

1                                   A bill to be entitled  
 2           An act relating to the Water Protection and Sustainability  
 3           Program; amending s. 403.890, F.S.; removing obsolete  
 4           language requiring the Legislature to review the  
 5           distribution of funds under the Water Protection and  
 6           Sustainability Program; deleting provisions for an interim  
 7           project relating to the program and its funding formula;  
 8           providing an effective date.

9  
 10   Be It Enacted by the Legislature of the State of Florida:

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 12           Section 1. Subsection (4) of section 403.890, Florida  
 13           Statutes, is amended to read:

14           403.890 Water Protection and Sustainability Program;  
 15           intent; goals; purposes.—

16           (4) For fiscal year 2005-2006, funds deposited or  
 17           appropriated into the Water Protection and Sustainability  
 18           Program Trust Fund shall be distributed as follows:

19           (a) One hundred million dollars to the Department of  
 20           Environmental Protection for the implementation of an  
 21           alternative water supply program as provided in s. 373.1961.

22           (b) Funds remaining after the distribution provided for in  
 23           subsection (1) shall be distributed as follows:

24           1. Fifty percent for the implementation of best management  
 25           practices and capital project expenditures necessary for the  
 26           implementation of the goals of the total maximum daily load  
 27           program established in s. 403.067. Of these funds, 85 percent  
 28           shall be transferred to the credit of the Department of

29 Environmental Protection Water Quality Assurance Trust Fund to  
 30 address water quality impacts associated with nonagricultural  
 31 nonpoint sources. Fifteen percent of these funds shall be  
 32 transferred to the Department of Agriculture and Consumer  
 33 Services General Inspection Trust Fund to address water quality  
 34 impacts associated with agricultural nonpoint sources. These  
 35 funds shall be used for research, development, demonstration,  
 36 and implementation of suitable best management practices or  
 37 other measures used to achieve water quality standards in  
 38 surface waters and water segments identified pursuant to s.  
 39 303(d) of the Clean Water Act, Pub. L. No. 92-500, 33 U.S.C. ss.  
 40 1251 et seq. Implementation of best management practices and  
 41 other measures may include cost-share grants, technical  
 42 assistance, implementation tracking, and conservation leases or  
 43 other agreements for water quality improvement. The Department  
 44 of Environmental Protection and the Department of Agriculture  
 45 and Consumer Services may adopt rules governing the distribution  
 46 of funds for implementation of best management practices. These  
 47 funds shall not be used to abrogate the financial responsibility  
 48 of those point and nonpoint sources that have contributed to the  
 49 degradation of water or land areas. Increased priority shall be  
 50 given by the department and the water management district  
 51 governing boards to those projects that have secured a cost-  
 52 sharing agreement allocating responsibility for the cleanup of  
 53 point and nonpoint sources.

54 2. Twenty-five percent for the purposes of funding  
 55 projects pursuant to ss. 373.451-373.459 or surface water  
 56 restoration activities in water-management-district-designated

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57 priority water bodies. The Secretary of Environmental Protection  
58 shall ensure that each water management district receives the  
59 following percentage of funds annually:

60 a. Thirty-five percent to the South Florida Water  
61 Management District;

62 b. Twenty-five percent to the Southwest Florida Water  
63 Management District;

64 c. Twenty-five percent to the St. Johns River Water  
65 Management District;

66 d. Seven and one-half percent to the Suwannee River Water  
67 Management District; and

68 e. Seven and one-half percent to the Northwest Florida  
69 Water Management District.

70 3. Twenty-five percent to the Department of Environmental  
71 Protection for the Disadvantaged Small Community Wastewater  
72 Grant Program as provided in s. 403.1838.

73  
74 ~~Prior to the end of the 2008 Regular Session, the Legislature~~  
75 ~~must review the distribution of funds under the Water Protection~~  
76 ~~and Sustainability Program to determine if revisions to the~~  
77 ~~funding formula are required. At the discretion of the President~~  
78 ~~of the Senate and the Speaker of the House of Representatives,~~  
79 ~~the appropriate substantive committees of the Legislature may~~  
80 ~~conduct an interim project to review the Water Protection and~~  
81 ~~Sustainability Program and the funding formula and make written~~  
82 ~~recommendations to the Legislature proposing necessary changes,~~  
83 ~~if any.~~

84 Section 2. This act shall take effect July 1, 2010.