

By the Committee on Community Affairs; and Senator Hays

578-01731-13

2013364c1

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.; revising conditions for issuance of  
5           permits; providing for the issuance, extension, and  
6           review of permits approved on or after a certain date;  
7           providing for applicability; providing an effective  
8           date.

9  
10   Be It Enacted by the Legislature of the State of Florida:

11  
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) A permit ~~Permits~~ approved for the development of  
16   alternative water supplies shall be granted for a term of at  
17   least 20 years if there is sufficient data to provide reasonable  
18   assurance that the conditions for permit issuance will be met  
19   for the duration of the permit. However, if the permittee issues  
20   bonds for the construction of the project, upon request of the  
21   permittee before ~~prior to~~ the expiration of the permit, the ~~that~~  
22   permit shall be extended for such additional time as is required  
23   for 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. The ~~Such a~~ permit is subject to  
27   compliance reports under subsection (4).

28           (b)1. A permit approved on or after July 1, 2013, for the  
29   development of alternative water supplies shall be granted for a

578-01731-13

2013364c1

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

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

53 (c) An entity that wishes to develop alternative water  
54 supplies may apply for a permit under paragraph (a) or paragraph  
55 (b).

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