department of Environmental Protection, and the appropriate water management districts; requiring the inclusion of such report in the appropriate consolidated water management district annual report; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the “Heartland Headwaters Protection and Sustainability Act.”

Section 2. Section 373.462, Florida Statutes, is created to read:

373.462 Legislative findings and intent.—

(1) The Legislature recognizes that by law in 1979, portions of Lake and Polk Counties were designated as the Green Swamp Area of Critical State Concern in acknowledgment of its regional and statewide importance in maintaining the quality and quantity of Florida’s water supply and water resources for the public and the environment.

(2) The Legislature also recognizes the Green Swamp, which encompasses approximately 560,000 acres, is located in a regionally significant high recharge area of the Floridan Aquifer system, and it helps protect coastal communities from saltwater intrusion.

(3) The Legislature finds that the Green Swamp or Polk County make up the headwaters or portions of the headwaters of six major river systems in the state, which are the Alafia, Hillsborough, Kissimmee, Ocklawaha, Peace, and Withlacoochee Rivers. In addition, due to the area’s unique topography and geology which receives no other water inputs other than rainfall, the area is essential in maintaining the potentiometric head of the Floridan Aquifer system that directly influences the aquifer’s productivity for water supply.

(4) The Legislature also finds that the Green Swamp and the surrounding areas are economically, environmentally, and socially defined by some of the most important and vulnerable water resources in the state.

(5) The Legislature recognizes that the Central Florida Water Initiative Guiding Document dated January 30, 2015, and the Southern Water Use Caution Area Recovery Strategy dated March 2006 recognized the fact that the surface water and groundwater resources in the heartland counties of Hardee, Highlands, and Polk are integral to the health, public safety, and economic future of those regions.

(6) The Legislature declares that there is an important state interest in partnering with regional water supply authorities and local governments, in accordance with s. 373.705, to protect the water resources of the headwaters of the Alafia, Hillsborough, Kissimmee, Ocklawaha, Peace, and Withlacoochee Rivers and the surrounding areas. The Legislature further declares that funding consideration be given to regional collaborative solutions, including, but not limited to, the heartland counties, to manage the water resources of the state.

Section 3. Section 373.463, Florida Statutes, is created to read:

373.463 Heartland headwaters annual report.—

(1) The Polk Regional Water Cooperative, in coordination with all of its member county and municipal governments, shall prepare a comprehensive annual report for water resource projects identified for state funding consideration within its members' jurisdictions. The report must include, at a minimum:

(a) A list of projects identified by the cooperative for state funding consideration for each of the following categories. A project may be listed in more than one category.

1. Drinking water supply.
2. Wastewater.
3. Stormwater and flood control.
4. Environmental restoration.
5. Conservation.

(b) A priority ranking for each listed project that will be ready to proceed in the upcoming fiscal year, identified by the categories specified in paragraph (a).

(c) The estimated cost of each listed project.

(d) The estimated completion date of each listed project.

(e) The source and amount of financial assistance to be provided by the cooperative, the member county or municipal governments, or other entities for each listed project.

(2) By December 1, 2017, and each year thereafter, the cooperative shall submit the comprehensive annual report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the department, and the appropriate water management districts.

(3) The cooperative shall also annually coordinate with the appropriate water management district to submit a status report on projects receiving priority state funding for inclusion in the consolidated water management district annual report required by s. 373.036(7).

Section 4. This act shall take effect July 1, 2017.

Approved by the Governor June 14, 2017.

Filed in Office Secretary of State June 14, 2017.