

By the Committee on Environmental Preservation and Conservation;
and Senator Hays

592-02641-12

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1 A bill to be entitled
2 An act relating to permits for alternative water
3 supplies; amending s. 373.236, F.S.; specifying
4 conditions of issuance; requiring that certain permits
5 approved for the development of alternative water
6 supplies by certain entities be granted for at least
7 30 years; requiring that such permits be extended
8 under specified conditions; providing for a reduction
9 in permitted water quantities during compliance
10 reviews under certain circumstances; excluding from
11 application of the act a permit for nonbrackish
12 groundwater or nonalternative water supplies;
13 providing an option for the duration of an alternative
14 water supply permit to a county, special district,
15 regional water supply authority, multijurisdictional
16 water supply entity, or publicly or privately owned
17 utility; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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

23 373.236 Duration of permits; compliance reports.—

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

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30 before ~~prior to~~ the expiration of the permit, the ~~that~~ permit
31 shall be extended for such additional time as is required for
32 the retirement of bonds, not including any refunding or
33 refinancing of such bonds, if ~~provided that~~ the governing board
34 determines that the use will continue to meet the conditions for
35 the issuance of the permit. Such a permit is subject to
36 compliance reports under subsection (4).

37 (b)1. Permits approved on or after July 1, 2012, for the
38 development of alternative water supplies shall be granted for a
39 term of at least 30 years if there is sufficient data to provide
40 reasonable assurance that the conditions for permit issuance
41 will be met for the duration of the permit. If, within 7 years
42 after a permit is granted, the permittee issues bonds to finance
43 the project, completes construction of the project, and requests
44 an extension of the permit duration, the permit shall be
45 extended to expire upon the retirement of such bonds or 30 years
46 after the date construction of the project is complete,
47 whichever occurs later. However, a permit's duration may not be
48 extended by more than 7 years beyond the permit's original
49 expiration date. A 7-year permit extension, as described in this
50 subparagraph, shall be applicable to any 30-year permit for the
51 development of alternative water supplies granted between June
52 1, 2011, and July 1, 2012.

53 2. Permits issued under this paragraph are subject to
54 compliance reports under subsection (4). However, if the
55 permittee demonstrates that bonds issued to finance the project
56 are outstanding, the quantity of alternative water allocated in
57 the permit may not be reduced during a compliance report review
58 unless a reduction is needed to address unanticipated harm to

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59 water resources or to existing legal uses present when the
60 permit was issued. A reduction required by an applicable water
61 shortage order shall apply to permits issued under this
62 paragraph.

63 3. Permits issued under this paragraph may not authorize
64 the use of nonbrackish groundwater supplies or nonalternative
65 water supplies.

66 (c) Entities that wish to develop alternative water
67 supplies may apply for a permit under paragraph (a) or paragraph
68 (b).

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