



Energy & Utilities Subcommittee

**Wednesday, November 15, 2017
8:00 AM
Webster Hall (212 Knott)**

MEETING PACKET

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Energy & Utilities Subcommittee

Start Date and Time: Wednesday, November 15, 2017 08:00 am
End Date and Time: Wednesday, November 15, 2017 10:00 am
Location: Webster Hall (212 Knott)
Duration: 2.00 hrs

Consideration of the following bill(s):

HB 405 Linear Facilities by Williamson

Discussion of Utility Workforce Development Issues

NOTICE FINALIZED on 11/08/2017 4:01PM by Locke.Lindsey



The Florida House of Representatives

Commerce Committee

Energy & Utilities Subcommittee

Richard Corcoran
Speaker

Jay Trumbull
Chair

AGENDA

Wednesday, November 15, 2017

212 Knott

8:00 AM – 10:00 AM

- I. Call to Order
- II. HB 405 *Rep. Williamson*
Linear Facilities
- III. Discussion of Utility Workforce Development Issues
 - Florida Energy Workforce Consortium
 - American Water Works Association Florida Section
- IV. Adjournment

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 405 Linear Facilities
SPONSOR(S): Williamson
TIED BILLS: **IDEN./SIM. BILLS:** SB 494

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Energy & Utilities Subcommittee		Keating <i>CK</i>	Keating <i>CK</i>
2) Natural Resources & Public Lands Subcommittee			
3) Commerce Committee			

SUMMARY ANALYSIS

The Florida Electrical Power Plant Siting Act (PPSA) and the Florida Electric Transmission Line Siting Act (TLSA) establish centrally coordinated review processes for state and local permitting of certain electrical power plants and transmission lines. Under the PPSA, an application for certification of a site for a power plant and associated facilities must include a statement on the consistency of the site, and any associated facilities that constitute "development," with existing land use plans and zoning ordinances. Certain activities are excluded from the definition of development. Further, the PPSA and TLSA authorize the establishment of conditions in an order granting certification, though both state that they do not affect in any way the ratemaking powers of the Public Service Commission (PSC).

In 2016, the Third District Court of Appeal determined that transmission lines associated with a proposed power plant under the PPSA constitute "development" and, thus, require review for consistency with existing local land use plans and zoning ordinances. This decision conflicts with the historical interpretation and application of the PPSA by administrative tribunals in Florida. Further, the Court determined that the siting board empowered by the PPSA would not infringe on the PSC's exclusive ratemaking jurisdiction if the board were to require, as a condition of certification, that a utility install such transmission lines underground at its own expense.

The bill appears to make the law consistent with the historical interpretation of the PPSA by amending two of the items excluded from the definition of "development" in relation to the PPSA:

- The bill provides that the exclusion for work done on established rights-of-way applies to established rights-of-way and corridors and to rights-of way and corridors *to be established*.
- The bill provides that the exclusion for the creation of specified types of property rights applies to creation of distribution and transmission corridors.

The bill makes identical changes to the definition of "development" in the Florida Local Government Development Agreement Act.

The bill also establishes the standard to be used in authorizing variances in a site certification under the PPSA and under the TLSA. Further, the bill provides that the PPSA and TLSA do not affect in any way the PSC's exclusive jurisdiction to require transmission lines to be located underground.

The bill does not appear to impact state or local government revenues or expenditures.

The bill provides that it will become effective upon becoming law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

The Florida Electrical Power Plant Siting Act¹ (PPSA) and the Florida Electric Transmission Line Siting Act² (TLSA) establish centrally coordinated review processes for state and local permitting of certain electrical power plants and transmission lines. These laws recognize the broad interests of the public that are addressed by various governmental bodies and agencies as well as the critical nature of the infrastructure at issue.³ These laws intend to further the legislative goal of ensuring, through available and reasonable methods, that the location and operation of electrical power plants and transmission lines will produce minimal adverse effects on the environment and the public health, safety, and welfare and will not unduly conflict with the goals established by the applicable local comprehensive plans.⁴ Both laws establish the Governor and Cabinet as the siting board responsible for approving or denying certification.⁵

Application of Local Land Use and Development Laws

Under the PPSA, an application for certification of a site for a power plant and associated facilities⁶ must include a statement on the consistency of the site, and any associated facilities that constitute "development," with existing land use plans and zoning ordinances that were in effect on the date the application was filed and a full description of the consistency.⁷ The application must identify those associated facilities that the applicant believes are exempt from the requirements of land use plans and zoning ordinances under the Community Planning Act provisions of ch. 163 and s. 380.04(3), F.S. Each affected local government must file a determination of the consistency of the site and non-exempt associated facilities with existing land use plans and zoning ordinances in effect on the date the application was filed. Any substantially affected person may file a petition with the designated administrative law judge (ALJ) to dispute the local government's determination.⁸ If a petition is filed, the ALJ must hold a land use hearing at which the sole issue for determination is whether the proposed site or non-exempt associated facility is consistent and in compliance with existing land use plans and zoning ordinances.⁹

Associated facilities that do not constitute "development" are not subject to the land use consistency and compliance requirements. For purposes of this determination, "development" is defined in s. 380.04, F.S., and expressly excludes the following activities, among others:

- Work by any utility and other persons engaged in the distribution or transmission of gas, electricity, or water, for the purpose of inspecting, repairing, renewing, or constructing on

¹ ss. 403.501-403.518, F.S.

² ss. 403.52-403.5365, F.S.

³ See ss. 403.502 and 403.521, F.S.

⁴ *Id.*

⁵ ss. 403.509 and 403.529, F.S.

⁶ "Associated facilities" means, for the purpose of certification, onsite and offsite facilities which directly support the construction and operation of the electrical power plant, such as electrical transmission lines, substations, and fuel unloading facilities; pipelines necessary for transporting fuel for the operation of the facility or other fuel transportation facilities; water or wastewater transport pipelines; construction, maintenance, and access roads; and railway lines necessary for transport of construction equipment or fuel for the operation of the facility. s. 403.503(7), F.S.

⁷ s. 403.50665(1), F.S.

⁸ s. 403.50665(2)(a), F.S.

⁹ s. 403.508, F.S.

established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like.¹⁰

- The creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land.¹¹

Historically, administrative tribunals in Florida have held that siting of a transmission line does not constitute "development" and is thus exempt from application of the land-use-consistency provisions. One example of this interpretation is the following provision from a 2004 decision¹²:

First, Gulf Power will create a new right-of-way for the powerline. A right-of-way is a 'right of access,' an easement, or an 'other right[] in land.' Second, Gulf Power will construct the powerline on the newly established right-of-way. Gulf Power is a utility engaged in the distribution or transmission of electricity. The construction of the powerline in the established right-of-way falls within s. 380.04(3)(b). See, *Bd. Of County Commrs. of Monroe County v. Dept. of Community Affairs*, 560 So.2d 240 (Fla. 3d DCA 1990); *Friends of Mantanzas, Inc. v. Dept. of Environmental Protection*, 729 So.2d 437 (Fla. 5th DCA 1999), and *1000 Friends of Florida, Inc. v. St. Johns County*, 765 So.2d 216 (Fla. 5th DCA 2000), interpreting the similar exemption for road improvements within the right-of-way in s. 380.04(3)(a), Fla. Stat. (2004).

Therefore, the proposed powerline is not 'development' as defined in section 380.04, Fla. Stat. (2003).

This decision recognized two exclusions from the definition of "development": (1) the exclusion under s. 380.04(3)(h), F.S., for creating a right of access by establishing a right-of-way in the siting proceeding; and (2) the exclusion under s. 380.04(3)(b), F.S., for constructing a power line within "the newly established right-of-way." Other decisions have relied only on the exclusion for constructing a power line within an established right-of-way. For example, a 2008 decision¹³ found the following:

After certification of this project, TECO will acquire the necessary property interests in a [right-of-way] within the certified corridor for placement of the line. Construction of transmission lines on such established ROWs is excepted from the definition of 'development' in Section 163.3164(5), Florida Statutes. Accordingly, the provisions of the local comprehensive plans related to 'development' that have been adopted by the local governments crossed by the line are not applicable to this project.

In 2016, the Third District Court of Appeal (Court) took a different interpretation of the operative statutes.¹⁴ In that case, Florida Power & Light Company (FPL) filed an application under the PPSA to obtain a permit to construct and operate two new nuclear generating units and associated facilities at Turkey Point, including new transmission lines. The siting board issued a final order of certification that, among other things, approved a back-up transmission corridor if adequate right-of-way could not be obtained in the primary corridor in a timely manner and at a reasonable cost. The final order did not consider local regulations and did not require FPL to underground its lines. The final order was

¹⁰ s. 380.04(3)(b), F.S.

¹¹ s. 380.04(3)(h), F.S.

¹² *In Re: Petition for Declaratory Statement by Hughes*, 2004 Fla. ENV LEXIS 166, 4 ER FALR 113.

¹³ *In Re: Tampa Electric Company Willow Oak-Wheeler-Davis Transmission Line Siting Application*, 2008 Fla. ENV LEXIS 115, 2008 ER FALR 175, at 50 (DOAH May 13, 2008), adopted in toto 2008 E.R. F.A.L.R. 175 (Siting Bd. Aug. 1, 2008).

¹⁴ *Miami-Dade County, et al, v. In Re: Florida Power & Light Co., etc., et al*, Opinion filed April 20, 2016, available at <http://www.3dca.flcourts.org/opinions/3D14-1467.pdf>. On February 24, 2017, the Florida Supreme Court declined to accept jurisdiction to hear Florida Power and Light's petition for review. https://efactssc-public.flcourts.org/casedocuments/2016/2277/2016-2277_disposition_137996.pdf.

appealed, and the Court reversed and remanded the final order. With respect to interpretation of the term "development," the Court found that the siting board erred as follows¹⁵:

- In the siting process, the siting board certifies a corridor, not a right-of-way, and the exclusion cannot be applied to the entire corridor.
- The record reflects that the corridor is made up of parcels within and outside established rights-of-way, so the siting board has no way of knowing whether construction will take place in a right-of-way or an easement.
- The exclusion is for work conducted on "established rights-of-way" and "as the City of Miami contends, were this Court to accept FPL's argument on this issue, that an established right-of-way is not the same as an existing right-of-way, this would make the word 'established' meaningless."

The effect of the Court's decision is to require, in a certification proceeding under the PPSA, that any associated transmission lines require review for consistency with existing land use plans and zoning ordinances that were in effect on the date the application was filed. This outcome conflicts with the consistent, historical implementation of the PPSA and appears to conflict with the legislative intent of this law.¹⁶

Local land use plans and ordinances create different classifications of property, each with different permitted uses. Each municipality and county establishes a different patchwork. As a result, the Court's decision may make it extremely difficult, if not impossible, for a transmission line crossing the jurisdiction of multiple local governments to find a path that maintains its compliance with each local government's land use plans and ordinances.

Siting Board Authority to Impose Conditions

The PPSA and TLSA authorize the siting board to include conditions in a certification,¹⁷ but both provide an express statement that they do not affect in any way the ratemaking powers of the PSC under ch. 366, F.S.¹⁸

In its decision, the Court also reversed and remanded the final order of certification based on a finding that the siting board erroneously determined that it did not have the power to require FPL to install the proposed transmission lines underground at its own expense. Specifically, the Court found:

The general grant of power in the PPSA to "impose conditions" upon certification, other than those listed in the PPSA, gave the Siting Board the power to impose the condition of requiring that the power lines be installed underground, at FPL's expense. [Citation removed.] Undergrounding of the transmission lines is a condition upon certification encompassed by the Siting Board's ability to impose "site specific criteria, standards, or limitations" on FPL's project. As such, the Siting Board had the power to require it, contrary to the Siting Board's conclusion that it had no such power. Accordingly, reversal is required on this point.¹⁹

In rendering its decision, the Court distinguished a prior case in which the PSC's "exclusive and superior" authority to regulate public utility rates and service was found to preclude a local government from requiring, by ordinance, a public utility to bear the cost to place its power lines underground.²⁰ The Court determined that, unlike the local government in the prior case, the siting board has the power

¹⁵ *Miami-Dade County*, at 12-14.

¹⁶ See Footnotes 3 and 4, *supra*.

¹⁷ ss. 403.511 and 403.531, F.S.

¹⁸ *Id.*

¹⁹ *Miami-Dade County*, at pp. 14-15.

²⁰ See *Florida Power Corp. v. Seminole County*, 579 So. 2d 105, 108 (Fla. 1991).

to impose such conditions. The Court further found that the siting board's power in no way infringes on the PSC's authority with regard to ratemaking.

Section 366.04(1), F.S., provides:

The jurisdiction conferred upon the commission shall be *exclusive and superior to that of all other boards*, agencies, political subdivisions, municipalities, towns, villages, or counties, and, in case of conflict therewith, all lawful acts, orders, rules, and regulations of the commission shall in each instance prevail.

(Emphasis supplied.) This same statutory section establishes the PSC's jurisdiction over the rates and service of each public utility and over the planning, development, and maintenance of a coordinated electric grid to assure adequate and reliable electric service.

Placing transmission lines underground is more expensive than placing them overhead on poles.²¹ The actual cost difference depends on the specific circumstances surrounding each particular transmission line site.²² In its order certifying FPL's proposed Turkey Point facilities, the siting board noted the ALJ's finding of fact that undergrounding would cost roughly nine times more than overhead construction: \$13.3-\$18.5 million per mile compared to \$1.5-\$2.5 million per mile.²³

In general, when an agency with regulatory authority over a regulated public utility orders that utility to take actions that require it to incur costs, such costs are considered to be prudently incurred and are recovered in utility rates. Thus, imposing a requirement for a utility to place facilities underground impacts the PSC's ratemaking authority to determine whether the higher costs of undergrounding the facilities are prudent and reasonable under the circumstances and to determine who will bear the burden of such costs. Further, imposing such a requirement impacts the PSC's authority to determine how undergrounding of a transmission line may affect electric grid reliability.

Effect of Proposed Changes

The bill amends the law to reflect the interpretation and implementation of the PPSA and TLSA that was applied prior to the Third District Court of Appeals' *Miami-Dade County* decision, effectively eliminating any precedential value from that decision. The bill addresses two issues: (1) application of local land use and development laws in a siting proceeding; and (2) the authority of the siting board to order a transmission line to be installed underground.

The bill amends paragraphs 380.04(b) and (h), F.S., which contain the exclusions from "development" discussed above. The bill provides that the exclusion for construction on established rights-of-way applies to established rights-of-way and corridors and to rights-of-way and corridors *to be established*. It also provides that the exemption for the creation of specified types of property rights applies to creation of distribution and transmission corridors. The bill makes identical changes to s. 163.3221, F.S., which provides definitions for use in the Florida Local Government Development Agreement Act.²⁴

The bill also amends ss. 403.511 and 403.531, F.S., which relate to the effect of certification under the PPSA and the TLSA, respectively. First, the bill specifies that the standard for granting variances in the certification process shall be the standard set forth in s. 403.201, F.S., which authorizes variances in the following conditions:

²¹ Edison Electric Institute, *Out of Sight, Out of Mind*, January 2013, available at <http://www.eei.org/issuesandpolicy/electricreliability/undergrounding/Documents/UndergroundReport.pdf> (last visited November 13, 2017).

²² *Id.* at 29-30.

²³ *In Re: Florida Power & Light Company Turkey Point Units 6&7 Power Plant Siting Application No. PA03-45A3*, 2014 WL 2154563 (Siting Bd. May 19, 2014).

²⁴ The Florida Local Government Development Agreement Act provides for agreements between local governments and developers to improve the growth management and public planning processes.

- There is no practicable means known or available for the adequate control of the pollution involved;
- Compliance with the particular requirement or requirements from which a variance is sought will necessitate taking measures which, because of their extent or cost, must be spread over a considerable period of time. A variance granted for this reason shall prescribe a timetable for the taking of the measures required; or
- To relieve or prevent hardship of a kind other than those provided for above. Variances and renewals thereof granted under this provision are limited to a period of 24 months, except that certain variances may extend for the life of the permit or certification.

The bill also provides that the PPSA and TLSA shall not affect in any way the PSC's exclusive jurisdiction to require transmission lines to be located underground

B. SECTION DIRECTORY:

Section 1. Amends s. 163.3221, F.S., relating to definitions in the Florida Local Government Development Agreement Act.

Section 2. Amends s. 380.04, F.S., relating to the definition of development.

Section 3. Amends s. 403.511, F.S., relating to the effect of certification under the Florida Electrical Power Plant Siting Act.

Section 4. Amends s. 403.531, F.S., relating to the effect of certification under the Florida Electric Transmission Line Siting Act.

Section 5. Provides an effective date upon becoming law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill clarifies the application of local land use laws to transmission line corridors in siting cases under the PPSA and TLSA. This may reduce expenses of siting and legal proceedings by providing certainty.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to: require counties or municipalities to spend funds or take an action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.

1 A bill to be entitled
 2 An act relating to linear facilities; amending s.
 3 163.3221, F.S.; revising the definition of the term
 4 "development" to exclude work by certain utility
 5 providers on utility infrastructure on certain rights-
 6 of-way or corridors; revising the definition to
 7 exclude the creation or termination of distribution
 8 and transmission corridors; amending s. 380.04, F.S.;
 9 revising the definition of the term "development" to
 10 exclude work by certain utility providers on utility
 11 infrastructure on certain rights-of-way or corridors;
 12 revising the definition to exclude the creation or
 13 termination of distribution and transmission
 14 corridors; amending s. 403.511, F.S.; requiring the
 15 consideration of a certain variance standard when
 16 including conditions for the certification of an
 17 electrical power plant; clarifying that the Public
 18 Service Commission has exclusive jurisdiction to
 19 require underground transmission lines; amending s.
 20 403.531, F.S.; requiring the consideration of a
 21 certain variance standard when including conditions
 22 for the certification of a proposed transmission line
 23 corridor; clarifying that the Public Service
 24 Commission has exclusive jurisdiction to require
 25 underground transmission lines; providing an effective

26 | date.

27 |

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

29 |

30 | Section 1. Paragraph (b) of subsection (4) of section
31 | 163.3221, Florida Statutes, is amended to read:

32 | 163.3221 Florida Local Government Development Agreement
33 | Act; definitions.—As used in ss. 163.3220-163.3243:

34 | (4) "Development" means the carrying out of any building
35 | activity or mining operation, the making of any material change
36 | in the use or appearance of any structure or land, or the
37 | dividing of land into three or more parcels.

38 | (b) The following operations or uses shall not be taken
39 | for the purpose of this act to involve "development":

40 | 1. Work by a highway or road agency or railroad company
41 | for the maintenance or improvement of a road or railroad track,
42 | if the work is carried out on land within the boundaries of the
43 | right-of-way.

44 | 2. Work by any utility and other persons engaged in the
45 | distribution or transmission of gas, electricity, or water, for
46 | the purpose of inspecting, repairing, or renewing on established
47 | rights-of-way or corridors, or constructing on established or to
48 | be established rights-of-way or corridors, any sewers, mains,
49 | pipes, cables, utility tunnels, power lines, towers, poles,
50 | tracks, or the like.

51 3. Work for the maintenance, renewal, improvement, or
 52 alteration of any structure, if the work affects only the
 53 interior or the color of the structure or the decoration of the
 54 exterior of the structure.

55 4. The use of any structure or land devoted to dwelling
 56 uses for any purpose customarily incidental to enjoyment of the
 57 dwelling.

58 5. The use of any land for the purpose of growing plants,
 59 crops, trees, and other agricultural or forestry products;
 60 raising livestock; or for other agricultural purposes.

61 6. A change in use of land or structure from a use within
 62 a class specified in an ordinance or rule to another use in the
 63 same class.

64 7. A change in the ownership or form of ownership of any
 65 parcel or structure.

66 8. The creation or termination of rights of access,
 67 riparian rights, easements, distribution and transmission
 68 corridors, covenants concerning development of land, or other
 69 rights in land.

70 Section 2. Paragraphs (b) and (h) of subsection (3) of
 71 section 380.04, Florida Statutes, are amended to read:

72 380.04 Definition of development.—

73 (3) The following operations or uses shall not be taken
 74 for the purpose of this chapter to involve "development" as
 75 defined in this section:

76 (b) Work by any utility and other persons engaged in the
 77 distribution or transmission of gas, electricity, or water, for
 78 the purpose of inspecting, repairing, or renewing on established
 79 rights-of-way or corridors, or constructing on established or to
 80 be established rights-of-way or corridors, any sewers, mains,
 81 pipes, cables, utility tunnels, power lines, towers, poles,
 82 tracks, or the like. This provision conveys no property interest
 83 and does not eliminate any applicable notice requirements to
 84 affected land owners.

85 (h) The creation or termination of rights of access,
 86 riparian rights, easements, distribution and transmission
 87 corridors, covenants concerning development of land, or other
 88 rights in land.

89 Section 3. Paragraph (b) of subsection (2) and subsection
 90 (4) of section 403.511, Florida Statutes, are amended to read:
 91 403.511 Effect of certification.—

92 (2)

93 (b)1. Except as provided in subsection (4), and in
 94 consideration of the standard for granting variances pursuant to
 95 s. 403.201, the certification may include conditions which
 96 constitute variances, exemptions, or exceptions from
 97 nonprocedural requirements of the department or any agency which
 98 were expressly considered during the proceeding, including, but
 99 not limited to, any site specific criteria, standards, or
 100 limitations under local land use and zoning approvals which

101 affect the proposed electrical power plant or its site, unless
102 waived by the agency and which otherwise would be applicable to
103 the construction and operation of the proposed electrical power
104 plant.

105 2. No variance, exemption, exception, or other relief
106 shall be granted from a state statute or rule for the protection
107 of endangered or threatened species, aquatic preserves,
108 Outstanding National Resource Waters, or Outstanding Florida
109 Waters or for the disposal of hazardous waste, except to the
110 extent authorized by the applicable statute or rule or except
111 upon a finding in the certification order that the public
112 interests set forth in s. 403.509(3) in certifying the
113 electrical power plant at the site proposed by the applicant
114 overrides the public interest protected by the statute or rule
115 from which relief is sought.

116 (4) This act shall not affect in any way the Public
117 Service Commission's ratemaking powers or its exclusive
118 jurisdiction to require transmission lines to be located
119 underground ~~of the Public Service Commission~~ under chapter 366;
120 nor shall this act in any way affect the right of any local
121 government to charge appropriate fees or require that
122 construction be in compliance with applicable building
123 construction codes.

124 Section 4. Paragraph (b) of subsection (2) and subsection
125 (4) of section 403.531, Florida Statutes, are amended to read:

126 403.531 Effect of certification.—

127 (2)

128 (b) In consideration of the standard for granting
 129 variances pursuant to s. 403.201, the certification may include
 130 conditions that constitute variances and exemptions from
 131 nonprocedural standards or rules of the department or any other
 132 agency which were expressly considered during the certification
 133 review unless waived by the agency as provided in s. 403.526 and
 134 which otherwise would be applicable to the location of the
 135 proposed transmission line corridor or the construction,
 136 operation, and maintenance of the transmission lines.

137 (4) This act does not in any way affect the commission's
 138 ratemaking powers or its exclusive jurisdiction to require
 139 transmission lines to be located underground ~~of the commission~~
 140 under chapter 366. This act does not in any way affect the right
 141 of any local government to charge appropriate fees or require
 142 that construction be in compliance with the National Electrical
 143 Safety Code, as prescribed by the commission.

144 Section 5. This act shall take effect upon becoming a law.



Workforce Development and Job Creation in Florida: Filling the Talent Pool

November 15, 2017



Our History

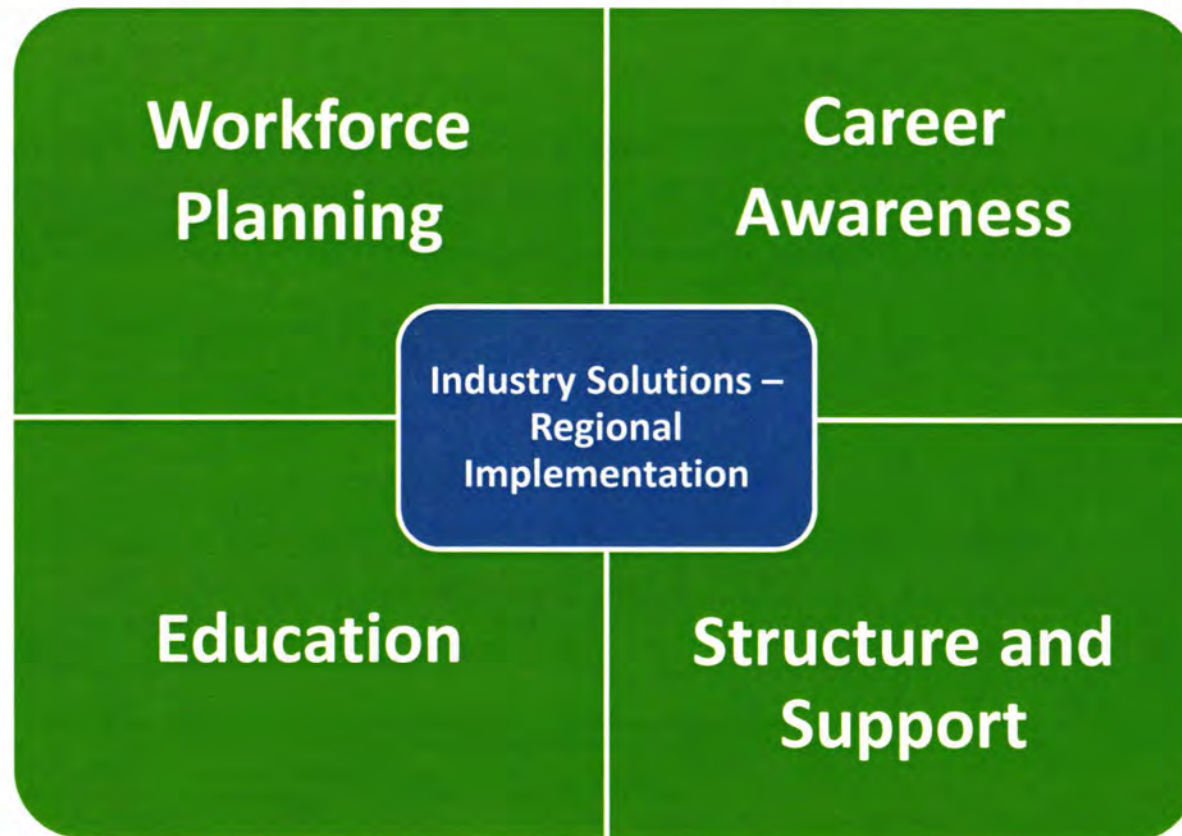


- The Florida Energy Workforce Consortium was formed in 2006 to develop solutions to meet the current and future workforce needs of Florida's energy industry.
- Our membership is comprised of energy industry companies, construction, K-12, and post-secondary education, and workforce representatives.

Center for Energy Workforce Development



Mission: Build the alliances, processes, and tools to develop tomorrow's energy workforce



Challenges we face



Within the Industry:

- Weather events that decimate our energy infrastructure
- An aging, retiring workforce
- Hiring adequately educated and qualified workers
- The cost of attracting, recruiting, and retaining workers
- Creating a diverse workforce

Within the communities we serve:

- Knowledge of the energy industry and the highly skilled, highly paid careers within the field.

Challenges in Florida 2015 Gaps in Energy Survey



Job Category	Projected Replacements 2014-2019	Projected Replacements 2020-2024
Lineworkers	1122	659
Plant/Field Operators	475	129
Technicians	1056	456
Engineer	391	253
Total Key Jobs	3044	1497

46 %



National Level:

	Potential Replacements 2015- 2019		Potential Replacements 2020 - 2024	
	%	Count	%	Count
Total Key Jobs	34%	74,000	11%	25,000

45%



Our Purpose



Our Main Goal: Partnership and Collaboration

- We work on all levels from the local, regional, state, and national levels to brand our industry careers and create talent pipeline programs
- We are focused on two key areas:
 - Career Awareness
 - Education

Our Focus



*Do we want to
compete for a
talent puddle
or
work together to
build a talent
pool?*



Energy Company Members



City of Tallahassee
Your Own UtilitiesSM



Gulf Power

**Reedy Creek
Electric Services**

**Florida
City Gas**



Okaloosa Gas District
...The Difference is Our Service!

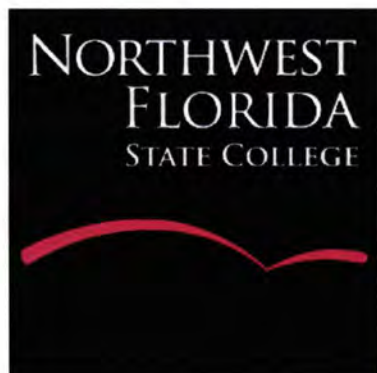
Industry Members



CareerSource
CITRUS | LEVY | MARION



Education Partners & Non Profit Members



THE
JOSEPH PROJECT 863



Lake Sumter
State College



PALM BEACH STATE
COLLEGE

UNIVERSITY *of*
WEST FLORIDA



Career Awareness



We are Florida's Power.

We empower this State. A critical part of what makes Florida shine bright, we are energized. We exist to keep Florida energized and growing.

Like a crusader, we fight to ensure our **quality of life.**

When faced with trouble or storms, we roll up our sleeves to deliver the best.

Although invisible to all we are absolutely essential to everything **and everyone.**

Our drive lies at the edge of innovation, **empowering the future.**

We are diverse.
We are dedicated.

We are
Always
there.



Careers in Energy Week



Careers in Energy Week is held nationally the 3rd week in October. In recent years, we've held a video contest for middle and high school students with a cash prize.

- **This year, to increase engagement with students, parents and educators, we held three open house events across the state.**
 - Each event had exhibitors from the energy industry, technical schools, colleges & universities and workforce development agencies
 - Events were held in Northwest Florida, Miami, and Orlando areas
 - Event activities included speakers, interaction with exhibitors, dinner and door prizes
- **The Results:**
 - Nearly 200 students, parents and educators in attendance
 - Greater collaboration with industry and education
 - Excitement is building for future events

Education



In 2009:

Through the partnership of FEWC and many on the Executive Committee, Florida earned the distinction of having the FIRST Energy Career Cluster in the nation. Many career academies and pipeline programs for energy are in place across Florida.

In 2015:

The Middle School Energy curriculum was finalized and adopted for use in Florida schools. FEWC was instrumental in this development and it is now being used nationwide.

Florida Energy Teachers Network (FETN)



- FEWC formed the Florida Energy Teachers' Network (FETN) in 2011 to bring together teachers from throughout Florida.
- Each summer since 2011, FEWC has held the FETN meeting with a variety of speakers, demonstrations, and tours to encourage, inspire and coach educators in ways to incorporate STEM, Energy resources and career awareness in their classroom.
- In July 2017, FEWC hosted the 6th annual FETN meeting on the Osceola campus of Valencia College in Orlando with over 50 attendees. Thanks to Duke Energy for hosting the group for a tour of the Disney Solar Array, definitely a highlight of the meeting!

Florida Skills USA: World of Energy



In 2009, FEWC began the partnership with SkillsUSA. We have been a major sponsor of the events since that year.

The 2018 SkillsUSA will be held April 30 – May 1 in Pensacola.



How Can You Help?



- **Share our story**
 - Share the opportunities available and the career paths available to all demographics of the workforce.
- **Encourage partnership and collaboration with other Florida energy companies, contractors, and educational entities**
- **Promote efforts to grow and diversify the career awareness and education projects**

Learn more about us



- **Attend a meeting**

- Our next conference call will be on December 1 at 10am EST
- Our next face to face meeting will be on January 31, 2018 at Miami Lakes Educational Center, Miami
 - *All information about the events will be on our website*

- **Online**

- www.fewc.org
- www.getintoenergyflorida.com

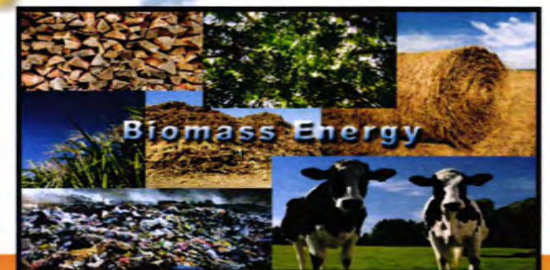


- **Email:** admin@fewc.org

Thank you



get into
energy
FLORIDA

A light blue silhouette of the state of Florida is positioned behind the text "get into energy FLORIDA".

Challenges and Opportunities in the Water Industry

*Lisa Wilson-Davis
City of Boca Raton
FSAWWA Utility Council Chair
November 15, 2017*



American Water Works
Association

FloridaSection

American Water Works Association (AWWA)

- An international nonprofit scientific and educational society dedicated to the improvement of water quality and supply
- Founded in 1881 and is the largest organization of water supply professionals in the world
- Membership includes 57,000 professionals and more than 4,700 utilities
- Members supply water to over 180 million people in North America



American Water Works
Association

FloridaSection

The Florida Section of the AWWA (FSAWWA)

- Founded in 1926, the FSAWWA is the premier water association in Florida
 - Over 2,700 members including over 130 utility members
 - Supply potable water to more than 80% of the state's population
- FSAWWA Utility Council (FSAWWAUC)
 - Resource for knowledge, information and advocacy to improve quality and supply of drinking water
 - Provides development of action plans to initiate, evaluate, and provide expert comments on legislative, regulatory and other policy members affecting membership



American Water Works
Association

FloridaSection

FSAWWAUC Member Challenges

- Workforce
- Technological Needs
- Aging Infrastructure
- Innovative and Regional Water Resource Development Opportunities

American Water Works Association

FLORIDA



A Vision for Sustainable
Water Infrastructure

www.florida2040.com

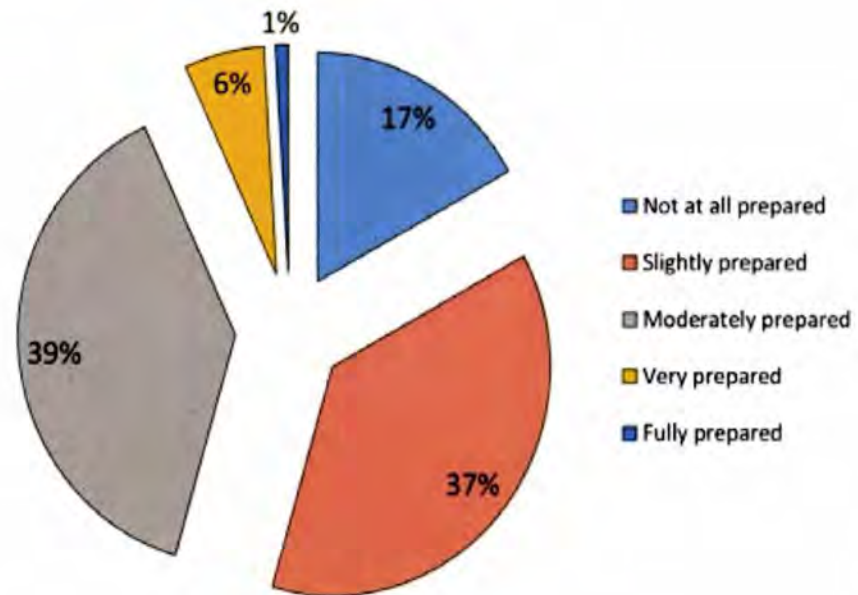


American Water Works
Association

FloridaSection

Aging Workforce

- Significant loss of institutional knowledge and skills due to retirement
- Difficulty in preparation for talent attraction and retention



Source: 2017 AWWA State of the Water Industry Report
<https://www.awwa.org/Portals/0/files/resources/water%20utility%20management/sotwi/AW2017SOTWI.pdf>

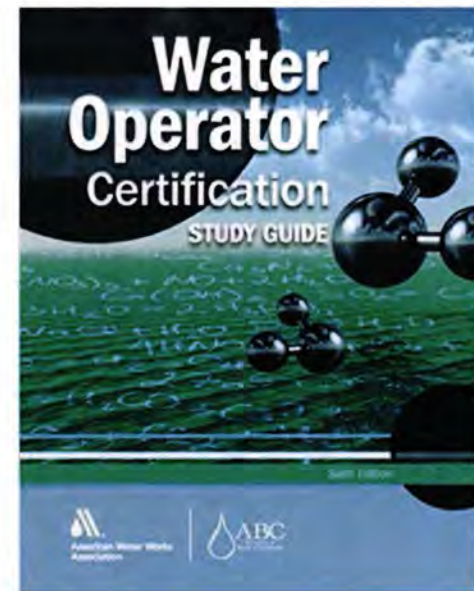


American Water Works
Association

FloridaSection

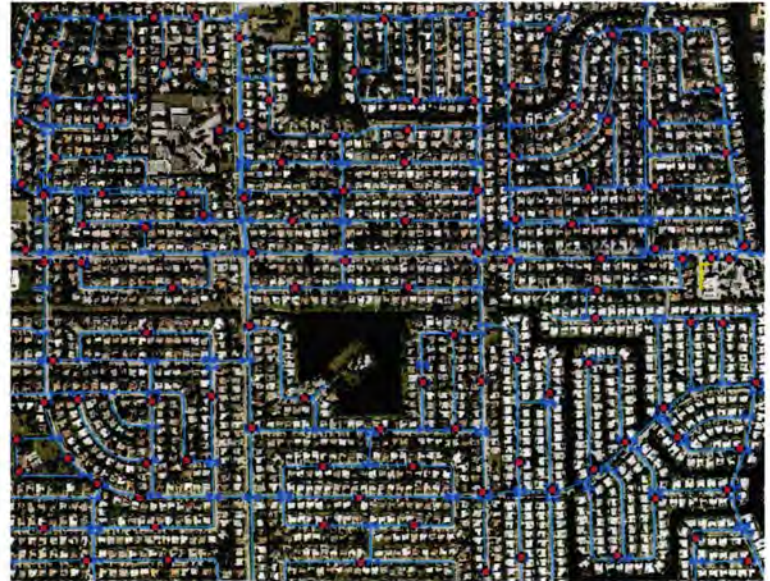
Workforce Training & Development

- Engineering Proficiency
 - Professional Engineer and Project Management
- Certification and Training Requirements
 - Federal, State, & Local
 - AWWA provides training and continuing education
- Internship to Career Paths
- HOW TO ENHANCE?
 - Partnerships (Universities, State Colleges, Technical Schools)
 - Outreach: tying interest to opportunity



Technological Needs

- Treatment technologies
 - Regulatory requirements
 - Source water related
- Asset Management and Big Data Analytics
 - Collection and analysis of systems and customers
 - Sophisticated data management
- GIS
 - Developing new systems
 - Gathering/transferring data
 - Field verification



American Water Works
Association

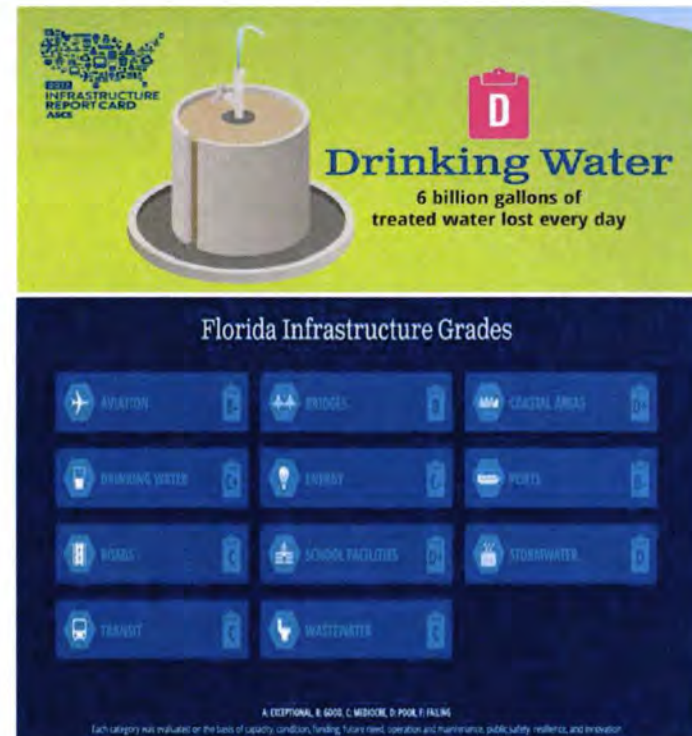
FloridaSection

Aging Infrastructure

- 2010 Water Use – 6.4 billion gpd
- 2030 Water Use – 7.7 billion gpd
- Required expenditures will exceed \$16.5 billion
- Funding sources
 - Federal
 - State
 - Ratepayers



2017
INFRASTRUCTURE
REPORT CARD



American Water Works
Association

FloridaSection

A Recognized National Challenge

- AWWA "Buried No Longer: Confronting America's Infrastructure Crisis" Report

<http://www.awwa.org/Portals/0/files/legreg/documents/BuriedNoLonger.pdf>

- National Association of Water Companies (NAWC) and U.S. Chamber of Commerce effort on water infrastructure, "Water is Your Business"

<http://waterisyourbusiness.org>

- American Society of Civil Engineers report on the future economic costs of failing to act on infrastructure needs

[http://www.asce.org/uploadedFiles/Infrastructure/Failure to Act/Failure to Act Report.pdf](http://www.asce.org/uploadedFiles/Infrastructure/Failure%20to%20Act/Failure%20to%20Act%20Report.pdf)

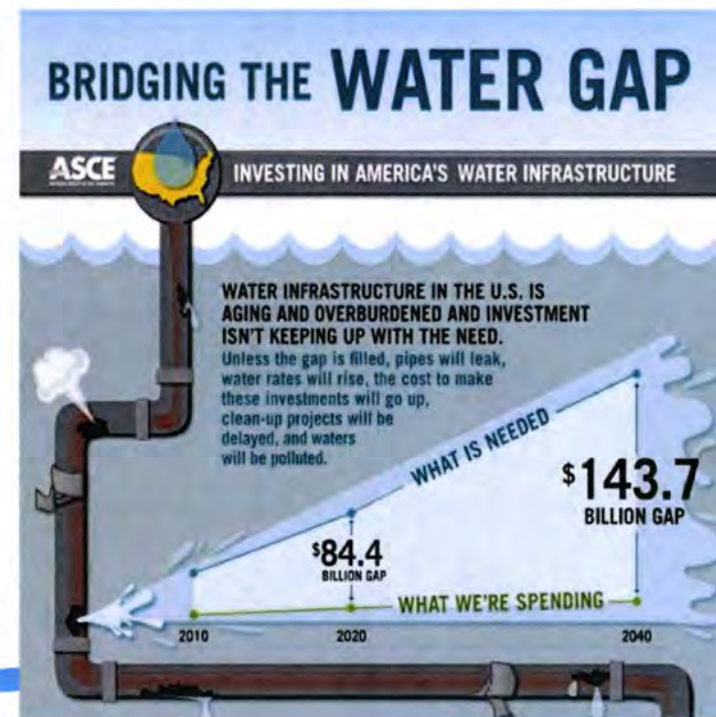
- Congressional Research Service - Water Infrastructure Needs and Investment: Review and Analysis of Key Issues

<http://www.fas.org/sgp/crs/homesec/RL31116.pdf>

- Drinking Water Infrastructure Needs Survey and Assessment | Drinking Water Infrastructure Needs Survey | US EPA

<http://water.epa.gov/infrastructure/drinkingwater/dwns/index.cfm>

Buried No Longer
American Water Works Association

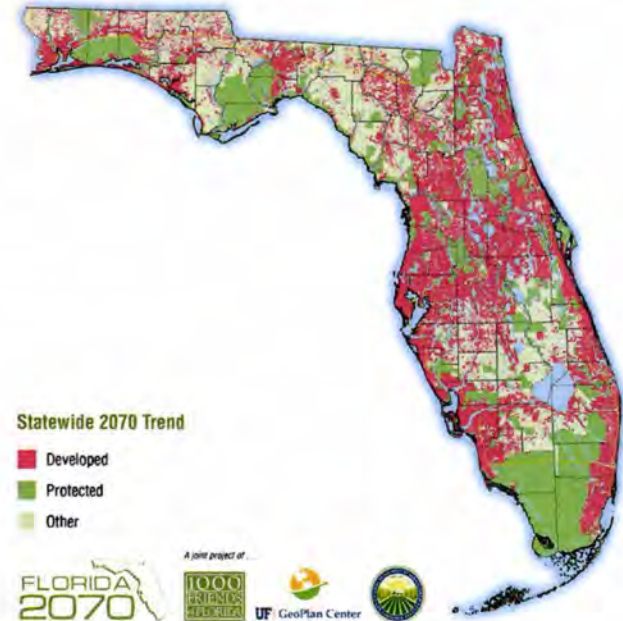


American Water Works
Association

FloridaSection

Water Demand (2070)

- 15 million additional residents projected
- Development-related water demand will increase by more than 100% compared to the 2010 Baseline
- Statewide agriculture irrigation demand in the 2070 Trend is 24% less due to the conversion of ag lands to development
- Given existing water shortages in some areas of the state the increases in total demand are clearly not sustainable



American Water Works
Association

FloridaSection

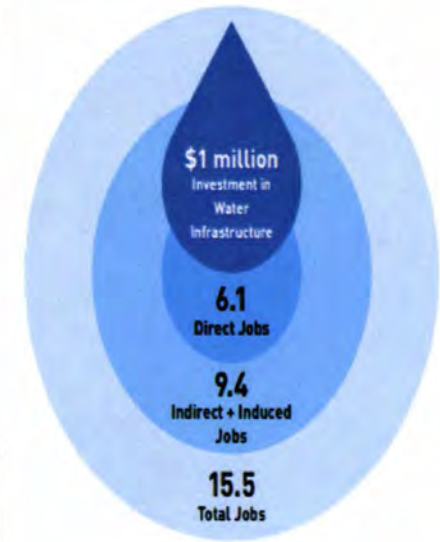
Investment in Water = Jobs


- 15 – 18 jobs created per \$1 million invested
 - Survey
 - Geotechnical
 - Engineering services
 - Architecture
 - Construction Services
 - Well Drilling/Maintenance

Ripple Effect of Water Investment

	Jobs per \$1 million
Direct Jobs	6.1
Indirect + Induced Jobs	9.4
Total Jobs	15.5

Impacts expressed in constant 2016 dollars. Source: IMPLAN 2015.



 The number of jobs supported annually by funding the water infrastructure gap is greater than the employed workforce in sixteen states.

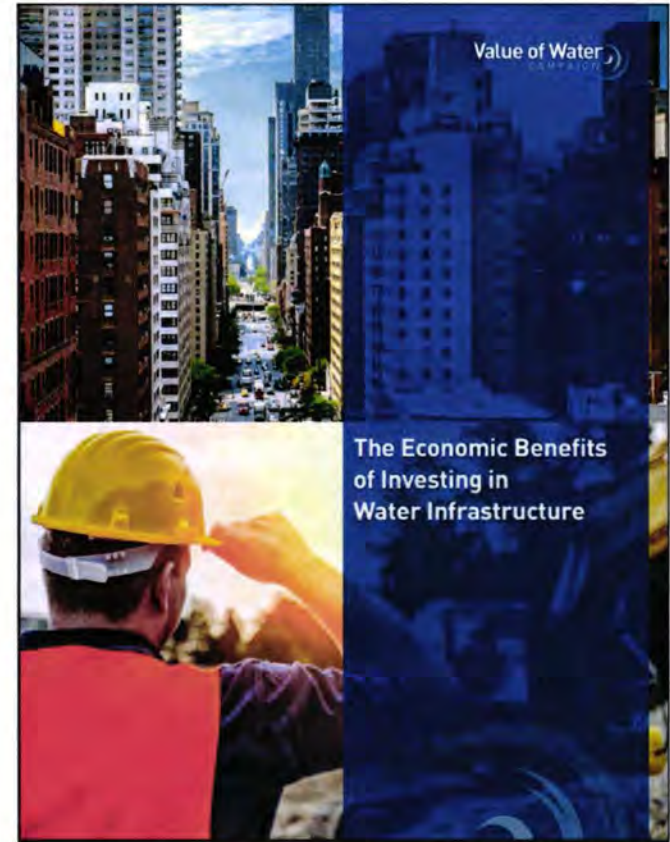
Economic Impact of Funding the Water Infrastructure Gap

	Aggregate Impact	Direct Impact	Indirect & Induced Impact
Annual Impact			
Employment	1.26 million jobs/year	500,000 jobs/year	760,000 jobs/year
Labor Income	\$75 billion/year	\$32 billion/year	\$43 billion/year
Output	\$222 billion/year	\$82 billion/year	\$140 billion/year
Cumulative Impact (10 Years)			
Labor Income	\$750 billion	\$320 billion	\$430 billion
Output	\$2,220 billion	\$820 billion	\$1,400 billion

Impacts expressed in constant 2016 dollars. Source: IMPLAN 2015.

Investment = Cost Avoidance

- Failure to plan and adequately invest at all levels results in increased costs in the future
- Economic Development depends on reliable and high quality water service delivery
 - Resilient infrastructure allows for better response during storm events – fewer service interruptions
- Increased demands and the cap on traditional sources requires innovative projects and regionalization
 - Alternative Water Supply



American Water Works
Association

FloridaSection

Opportunities

- Regional Partnerships
 - Central Florida Water Initiative
 - North Florida Regional Water Supply Partnership
 - Polk Regional Water Cooperative
- Innovative Technology
 - Asset Management Tools
 - Real time data collection, management and analysis
 - Potable Reuse (Right Time, Right Place, Right Manner)
- Educational and Training Excellence
- Funding Partnerships
 - 5 year water work plan utilizing regional water supply plans and utility input (state and local funding)



American Water Works
Association

FloridaSection