

1                                   A bill to be entitled  
 2           An act relating to consumptive use permits for  
 3           development of alternative water supplies; amending s.  
 4           373.236, F.S.; specifying conditions for issuance of  
 5           permits; providing for issuance, extension, and review  
 6           of permits approved after a certain date; providing  
 7           applicability; providing construction; providing an  
 8           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 (5) of section 373.236, Florida  
 13   Statutes, is amended to read:

14           373.236 Duration of permits; compliance reports.—

15           (5) (a) Permits approved for the development of alternative  
 16   water supplies shall be granted for a term of at least 20 years  
 17   if there is sufficient data to provide reasonable assurance that  
 18   the conditions for permit issuance will be met for the duration  
 19   of the permit. However, if the permittee issues bonds for the  
 20   construction of the project, upon request of the permittee prior  
 21   to the expiration of the permit, the ~~that~~ permit shall be  
 22   extended for such additional time as is required for the  
 23   retirement of bonds, not including any refunding or refinancing  
 24   of such bonds, if ~~provided that~~ the governing board determines  
 25   that the use will continue to meet the conditions for the  
 26   issuance of the permit. Such a permit is subject to compliance  
 27   reports under subsection (4).

28           (b)1. Permits approved after July 1, 2012, for the

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

44 2. Permits issued under this paragraph are subject to  
45 compliance reports under subsection (4). However, if the  
46 permittee demonstrates that bonds issued to finance the project  
47 are outstanding, the quantity of alternative water allocated in  
48 the permit may not be reduced during a compliance report review  
49 unless a reduction is needed to address unanticipated harm to  
50 water resources or to existing legal uses present when the  
51 permit was issued. A reduction required by an applicable water  
52 shortage order shall apply to permits issued under this  
53 paragraph.

54 3. Permits issued under this paragraph may not authorize  
55 the use of nonbrackish groundwater supplies or nonalternative  
56 water supplies.

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57            (c) Entities that wish to develop alternative water  
58 supplies may apply for a permit under paragraph (a) or paragraph  
59 (b).

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