

By Senator Altman

24-01193A-09

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1 A bill to be entitled
2 An act relating to water supply development projects;
3 amending s. 373.236, F.S.; providing legislative
4 findings; authorizing the Department of Environmental
5 Protection and the governing boards of water
6 management districts to grant permits as incentives
7 for landowners to pursue alternative water supply
8 projects; providing requirements for such permits;
9 providing an effective date.

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

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13 Section 1. Subsection (6) is added to section 373.236,
14 Florida Statutes, to read:

15 373.236 Duration of permits; compliance reports.—

16 (6) (a) The Legislature finds that the need for alternative
17 water supply development projects to meet the anticipated public
18 water supply demands of the state is so important that it is
19 essential to encourage participation in and contribution to such
20 projects by private rural landowners who characteristically have
21 relatively modest near-term water demands but substantially
22 increasing demands after the 20-year horizon in s. 373.0361. If
23 landowners make extraordinary contributions of lands or
24 construction funding to enable the expeditious implementation
25 for such projects, the governing boards of water management
26 districts and the department may grant permits for such projects
27 for a period of up to 50 years to municipalities, counties,
28 special districts, regional water supply authorities,
29 multijurisdictional water supply entities, and publicly owned or

24-01193A-09

20091904__

30 privately owned utilities that have entered into an agreement
31 with the private landowner for the purpose of more efficiently
32 pursuing alternative public water supply development projects
33 that are identified in a district's regional water supply plan
34 and that meet the water demands of both the applicant and the
35 landowner. This paragraph does not apply to any foregoing entity
36 created for or by a private landowner after April 1, 2008.

37 (b) A permit issued pursuant to paragraph (a) shall be
38 granted only during the period of time for which there is
39 sufficient data to provide reasonable assurance that the
40 conditions of issuance will be met. Such permit shall require a
41 compliance report by the permittee every 5 years during the term
42 of the permit. The report shall contain sufficient data to
43 maintain reasonable assurance that the conditions for permit
44 issuance applicable at the time of district review of the
45 compliance report are met. Following review of this report, the
46 water management district or the department may modify the
47 permit to ensure that the use meets the conditions for issuance.
48 This subsection does not limit the existing authority of the
49 department or the governing board to modify or revoke a
50 consumptive use permit.

51 Section 2. This act shall take effect July 1, 2009.