



445890

601-00067A-09A

Proposed Committee Substitute by the Committee on General
Government Appropriations

A bill to be entitled

An act relating to water resources development;
amending s. 403.890, F.S.; revising the distribution
of funds from the Water Protection and Sustainability
Program Trust Fund; providing for future expiration of
such provisions; providing for the reallocation of
funds to conform to changes made by the act; providing
an effective date.

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

Section 1. Subsection (3) of section 403.890, Florida
Statutes, is amended, and subsection (6) is added to that
section, to read:

403.890 Water Protection and Sustainability Program;
intent; goals; purposes.—

~~(3) In addition to the uses allowed in subsection (1) For~~
the 2008-2009 fiscal year only, moneys in the Water Protection
and Sustainability Program Trust Fund shall be transferred to
the Ecosystem Management and Restoration Trust Fund for grants
and aids to local governments for water projects as provided in
the General Appropriations Act. This subsection expires July 1,
2009.

(6) For the 2008-2009 fiscal year only, in lieu of the
distributions authorized in subsection (2) for revenues
transferred from the Department of Revenue pursuant to s.
201.15(1)(c)2., and after the distribution authorized in



445890

601-00067A-09A

28 subsection (3), remaining funds shall be distributed as follows:

29 (a) Twenty-eight and seventeen hundredths percent to the
30 Department of Environmental Protection for the implementation of
31 an alternative water supply program as provided in s. 373.1961.

32 (b) Twenty-four and fifty-one hundredths percent for the
33 implementation of best-management practices and capital project
34 expenditures necessary for the implementation of the goals of
35 the total maximum daily load program established in s. 403.067.

36 Of these funds, 86 percent shall be transferred to the credit of
37 the Department of Environmental Protection Water Quality

38 Assurance Trust Fund to address water quality impacts associated
39 with nonagricultural nonpoint sources. Fourteen percent of these
40 funds shall be transferred to the Department of Agriculture and
41 Consumer Services General Inspection Trust Fund to address water
42 quality impacts associated with agricultural nonpoint sources.

43 These funds shall be used for research, development,
44 demonstration, and implementation of the total maximum daily
45 load program under s. 403.067, suitable best-management

46 practices, or other measures used to achieve water quality
47 standards in surface waters and water segments identified
48 pursuant to s. 303(d) of the Clean Water Act, Pub. L. No. 92-

49 500, 33 U.S.C. ss. 1251 et seq. Implementation of best-
50 management practices and other measures may include cost-share

51 grants, technical assistance, implementation tracking, and
52 conservation leases or other agreements for water quality

53 improvement. The Department of Environmental Protection and the
54 Department of Agriculture and Consumer Services may adopt rules
55 governing the distribution of funds for implementation of

56 capital projects, best-management practices, and other measures.



445890

601-00067A-09A

57 These funds may not be used to abrogate the financial
58 responsibility of those point and nonpoint sources that have
59 contributed to the degradation of water or land areas. Increased
60 priority shall be given by the department and the water
61 management district governing boards to those projects that have
62 secured a cost-sharing agreement that allocates responsibility
63 for the cleanup of point and nonpoint sources.

64 (c) Forty-seven and thirty-two hundredths percent to the
65 Department of Environmental Protection for the Disadvantaged
66 Small Community Wastewater Grant Program as provided in s.
67 403.1838.

68
69 This subsection expires July 1, 2009.

70 Section 2. To the extent that revenues have been
71 distributed before March 1, 2009, for the 2008-2009 fiscal year
72 in excess of the amounts authorized in s. 403.890(6), Florida
73 Statutes, the Department of Environmental Protection shall
74 reallocate funds so that the total distribution in the 2008-2009
75 fiscal year is consistent with the distribution set forth in s.
76 403.890(6), Florida Statutes.

77 Section 3. This act shall take effect upon becoming a law.