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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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03/09/2012 11:13 PM

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Senator Hays moved the following:

Senate Amendment (with title amendment)

Between lines 12 and 13

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 construction of the project, upon request of the permittee



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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 on or 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
42 unless a reduction is needed to address unanticipated harm to



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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
54 ===== T I T L E A M E N D M E N T =====

55 And the title is amended as follows:

56 Delete line 3

57 and insert:

58 improvements; amending s. 373.236, F.S.; specifying
59 conditions for the issuance of permits for the
60 development of alternative water supplies; requiring
61 that certain permits be granted for at least 30 years;
62 requiring that such permits be extended under
63 specified conditions; providing for a reduction in
64 permitted water quantities during compliance reviews
65 under certain circumstances; excluding from
66 application of the act a permit for nonbrackish
67 groundwater or nonalternative water supplies;
68 providing an option for the duration of an alternative
69 water supply permit to a county, special district,
70 regional water supply authority, multijurisdictional
71 water supply entity, or publicly or privately owned



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utility; creating s. 373.4591, F.S.; requiring a