

By the Committee on General Government Appropriations and
Senator Baker

601-00098-09A

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1 A bill to be entitled
2 An act relating to water resources development;
3 amending s. 403.890, F.S.; revising the distribution
4 of funds from the Water Protection and Sustainability
5 Program Trust Fund; providing for future expiration of
6 such provisions; providing for the reallocation of
7 funds to conform to changes made by the act; providing
8 an effective date.

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

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

15 403.890 Water Protection and Sustainability Program;
16 intent; goals; purposes.—

17 ~~(3) In addition to the uses allowed in subsection (1) For~~
18 the 2008-2009 fiscal year only, moneys in the Water Protection
19 and Sustainability Program Trust Fund shall be transferred to
20 the Ecosystem Management and Restoration Trust Fund for grants
21 and aids to local governments for water projects as provided in
22 the General Appropriations Act. This subsection expires July 1,
23 2009.

24 (6) For the 2008-2009 fiscal year only, in lieu of the
25 distributions authorized in subsection (2) for revenues
26 transferred from the Department of Revenue pursuant to s.
27 201.15(1)(c)2., and after the distribution authorized in
28 subsection (3), remaining funds shall be distributed as follows:

29 (a) Twenty-eight and seventeen hundredths percent to the

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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.
57 These funds may not be used to abrogate the financial
58 responsibility of those point and nonpoint sources that have

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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.