

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Natural Resources & Environmental Protection offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause

and insert:

Section 1. Section 259.03(6), Florida Statutes, is amended to read:

259.03 Definitions.--The following terms and phrases when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(6) "Water resource development project" means a project eligible for funding pursuant to s. 259.105 that increases the amount of water available to meet the needs of natural systems and the citizens of the state by enhancing or restoring aquifer recharge, facilitating the capture and storage of excess flows in surface waters, or promoting reuse. The implementation of eligible projects under s. 259.105 includes land acquisition, land and water body restoration,

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1 aquifer storage and recovery facilities, surface water
2 reservoirs, and other capital improvements. The term "water
3 resource development project" does not include capital
4 improvements or facilities for the construction, of
5 treatment, transmission, or distribution of potable water,
6 facilities however capital improvements and facilities which
7 store, transport or distribute reclaimed water or stormwater
8 for reuse may be eligible for funding.

9 Section 2. Subsection (4) of section 373.236, Florida
10 Statutes, is added to said section to read:

11 373.236 Duration of permits; compliance reports.--

12 (4) The department or the water management district
13 shall consider issuing longer duration permits to applicants
14 who implement and provide reasonable assurances of effective
15 and efficient conservation measures that exceed the average
16 for the industry or type of water use and there is sufficient
17 data to provide reasonable assurance that the conditions for
18 permit issuance will be met for the duration of the permit.
19 Permits issued for a 10-year duration or longer shall be
20 subject to the provisions of s. 373.236(3).

21 Section 3. Paragraph (g) of subsection (1) of section
22 378.212, Florida Statutes, is added to said section to read:

23 378.212 Variances.--

24 (1) Upon application, the secretary may grant a
25 variance from the provisions of this part or the rules adopted
26 pursuant thereto. Variances and renewals thereof may be
27 granted for any one of the following reasons:

28 (g) To accommodate reclamation that provides water
29 supply development or water resource development consistent
30 with the regional water supply plan approved pursuant to s.
31 373.0361 provided regional water resources are not adversely

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1 affected.

2 Section 4. Paragraph (b) of subsection (3) of section
3 403.1835, Florida Statutes, is amended to read:

4 403.1835 Water pollution control financial
5 assistance.--

6 (3) The department may provide financial assistance
7 through any program authorized under s. 603 of the Federal
8 Water Pollution Control Act (Clean Water Act), Pub. L. No.
9 92-500, as amended, including, but not limited to, making
10 grants and loans, providing loan guarantees, purchasing loan
11 insurance or other credit enhancements, and buying or
12 refinancing local debt. This financial assistance must be
13 administered in accordance with this section and applicable
14 federal authorities. The department shall administer all
15 programs operated from funds secured through the activities of
16 the Florida Water Pollution Control Financing Corporation
17 under s. 403.1837, to fulfill the purposes of this section.

18 (b) The department may make or request the corporation
19 to make loans, grants, and deposits to other entities eligible
20 to participate in the financial assistance programs authorized
21 under the Federal Water Pollution Control Act, or as a result
22 of other federal action, which entities may pledge any revenue
23 available to them to repay any funds borrowed. Notwithstanding
24 s. 18.10, the department may make deposits to financial
25 institutions that earn less than the prevailing rate for
26 United States Treasury securities with corresponding
27 maturities for the purpose enabling such financial
28 institutions to make below-market interest rate loans to
29 entities qualified to receive loans under this section and the
30 rules of the department.

31 Section 5. In order to aid in the development of a

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1 better understanding of the unique surface and groundwater
2 resources of this state, the water management districts shall
3 develop an information program designed to provide information
4 on existing hydrologic conditions of major surface and
5 groundwater sources in this state and suggestions for good
6 conservation practices within those areas. The program shall
7 be developed no later than December 31, 2002. Beginning
8 January 1, 2003, and on a regular basis no less than every 6
9 months thereafter, the information developed pursuant to this
10 section shall be distributed to every member of the Florida
11 Senate and the Florida House of Representatives and to local
12 print and broadcast news organizations. Each water management
13 district shall be responsible for the distribution of this
14 information within its established geographic area.

15 Section 6. The Legislature finds that within the area
16 identified in the Lower East Coast Regional Water Supply Plan
17 approved by the South Florida Water Management District
18 pursuant to s. 373.0361, the groundwater levels can benefit
19 from augmentation. The Legislature finds that the discharge
20 of reclaimed water into canals for transport and subsequent
21 reuse may provide an environmentally acceptable means to
22 augment water supplies and enhance natural systems; however,
23 the Legislature also recognizes that there are water quality
24 and water quantity issues that must be better understood and
25 resolved. In addition, there are cost-savings possible by
26 colocating enclosed conduits for conveyance of water for reuse
27 in this area within canal right-of-way that should be
28 investigated. Toward that end, the Department of
29 Environmental Protection, in consultation with the South
30 Florida Water Management District, Southeast Florida
31 utilities, affected local governments, representatives of the

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1 environmental and engineering communities, public health
2 professionals, and individuals having expertise in water
3 quality, shall conduct a study to investigate the feasibility
4 of discharging reclaimed wastewater to canals as an
5 environmentally acceptable means of augmenting ground water
6 supplies, enhancing natural systems, and conveying reuse water
7 within enclosed conduits within the canal right-of-way. The
8 study shall include an assessment of the water quality, water
9 supply, public health, technical, and legal implications
10 related to the canal discharge and colocation concepts. The
11 department shall issue a preliminary written report containing
12 draft findings and recommendations for public comment by
13 November 1, 2002. The department shall provide a written
14 report on the results of its study to the Governor and the
15 substantive committees of the House of Representatives and the
16 Senate by January 31, 2003. Nothing in this section shall be
17 used to alter the purpose of the Comprehensive Everglades
18 Restoration Plan or the implementation of the Water Resources
19 Development Act of 2000.

20 Section 7. Subsection (4) of section 373.0831, Florida
21 Statutes, is amended to read:

22 373.0831 Water resource development; water supply
23 development.--

24 (4)(a) Water supply development projects which are
25 consistent with the relevant regional water supply plans and
26 which meet at least one ~~or more~~ of the following criteria
27 shall receive priority consideration for state or water
28 management district funding assistance:

29 1. The project supports establishment of a dependable,
30 sustainable supply of water which is not otherwise financially
31 feasible;

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1 2. The project provides substantial environmental
2 benefits by preventing or limiting adverse water resource
3 impacts, but requires funding assistance to be economically
4 competitive with other options; or

5 3. The project significantly implements reuse,
6 storage, recharge, or conservation of water in a manner that
7 contributes to the efficient use and sustainability of
8 regional water supply sources.

9 (b) Water supply development projects which meet the
10 criteria in paragraph (a) and also bring about replacement of
11 existing sources in order to help implement a minimum flow or
12 level shall be given first consideration for state or water
13 management district funding assistance.

14 (c) If a proposed alternative water supply project is
15 identified in the relevant approved regional water supply
16 plan, the project shall be eligible for at least one of the
17 following:

18 1. A consumptive use permit with at least a ten year
19 duration, if it otherwise meets the requirements for permit
20 issuance under s. 373.223 and rules adopted thereunder;

21 2. Consideration for priority funding pursuant to s.
22 373.1961(2) with the implementation of the water resource
23 development component of the proposed project.

24 Section 8. Section 373.498, Florida Statutes, is
25 repealed.

26 Section 9. This act shall take effect upon becoming a
27 law.

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30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

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1 On page 1, line 3 through page 2, line 2
2 remove: all of said lines
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4 and insert:
5 259.03(b), F.S.; providing funding for
6 facilities that treat, store or transport
7 reclaimed water or stormwater for reuse;
8 amending s. 373.236, F.S.; encouraging water
9 conservation; amending s. 378.212, F.S.;
10 providing water resource enhancements as a
11 basis for a variance; amending s. 403.1835,
12 F.S.; providing for below-market interest rate
13 loans for water treatment; providing for public
14 education of water resources; providing for a
15 study of the conveyance of reclaimed water in
16 canals in Southeast Florida; amending s.
17 373.0831, F.S.; revising the criteria by which
18 water supply development projects may receive
19 priority consideration for funding assistance;
20 repealing s. 373.498, F.S.; relating to an
21 obsolete account; providing an effective date.
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