



758314

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/30/2012	.	
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The Committee on Environmental Preservation and Conservation  
(Detert) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (5) of section 373.236, Florida  
Statutes, is amended to read:

373.236 Duration of permits; compliance reports.—

(5) (a) Permits approved for the development of alternative  
water supplies shall be granted for a term of at least 20 years  
if there is sufficient data to provide reasonable assurance that  
the conditions for permit issuance will be met for the duration  
of the permit. However, if the permittee issues bonds for the



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13 construction of the project, upon request of the permittee  
14 before ~~prior to~~ the expiration of the permit, the ~~that~~ permit  
15 shall be extended for such additional time as is required for  
16 the retirement of bonds, not including any refunding or  
17 refinancing of such bonds, if ~~provided that~~ the governing board  
18 determines that the use will continue to meet the conditions for  
19 the issuance of the permit. Such a permit is subject to  
20 compliance reports under subsection (4).

21 (b)1. Permits approved after July 1, 2012, for the  
22 development of alternative water supplies shall be granted for a  
23 term of at least 30 years if there is sufficient data to provide  
24 reasonable assurance that the conditions for permit issuance  
25 will be met for the duration of the permit. If, within 7 years  
26 after a permit is granted, the permittee issues bonds to finance  
27 the project, completes construction of the project, and requests  
28 an extension of the permit duration, the permit shall be  
29 extended to expire upon the retirement of such bonds or 30 years  
30 after the date construction of the project is complete,  
31 whichever occurs later. However, a permit's duration may not be  
32 extended by more than 7 years beyond the permit's original  
33 expiration date. A 7-year permit extension, as described in this  
34 subparagraph, shall be applicable to any 30-year permit for the  
35 development of alternative water supplies granted between June  
36 1, 2011, and July 1, 2012.

37 2. Permits issued under this paragraph are subject to  
38 compliance reports under subsection (4). However, if the  
39 permittee demonstrates that bonds issued to finance the project  
40 are outstanding, the quantity of alternative water allocated in  
41 the permit may not be reduced during a compliance report review



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42 unless a reduction is needed to address unanticipated harm to  
43 water resources or to existing legal uses present when the  
44 permit was issued. A reduction required by an applicable water  
45 shortage order shall apply to permits issued under this  
46 paragraph.

47 3. Permits issued under this paragraph may not authorize  
48 the use of nonbrackish groundwater supplies or nonalternative  
49 water supplies.

50 (c) Entities that wish to develop alternative water  
51 supplies may apply for a permit under paragraph (a) or paragraph  
52 (b).

53 Section 2. This act shall take effect July 1, 2012.

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55  
56 ===== T I T L E A M E N D M E N T =====

57 And the title is amended as follows:

58 Delete everything before the enacting clause  
59 and insert:

60 A bill to be entitled

61 An act relating to permits for alternative water supplies;  
62 amending s. 373.236, F.S.; specifying conditions of issuance;  
63 requiring that certain permits approved for the development of  
64 alternative water supplies by certain entities be granted for at  
65 least 30 years; requiring that such permits be extended under  
66 specified conditions; providing for a reduction in permitted  
67 water quantities during compliance reviews under certain  
68 circumstances; excluding from application of the act a permit  
69 for nonbrackish groundwater or nonalternative water supplies;  
70 providing an option for the duration of an alternative water



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71 supply permit to a county, special district, regional water  
72 supply authority, multijurisdictional water supply entity, or  
73 publicly or privately owned utility; providing an effective  
74 date.  
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