

# Water Bill HB 7003 Passes House

March 7, 2015

Controversy intensified Thursday when the House passed HB 7003 by a margin of 106-9. This bill, pushed by agriculture interests representative House Speaker Steve Crisafulli, was opposed by environmentalists working to protect our springs and rivers.

Some of the problems connected with this bad, special-interest piece of legislation are outlined by the Sierra Club, and are as follows:

## *Areas of concern in the bill:*

- *Minimum Flows and Levels should be set at the point where further reductions in water flow or water level begins to harm the water resource or its surrounding ecology.*
- *The efficacy of Best Management Practices (BMPs) to achieve water quality standards must be verified; inadequate BMPs must be updated, and DEP, WMD, and local buffer zones or setbacks should be increased where necessary.*
- *Water conservation should be the first strategy for water supply and prevention should be the first strategy for water quality*
- *DEP and WMDs should remain responsible for water quality and water supply*
- *Allows continued pollution from sewage sludge, new septic systems, wastewater treatment facilities, and animal feedlots in springsheds of Priority Florida Springs*
- *Weakens and delays cleanup of Lake Okeechobee and the*

*Caloosahatchee watershed by setting aside the Works of the District Rule in favor of a weaker and ineffective BMAP.*

*Minimum Flows and Levels (MFLs).*

*MFLs should be set at the level at which further reduction in either the flow (of a moving body of water like a spring or river) or the level (such as a lake or groundwater) would be harmful to the water resource and the ecology of the area. The current "significantly harmful" standard ensures that the MFL will always be set somewhere in harmful territory. Legal users (holders of consumptive use permits (CUPs)) are protected from negative consequences and natural systems should be as well.*

*Same old same old*

*Polluters in Florida have learned how to divert or delay best management practices (BMPs), Total Maximum Daily Loads (TMDLs), and Basin Management Action Plans (BMAPS) and HB 7003 leaves these tools vulnerable to their tricks. As a result we still have thousands of impaired water body segments!*

*BMPs must be targeted to meet specific water quality standards. Their efficacy must be monitored and verified and, if inadequate, upgraded. Surface water bodies, groundwater, and sensitive areas should be protected by appropriate buffer zones and setbacks that are developed and strictly enforced by DEP, water management districts, and local governments. Similarly, there have to be solid and meaningful deadlines for meeting water quality standards.*

*Failure to protect and restore Florida's waters can only damage our tourism and water-based recreational and commercial industries. No one visits Florida because of our roads.*

*Water Conservation*

*Water conservation should be the first strategy employed with respect to water supply. HB 7003 hardly mentions conservation at all, even though it is the lowest hanging fruit. There should be incentives for low flow fixtures (faucets and toilets) that would have a long term impact on the amount of water used in the state. Consumptive Use Permits should include a requirement for a water conservation plan that will be followed by the permittee, and a fee should be charged for all withdrawn water (with a reduction in cost for permittees who further reduce their use voluntarily to incentivize conservation.)*

*HB 7003 looks at water supply as a matter of responding to all demands for water as an inescapable mandate to develop more water supply, regardless of the cost to taxpayers. Consumptive use permit applicants should be required to tailor their requests for water to what is available, or to obtain their water from alternative sources.*

*Similarly, prevention is the best cure for water quality. Keep pollutants out of the water to begin with to safeguard health, save tax dollars, and maintain a welcoming business climate.*

*DEP and WMDs should retain authority over water quality and water quantity*

*There is an inherent conflict of interest between DACS promoting agriculture and being responsible for ensuring water quality. This conflict is shown explicitly in this quote from the HB 7003 [Committee Substitute 1](#)*

*on lines 2190-2194:*

*373.809 Agricultural best management practices for springs protection.—*

(1) Best management practices for agricultural discharges shall **reflect a balance between water quality improvements in Priority Florida Springs and agricultural productivity.**

*BMPs should be designed to protect and restore water quality in Priority Florida Springs first and foremost.*

*The primary responsibility for water quality protection and supply should lie with DEP and the WMDs. They should be required to enforce the laws and regulations on the books and funded sufficiently to do it effectively.*

According to an article in the [Gainesville Sun](#) by Zac Anderson (Friday, March 6, 2015), things look much different in the parallel effort in the Senate. House Minority Leader Mark Pafford and many others oppose the bill. Read this article at this [link](#).