

Bill No. SB 2316

Amendment No. 1 Barcode 171384

	CHAMBER ACTION
<u>Senate</u>	<u>House</u>
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11	The Committee on Natural Resources recommended the following
12	amendment:
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14	<b>Senate Amendment (with title amendment)</b>
15	Delete everything after the enacting clause
16	
17	and insert:
18	Section 1. <u>(1) The Legislature recognizes that the</u>
19	<u>proper conservation of water is an important means of</u>
20	<u>achieving the economic and efficient utilization of water</u>
21	<u>necessary to constitute a reasonable-beneficial use. The</u>
22	<u>Legislature encourages the development and use of water</u>
23	<u>conservation measures that are effective, flexible, and</u>
24	<u>affordable. In the context of the use of water for public</u>
25	<u>supply provided by a water utility, the Legislature intends</u>
26	<u>for a variety of conservation measures to be available and</u>
27	<u>used to encourage efficient water use. The Legislature finds</u>
28	<u>that the social, economic, and cultural conditions of this</u>
29	<u>state relating to the use of public water supply vary by</u>
30	<u>geographic region, and thus water utilities and water</u>
31	<u>management districts must have the flexibility to tailor water</u>

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1 conservation measures to best suit individual circumstances.  
2 For purposes of this section, the term "public water supply  
3 utility" shall include both publicly-owned and privately-owned  
4 public water supply utilities.

5 (2) In furtherance of the findings in subsection (1),  
6 the Department of Environmental Protection shall develop a  
7 water conservation guidance manual containing a menu of water  
8 conservation measures from which public water supply utilities  
9 may select in the development of a comprehensive, goal-based  
10 water conservation program tailored for their individual  
11 service areas that is effective and does not impose undue  
12 costs or burdens on customers. The water conservation guidance  
13 manual shall promote statewide consistency in the approach to  
14 utility conservation, while maintaining appropriate  
15 flexibility. The manual may contain measures such as: water  
16 conservation audits; informative billing practices to educate  
17 customers on their patterns of water use, the costs of water,  
18 and ways to conserve water; ordinances requiring low-flow  
19 plumbing fixtures or efficient landscape irrigation; rebate  
20 programs for the installation of water-saving plumbing or  
21 appliances; general water conservation educational programs  
22 including bill inserts; measures to promote the more effective  
23 and efficient reuse of reclaimed water; water conservation or  
24 drought rate structures that encourage customers to conserve  
25 water through appropriate price signals; and programs to apply  
26 utility profits generated through conservation and drought  
27 rates to additional water conservation programs or water  
28 supply development. The department shall specifically set  
29 forth in the manual that it is the responsibility of the  
30 appropriate utility to determine the specific rates it will  
31 charge its customers and that the role of the department or

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1 water management district is confined to the review of those  
2 rate structures to determine whether they encourage water  
3 conservation. The department shall also set forth in the water  
4 conservation guidance manual that a utility need not adopt a  
5 water conservation or drought rate structure if the utility  
6 employs other measures that are equally effective or more  
7 effective. The manual shall provide for different levels of  
8 complexity and expected levels of effort in conservation  
9 programs depending on the size of the utility. However, all  
10 utilities will be expected to have at least basic programs in  
11 each of the following areas:

12 (a) Universal metering,

13 (b) Water accounting and loss control,

14 (c) Cost of service accounting and metered rates for  
15 water,

16 (d) Information programs on water conservation, and

17 (e) Landscaping water efficiency programs.

18 (3) The Department of Environmental Protection shall  
19 develop the water conservation guidance manual no later than  
20 June 15, 2004. The department shall develop the manual in  
21 consultation with interested parties, which, at a minimum  
22 shall include representatives from the water management  
23 districts, three utilities that are members of the American  
24 Water Works Association, two utilities that are members of the  
25 Florida Water Environment Association, a representative of the  
26 Florida Chamber of Commerce, representatives of counties and  
27 municipalities, and representatives of environmental  
28 organizations. The department shall, by December 15, 2004,  
29 adopt the water conservation guidance manual by rule. Once the  
30 department adopts the water conservation guidance manual by  
31 rule, the water management districts may apply the manual in

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1 the review of water conservation requirements for obtaining a  
 2 permit pursuant to part II, ch. 373, Florida Statutes, without  
 3 the need to adopt the manual pursuant to s. 120.54. Once the  
 4 water conservation guidance manual is adopted by rule, a  
 5 public water supply utility may choose to comply with the  
 6 standard water conservation requirements for obtaining a  
 7 consumptive use permit from a water management district or may  
 8 choose to develop a goal-based, comprehensive water  
 9 conservation program from the options contained in the manual.  
 10 If the utility chooses to design a comprehensive water  
 11 conservation program based on the water conservation guidance  
 12 manual, the proposed program must include the following:

- 13 (a) An inventory of water system characteristics and  
 14 conservation opportunities,
- 15 (b) Demand forecasts,
- 16 (c) An explanation of the proposed program,
- 17 (d) Specific numeric water conservation targets for  
 18 the utility as a whole and for appropriate customer classes,  
 19 with a justification of why the numeric targets are  
 20 appropriate based on that utility's particular customer  
 21 characteristics and conservation opportunities,
- 22 (e) A demonstration of projected water conservation  
 23 effectiveness at least equal to applying the standard water  
 24 use conservation permitting requirements, and
- 25 (f) A timetable for the utility and the water  
 26 management district to evaluate progress in meeting the water  
 27 conservation targets and making needed program modifications.

28 (4) If the water management district determines that  
 29 the proposed conservation program is consistent with the  
 30 guidance manual and contains the elements above, they shall  
 31 approve the proposed program and it shall satisfy water

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1 conservation requirements imposed as a condition to obtaining  
2 a permit under part II of ch. 373, Florida Statutes. The  
3 department, in consultation with the aforementioned entities,  
4 may periodically amend the water conservation guidance manual  
5 rule as appropriate to reflect changed circumstances or new  
6 technologies or approaches. The findings and provisions in  
7 this section shall not be construed to apply to users of water  
8 other than public water supply utilities.

9           Section 2. Paragraphs (h) and (i) are added to  
10 subsection (2) of section 373.0361, Florida Statutes,, and  
11 subsection (6) of that section is amended to read:

12           373.0361 Regional water supply planning.--

13           (2) Each regional water supply plan shall be based on  
14 at least a 20-year planning period and shall include, but not  
15 be limited to:

16           (a) A water supply development component that  
17 includes:

18           1. A quantification of the water supply needs for all  
19 existing and reasonably projected future uses within the  
20 planning horizon. The level-of-certainty planning goal  
21 associated with identifying the water supply needs of existing  
22 and future reasonable-beneficial uses shall be based upon  
23 meeting those needs for a 1-in-10-year drought event.

24           2. A list of water source options for water supply  
25 development, including traditional and alternative sources,  
26 from which local government, government-owned and privately  
27 owned utilities, self-suppliers, and others may choose, which  
28 will exceed the needs identified in subparagraph 1.

29           3. For each option listed in subparagraph 2., the  
30 estimated amount of water available for use and the estimated  
31 costs of and potential sources of funding for water supply

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1 development.

2 4. A list of water supply development projects that  
3 meet the criteria in s. 373.0831(4).

4 (b) A water resource development component that  
5 includes:

6 1. A listing of those water resource development  
7 projects that support water supply development.

8 2. For each water resource development project listed:

9 a. An estimate of the amount of water to become  
10 available through the project.

11 b. The timetable for implementing or constructing the  
12 project and the estimated costs for implementing, operating,  
13 and maintaining the project.

14 c. Sources of funding and funding needs.

15 d. Who will implement the project and how it will be  
16 implemented.

17 (c) The recovery and prevention strategy described in  
18 s. 373.0421(2).

19 (d) A funding strategy for water resource development  
20 projects, which shall be reasonable and sufficient to pay the  
21 cost of constructing or implementing all of the listed  
22 projects.

23 (e) Consideration of how the options addressed in  
24 paragraphs (a) and (b) serve the public interest or save costs  
25 overall by preventing the loss of natural resources or  
26 avoiding greater future expenditures for water resource  
27 development or water supply development. However, unless  
28 adopted by rule, these considerations do not constitute final  
29 agency action.

30 (f) The technical data and information applicable to  
31 the planning region which are contained in the district water

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1 management plan and are necessary to support the regional  
 2 water supply plan.

3 (g) The minimum flows and levels established for water  
 4 resources within the planning region.

5 (h) Reservations of water adopted by rule pursuant to  
 6 s. 373.223(4).

7 (i) An analysis, developed in cooperation with the  
 8 department, of areas or instances in which the variance  
 9 provisions of s. 378.212(1)(g) may be used to create water  
 10 supply development or water resource development projects.

11 (6) Nothing contained in the water supply development  
 12 component of the district water management plan shall be  
 13 construed to require local governments, government-owned or  
 14 privately owned water utilities, self-suppliers, or other  
 15 water suppliers to select a water supply development option  
 16 identified in the component merely because it is identified in  
 17 the plan, nor may the plan be used in the review of permits  
 18 under part II unless the plan, or applicable portion thereof,  
 19 has been adopted by rule. However, this subsection does not  
 20 prohibit a water management district from employing the data  
 21 or other information used to establish the plan in reviewing  
 22 permits under part II nor shall it ~~not~~ be construed to limit  
 23 the authority of the department or governing board under part  
 24 II.

25 Section 3. Subsection (3) of section 373.0831, Florida  
 26 Statutes, is amended and paragraph (c) is added to subsection  
 27 (4) of that section to read:

28 373.0831 Water resource development; water supply  
 29 development.--

30 (3) The water management districts shall fund and  
 31 implement water resource development as defined in s. 373.019.

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1 The water management districts are encouraged to implement  
2 water resource development as expeditiously as possible in  
3 areas subject to regional water supply plans. Each governing  
4 board shall include in its annual budget the amount needed for  
5 the fiscal year to implement water resource development  
6 projects, as prioritized in its regional water supply plans.

7 (4)(a) Water supply development projects which are  
8 consistent with the relevant regional water supply plans and  
9 which meet one or more of the following criteria shall receive  
10 priority consideration for state or water management district  
11 funding assistance:

12 1. The project supports establishment of a dependable,  
13 sustainable supply of water which is not otherwise financially  
14 feasible;

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

19 3. The project significantly implements reuse,  
20 storage, recharge, or conservation of water in a manner that  
21 contributes to the sustainability of regional water sources.

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

27 (c) If a proposed alternative water supply development  
28 project is identified in the relevant approved regional water  
29 supply plan, the project shall receive:

30 1. A 20-year consumptive use permit, if it otherwise  
31 meets the permit requirements under ss. 373.223 and 373.236



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1 and rules adopted thereunder.

2 2. Priority funding pursuant to s. 373.1961(2) with  
3 the implementation of the water resource development component  
4 of the proposed project.

5 Section 4. Paragraph (a) of subsection (2) of section  
6 373.1961, Florida Statutes, is amended to read:

7 373.1961 Water production.--

8 (2) The Legislature finds that, due to a combination  
9 of factors, vastly increased demands have been placed on  
10 natural supplies of fresh water, and that, absent increased  
11 development of alternative water supplies, such demands may  
12 increase in the future. The Legislature also finds that  
13 potential exists in the state for the production of  
14 significant quantities of alternative water supplies,  
15 including reclaimed water, and that water production includes  
16 the development of alternative water supplies, including  
17 reclaimed water, for appropriate uses. It is the intent of  
18 the Legislature that utilities develop reclaimed water  
19 systems, where reclaimed water is the most appropriate  
20 alternative water supply option, to deliver reclaimed water to  
21 as many users as possible through the most cost-effective  
22 means, and to construct reclaimed water system infrastructure  
23 to their owned or operated properties and facilities where  
24 they have reclamation capability. It is also the intent of the  
25 Legislature that the water management districts which levy ad  
26 valorem taxes for water management purposes should share a  
27 percentage of those tax revenues with water providers and  
28 users, including local governments, water, wastewater, and  
29 reuse utilities, municipal, industrial, and agricultural water  
30 users, and other public and private water users, to be used to  
31 supplement other funding sources in the development of

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1 alternative water supplies. The Legislature finds that public  
2 moneys or services provided to private entities for such uses  
3 constitute public purposes which are in the public interest.  
4 In order to further the development and use of alternative  
5 water supply systems, including reclaimed water systems, the  
6 Legislature provides the following:

7       (a) The governing boards of the water management  
8 districts where water resource caution areas have been  
9 designated shall include in their annual budgets an amount for  
10 the development of alternative water supply systems, including  
11 reclaimed water systems, pursuant to the requirements of this  
12 subsection. Beginning in 1996, such amounts shall be made  
13 available to water providers and users no later than December  
14 31 of each year, through grants, matching grants, revolving  
15 loans, or the use of district lands or facilities pursuant to  
16 the requirements of this subsection and guidelines established  
17 by the districts. Without diminishing amounts available  
18 through other means described in this paragraph, the governing  
19 boards are encouraged to consider establishing revolving loan  
20 funds to expand the total funds available to accomplish the  
21 objectives of this section. A revolving loan fund created  
22 pursuant to this paragraph shall be a nonlapsing fund from  
23 which the water management district may make loans with  
24 interest rates below prevailing market rates to public or  
25 private entities for the purposes described in this section.  
26 The governing board may adopt resolutions to establish  
27 revolving loan funds which shall specify the details of the  
28 administration of the fund, the procedures for applying for  
29 loans from the fund, the criteria for awarding loans from the  
30 fund, the initial capitalization of the fund, and the goals  
31 for future capitalization of the fund in subsequent budget

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1 years. Revolving loan funds created pursuant to this paragraph  
 2 shall be used to expand the total sums and sources of  
 3 cooperative funding available for the development of  
 4 alternative water supplies. The Legislature does not intend  
 5 for the creation of revolving loan trust funds to supplant or  
 6 otherwise reduce existing sources or amounts of funds  
 7 currently available through other means.

8 Section 5. Paragraph (c) is added to subsection (2) of  
 9 section 373.250, Florida Statutes, to read:

10 373.250 Reuse of reclaimed water.--

11 (2)(a) For purposes of this section, "uncommitted"  
 12 means the average amount of reclaimed water produced during  
 13 the three lowest-flow months minus the amount of reclaimed  
 14 water that a reclaimed water provider is contractually  
 15 obligated to provide to a customer or user.

16 (b) Reclaimed water may be presumed available to a  
 17 consumptive use permit applicant when a utility exists which  
 18 provides reclaimed water, which has uncommitted reclaimed  
 19 water capacity, and which has distribution facilities, which  
 20 are initially provided by the utility at its cost, to the site  
 21 of the affected applicant's proposed use.

22 (c) A water management district may require the use of  
 23 reclaimed water in lieu of surface or groundwater when the use  
 24 of uncommitted reclaimed water is environmentally,  
 25 economically, and technically feasible. However, nothing in  
 26 this paragraph shall be construed to give a water management  
 27 district the authority to require a provider of reclaimed  
 28 water to redirect reclaimed water from one user to another, or  
 29 to provide uncommitted water to a specific user if such water  
 30 is anticipated to be used by the provider, or a different user  
 31 selected by the provider, within a reasonable amount of time.

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1 Section 6. Subsection (6) of section 373.536, Florida  
2 Statutes, is amended to read:

3 373.536 District budget and hearing thereon.--

4 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS  
5 PLAN; WATER RESOURCE DEVELOPMENT WORK PROGRAM.--

6 (a) Each district must, by the date specified for each  
7 item, furnish copies of the following documents to the  
8 Governor, the President of the Senate, the Speaker of the  
9 House of Representatives, the chairs of all legislative  
10 committees and subcommittees having substantive or fiscal  
11 jurisdiction over the districts, as determined by the  
12 President of the Senate or the Speaker of the House of  
13 Representatives as applicable, the secretary of the  
14 department, and the governing board of each county in which  
15 the district has jurisdiction or derives any funds for the  
16 operations of the district:

17 1. The adopted budget, to be furnished within 10 days  
18 after its adoption.

19 2. A financial audit of its accounts and records, to  
20 be furnished within 10 days after its acceptance by the  
21 governing board. The audit must be conducted in accordance  
22 with the provisions of s. 11.45 and the rules adopted  
23 thereunder. In addition to the entities named above, the  
24 district must provide a copy of the audit to the Auditor  
25 General within 10 days after its acceptance by the governing  
26 board.

27 3. A 5-year capital improvements plan, to be furnished  
28 within 45 days after the adoption of the final budget. The  
29 plan must include expected sources of revenue for planned  
30 improvements and must be prepared in a manner comparable to  
31 the fixed capital outlay format set forth in s. 216.043.

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1           4. A 5-year water resource development work program to  
2 be furnished within 45 days after the adoption of the final  
3 budget. The program must describe the district's  
4 implementation strategy for the water resource development  
5 component of each approved regional water supply plan  
6 developed or revised under s. 373.0361. The work program must  
7 address all the elements of the water resource development  
8 component in the district's approved regional water supply  
9 plans, and must identify which projects in the work program  
10 will provide water, explain how each water resource  
11 development project will produce additional water available  
12 for consumptive uses, estimate the quantity of water to be  
13 produced by each project, and provide an assessment of the  
14 contribution of the district's regional water supply plans in  
15 providing sufficient water to meet the water supply needs of  
16 existing and future reasonable-beneficial uses for a one in  
17 ten year drought event. Within 45 days after its submittal,  
18 the department shall review the proposed work program and  
19 submit its findings, questions, and comments to the district.  
20 The review must include a written evaluation of the program's  
21 consistency with the furtherance of the district's approved  
22 regional water supply plans, and the adequacy of proposed  
23 expenditures. As part of the review, the department shall give  
24 interested parties the opportunity to provide written comments  
25 on each district's proposed work program. Within 60 days after  
26 receipt of the department's evaluation, the governing board  
27 shall state in writing to the department which changes  
28 recommended in the evaluation it will incorporate into its  
29 work program or specify the reasons for not incorporating the  
30 changes. The department shall include the district's responses  
31 in a final evaluation report and shall submit a copy of the

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1 report to the Governor, the President of the Senate, and the  
2 Speaker of the House of Representatives.

3 (b) If any entity listed in paragraph (a) provides  
4 written comments to the district regarding any document  
5 furnished under this subsection, the district must respond to  
6 the comments in writing and furnish copies of the comments and  
7 written responses to the other entities.

8 Section 7. Subsection (1) of section 378.212, Florida  
9 Statutes, is amended to read:

10 378.212 Variances.--

11 (1) Upon application, the secretary may grant a  
12 variance from the provisions of this part, part IV, and  
13 chapter 373, or the rules adopted pursuant thereto. Variances  
14 and renewals thereof may be granted for any one of the  
15 following reasons:

16 (a) There is no practicable means known or available  
17 to comply with the provisions of this part or the rules  
18 adopted pursuant thereto.

19 (b) Compliance with a particular requirement or  
20 requirements from which a variance is sought will necessitate  
21 the taking of measures which must be spread over a  
22 considerable period of time. A variance granted for this  
23 reason shall prescribe a timetable for the taking of the  
24 measures required.

25 (c) To relieve or prevent hardship, including economic  
26 hardship, of a kind other than those provided for in  
27 paragraphs (a) and (b).

28 (d) To accommodate specific phosphate mining,  
29 processing or chemical plant uses that otherwise would be  
30 inconsistent with the requirements of this part.

31 (e) To provide for an experimental technique that

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1 would advance the knowledge of reclamation and restoration  
2 methods.

3 (f) To accommodate projects, including those proposing  
4 offsite mitigation, that provide a significant regional  
5 benefit for wildlife and the environment.

6 (g) To accommodate reclamation that provides water  
7 supply development or water resource development consistent  
8 with the applicable regional water supply plan approved  
9 pursuant to s. 373.0361, provided that regional water  
10 resources are not adversely affected.

11 Section 8. Subsection (9) is added to section 378.404,  
12 Florida Statutes, to read:

13 378.404 Department of Environmental Protection; powers  
14 and duties.--The department shall have the following powers  
15 and duties:

16 (9) To grant variances from the provisions of this  
17 part to accommodate reclamation that provides for water supply  
18 development or water resource development, consistent with the  
19 applicable regional water supply plan approved pursuant to s.  
20 373.0361, appropriate stormwater management, wildlife habitat,  
21 or recreation, provided regional water resources are not  
22 adversely affected.

23 Section 9. Subsections (1) and (6) of section 403.064,  
24 Florida Statutes, are amended to read:

25 403.064 Reuse of reclaimed water.--

26 (1) The encouragement and promotion of water  
27 conservation, and reuse of reclaimed water, as defined by the  
28 department, are state objectives and are considered to be in  
29 the public interest. The Legislature finds that the reuse of  
30 reclaimed water is a critical component of meeting the state's  
31 existing and future water supply needs while sustaining

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1 natural systems. The Legislature further finds that for those  
2 wastewater treatment plants permitted and operated under an  
3 approved reuse program by the department, the reclaimed water  
4 shall be considered environmentally acceptable and not a  
5 threat to public health and safety. The Legislature encourages  
6 the development of incentive-based programs for reuse  
7 implementation.

8 (6) A reuse feasibility study prepared under  
9 subsection (2) satisfies a water management district  
10 requirement to conduct a reuse feasibility study imposed on a  
11 local government or utility that has responsibility for  
12 wastewater management, and the conclusions of the study shall  
13 determine the feasibility of providing reclaimed water for  
14 reuse under part II of chapter 373.

15 Section 10. Paragraph (b) of subsection (3) of section  
16 403.1835, Florida Statutes, is amended to read:

17 403.1835 Water pollution control financial  
18 assistance.--

19 (3) The department may provide financial assistance  
20 through any program authorized under s. 603 of the Federal  
21 Water Pollution Control Act (Clean Water Act), Pub. L. No.  
22 92-500, as amended, including, but not limited to, making  
23 grants and loans, providing loan guarantees, purchasing loan  
24 insurance or other credit enhancements, and buying or  
25 refinancing local debt. This financial assistance must be  
26 administered in accordance with this section and applicable  
27 federal authorities. The department shall administer all  
28 programs operated from funds secured through the activities of  
29 the Florida Water Pollution Control Financing Corporation  
30 under s. 403.1837, to fulfill the purposes of this section.

31 (b) The department may make or request the corporation



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1 to make loans, grants, and deposits to other entities eligible  
2 to participate in the financial assistance programs authorized  
3 under the Federal Water Pollution Control Act, or as a result  
4 of other federal action, which entities may pledge any revenue  
5 available to them to repay any funds borrowed. Notwithstanding  
6 s. 18.10, the department may make deposits to financial  
7 institutions that earn less than the prevailing rate for  
8 United States Treasury securities with corresponding  
9 maturities for the purpose of enabling such financial  
10 institutions to make below-market interest rate loans to  
11 entities qualified to receive loans under this section and the  
12 rules of the department.

13 Section 11. Subsection (6) of section 403.1837,  
14 Florida Statutes, is amended to read:

15 403.1837 Florida Water Pollution Control Financing  
16 Corporation.--

17 (6) The corporation may issue and incur notes, bonds,  
18 certificates of indebtedness, or other obligations or  
19 evidences of indebtedness payable from and secured by amounts  
20 received from payment of loans and other moneys received by  
21 the corporation, including, but not limited to, amounts  
22 payable to the corporation by the department under a service  
23 contract entered into under subsection (5). ~~The corporation~~  
24 ~~may not issue bonds in excess of an amount authorized by~~  
25 ~~general law or an appropriations act except to refund~~  
26 ~~previously issued bonds. The corporation may issue bonds in~~  
27 ~~amounts not exceeding \$50 million in fiscal year 2000-2001,~~  
28 ~~\$75 million in fiscal year 2001-2002, and \$100 million in~~  
29 ~~fiscal year 2002-2003.~~ The proceeds of the bonds may be used  
30 for the purpose of providing funds for projects and activities  
31 provided for in subsection (1) or for refunding bonds

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1 previously issued by the corporation. The corporation may  
2 select a financing team and issue obligations through  
3 competitive bidding or negotiated contracts, whichever is most  
4 cost-effective. Any such indebtedness of the corporation does  
5 not constitute a debt or obligation of the state or a pledge  
6 of the faith and credit or taxing power of the state.

7       Section 12. The Legislature finds that, within the  
8 area identified in the Lower East Coast Regional Water Supply  
9 Plan approved by the South Florida Water Management District  
10 pursuant to s. 373.0361, Florida Statutes, the groundwater  
11 levels can benefit from augmentation. The Legislature finds  
12 that the direct or indirect discharge of reclaimed water into  
13 canals and the aquifer system for transport and subsequent  
14 reuse may provide an environmentally acceptable means to  
15 augment water supplies and enhance natural systems; however,  
16 the Legislature also recognizes that there are water quality  
17 and water quantity issues that must be better understood and  
18 resolved. In addition, there are cost savings possible by  
19 collocating enclosed conduits for conveyance of water for  
20 reuse in this area within canal rights-of-way that should be  
21 investigated. Toward that end, the Department of Environmental  
22 Protection, in consultation with the South Florida Water  
23 Management District, Southeast Florida utilities, affected  
24 local governments, including local governments with principal  
25 responsibility for the operation and maintenance of a water  
26 control system capable of conveying reclaimed wastewater for  
27 reuse, representatives of the environmental and engineering  
28 communities, public health professionals, and individuals  
29 having expertise in water quality, shall conduct a study to  
30 investigate the feasibility of discharging reclaimed  
31 wastewater into canals and the aquifer system as an

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1 environmentally acceptable means of augmenting groundwater  
2 supplies, enhancing natural systems, and conveying reuse water  
3 within enclosed conduits within the canal right-of-way. The  
4 study shall include an assessment of the water quality, water  
5 supply, public health, technical and legal implications  
6 related to the canal discharge and collocation concepts. The  
7 department shall issue a preliminary written report containing  
8 draft findings and recommendations for public comment by  
9 November 1, 2003. The department shall provide a written  
10 report on the results of its study to the Governor and  
11 substantive committees of the House of Representatives and the  
12 Senate by January 31, 2004. Nothing in this section shall be  
13 used to alter the purpose of the Comprehensive Everglades  
14 Restoration Plan or the implementation of the Water Resources  
15 Development Act of 2000.

16 Section 13. This act shall take effect upon becoming a  
17 law.

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

21 And the title is amended as follows:

22 Delete everything before the enacting clause

23

24 and insert:

25 A bill to be entitled  
26 An act relating to water supplies; providing  
27 legislative findings and intent; providing for  
28 the development of a water conservation  
29 guidance manual by the Department of  
30 Environmental Protection; providing for  
31 purposes and contents of the manual and

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1 requirements with respect thereto; requiring  
2 the Department of Environmental Protection to  
3 adopt the manual by rule by a specified date;  
4 requiring public water supply utilities to  
5 develop water conservation programs based upon  
6 options contained in the manual; amending s.  
7 373.0361, F.S.; providing additional components  
8 of regional water supply plans; providing that  
9 a district water management plan may not be  
10 used as criteria for the review of permits for  
11 consumptive uses of water unless the plan or  
12 applicable portion thereof has been adopted by  
13 rule; amending s. 373.0831, F.S.; revising the  
14 criteria by which water supply development  
15 projects may receive priority consideration for  
16 funding assistance; providing for permitting  
17 and funding of a proposed alternative water  
18 supply project identified in the relevant  
19 approved regional water supply plan; amending  
20 s. 373.1961, F.S.; encouraging water management  
21 district governing boards to establish  
22 revolving loan trust funds for specified  
23 purposes; amending s. 373.250, F.S.; limiting  
24 water management districts' authority over  
25 reclaimed water; amending 373.536, F.S.;  
26 expanding water management districts budget  
27 reporting requirements; amending s. 378.212,  
28 F.S.; authorizing the granting of a variance  
29 from parts III and IV of ch. 378, F.S., the  
30 Resource Extraction Reclamation Act, and from  
31 part IV of ch. 373, F.S., the Florida Water

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1 Resources Act of 1972, under specified  
2 circumstances; providing an additional  
3 circumstance for which a variance may be  
4 granted; amending s. 378.404, F.S.; authorizing  
5 the Department of Environmental Protection to  
6 grant variances from mining reclamation  
7 activities under certain conditions; amending  
8 s. 403.064, F.S.; providing that conclusions of  
9 described reuse feasibility studies shall  
10 govern specified permitting decisions and the  
11 feasibility of providing reclaimed water for  
12 reuse purposes; amending s. 403.1835, F.S.;  
13 authorizing the Department of Environmental  
14 Protection to make specified deposits for the  
15 purpose of enabling below-market interest rate  
16 loans for treatment of polluted water; amending  
17 s. 403.1837, F.S., repealing provisions  
18 limiting the bonding authority of the Florida  
19 Water Pollution Control Financing Corporation;  
20 repealing obsolete provisions; providing for a  
21 study of the feasibility of discharging  
22 reclaimed wastewater into canals in a specified  
23 area as an environmentally acceptable means of  
24 accomplishing described objectives; requiring  
25 reports; providing an effective date.

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