

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 specified date; providing
 7 for applicability and 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
 21 before ~~prior to the~~ expiration of the permit, the ~~that~~ permit
 22 shall be extended for such additional time as ~~is~~ required for
 23 the retirement of bonds, not including any refunding or
 24 refinancing of such bonds, if ~~provided that~~ the governing board
 25 determines that the use will continue to meet the conditions for
 26 the issuance of the permit. Such a permit is subject to
 27 compliance reports under subsection (4).

28 (b)1. Permits approved on or after July 1, 2013, 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.

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

51 3. Permits issued under this paragraph may not authorize
52 the use of nonbrackish groundwater supplies or nonalternative
53 water supplies.

54 (c) Entities that wish to develop alternative water
55 supplies may apply for a permit under paragraph (a) or paragraph
56 (b).

HB 109

2013

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Section 2. This act shall take effect July 1, 2013.