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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2015	.	
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Appropriations Subcommittee on General Government (Hays)
recommended the following:

1 **Senate Amendment to Amendment (322890) (with directory and**
2 **title amendments)**

3
4 Delete lines 2537 - 2643
5 and insert:

6 (10) This section does not apply to the development and
7 implementation of pilot projects pursuant to s. 373.037.

8 Section 22. Paragraph (b) of subsection (2) and subsections
9 (3) and (4) of section 373.705, Florida Statutes, are amended,
10 and subsection (5) is added to that section, to read:



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11 373.705 Water resource development; water supply
12 development.—

13 (2) It is the intent of the Legislature that:

14 (b) Water management districts take the lead in identifying
15 and implementing water resource development projects, and be
16 responsible for securing necessary funding for regionally
17 significant water resource development projects, including
18 regional significant projects that prevent or limit adverse
19 water resource impacts, avoid competition among water users, or
20 support the provision of new water supplies in order to meet a
21 minimum flow or minimum water level or to implement a recovery
22 or prevention strategy or water reservation.

23 (3) (a) The water management districts shall fund and
24 implement water resource development as defined in s. 373.019.
25 The water management districts are encouraged to implement water
26 resource development as expeditiously as possible in areas
27 subject to regional water supply plans.

28 (b) Each governing board shall include in its annual budget
29 submittals required under this chapter:

30 1. The amount of funds for each project in the annual
31 funding plan developed pursuant to s. 373.536(6)(a)4.;

32 2. The total amount needed for the fiscal year to implement
33 water resource development projects, as prioritized in its
34 regional water supply plans; and

35 3. The amount of funds requested for each project submitted
36 for consideration for state funding pursuant to s. 403.0616.

37 (4) (a) Water supply development projects that are
38 consistent with the relevant regional water supply plans and
39 that meet one or more of the following criteria shall receive



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40 priority consideration for state or water management district
41 funding assistance:

42 1. The project supports establishment of a dependable,
43 sustainable supply of water which is not otherwise financially
44 feasible;

45 2. The project provides substantial environmental benefits
46 by preventing or limiting adverse water resource impacts, but
47 requires funding assistance to be economically competitive with
48 other options; or

49 3. The project significantly implements reuse, storage,
50 recharge, or conservation of water in a manner that contributes
51 to the sustainability of regional water sources.

52 (b) Except for pilot projects identified in paragraph (c),
53 water supply development projects that meet the criteria in
54 paragraph (a) and that meet one or more of the following
55 additional criteria shall be given first consideration for state
56 or water management district funding assistance:

57 1. The project brings about replacement of existing sources
58 in order to help implement a minimum flow or minimum water
59 level; ~~or~~

60 2. The project implements reuse that assists in the
61 elimination of domestic wastewater ocean outfalls as provided in
62 s. 403.086(9); or

63 3. The project reduces or eliminates the adverse effects of
64 competition between legal users and the natural system.

65 (c) First consideration for state or water management
66 district funding for water supply development projects shall be
67 given to pilot projects pursuant to s. 373.037 before
68 consideration of water supply development projects identified in



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69 paragraphs (a) and (b) within the restricted allocation area
70 where the pilot project is located.

71 (5) The water management districts shall promote expanded
72 cost-share criteria for additional conservation practices, such
73 as soil and moisture sensors and other irrigation improvements,
74 water-saving equipment, and water-saving household fixtures.

75 Section 23. Paragraph (f) of subsection (3), paragraph (a)
76 of subsection (6), and paragraphs (e) and (f) of subsection (8)
77 of section 373.707, Florida Statutes, are amended to read:

78 373.707 Alternative water supply development.—

79 (3) The primary roles of the water management districts in
80 water resource development as it relates to supporting
81 alternative water supply development are:

82 (f) The provision of technical and financial assistance to
83 local governments and publicly owned and privately owned water
84 utilities for alternative water supply projects and for self-
85 suppliers for alternative water supply projects to the extent
86 assistance for self-suppliers promotes the policies in paragraph
87 (1) (f).

88 (6) (a) Where state ~~The statewide~~ funds are provided through
89 specific appropriation for a priority project of the water
90 resources work program pursuant to s. 403.0616, or pursuant to
91 the Water Protection and Sustainability Program, such funds
92 serve to supplement existing water management district or basin
93 board funding for alternative water supply development
94 assistance and should not result in a reduction of such funding.
95 For each project identified in the annual funding plans prepared
96 pursuant to s. 373.536(6) (a)4. Therefore, the water management
97 districts shall include in the annual tentative and adopted



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98 budget submittals required under this chapter the amount of
99 funds allocated for water resource development that supports
100 alternative water supply development and the funds allocated for
101 alternative water supply projects ~~selected for inclusion in the~~
102 ~~Water Protection and Sustainability Program~~. It shall be the
103 goal of each water management district and basin boards that the
104 combined funds allocated annually for these purposes be, at a
105 minimum, the equivalent of 100 percent of the state funding
106 provided to the water management district for alternative water
107 supply development. If this goal is not achieved, the water
108 management district shall provide in the budget submittal an
109 explanation of the reasons or constraints that prevent this goal
110 from being met, an explanation of how the goal will be met in
111 future years, and affirmation of match is required during the
112 budget review process as established under s. 373.536(5). The
113 Suwannee River Water Management District and the Northwest
114 Florida Water Management District shall not be required to meet
115 the match requirements of this paragraph; however, they shall
116 try to achieve the match requirement to the greatest extent
117 practicable.

118 (8)

119 (e) Applicants for projects that may receive funding
120 assistance pursuant to the Water Protection and Sustainability
121 Program shall, at a minimum, be required to pay 60 percent of
122 the project's construction costs. The water management districts
123 may, at their discretion, totally or partially waive this
124 requirement for projects sponsored by:

125 1. Financially disadvantaged small local governments as
126 defined in former s. 403.885(5); or



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127 2. Water users for projects determined by a water
128 management district governing board to be in the public interest
129 pursuant to paragraph (1) (f), if the projects are not otherwise
130 financially feasible.

131
132 The water management districts or basin boards may, at their
133 discretion, use ad valorem or federal revenues to assist a
134 project applicant in meeting the requirements of this paragraph.

135 (f) The governing boards shall determine those projects
136 that will be selected for financial assistance. The governing
137 boards may establish factors to determine project funding;
138 however, significant weight shall be given to the following
139 factors:

140 1. Whether the project provides substantial environmental
141 benefits by preventing or limiting adverse water resource
142 impacts.

143 2. Whether the project reduces competition for water
144 supplies.

145 3. Whether the project brings about replacement of
146 traditional sources in order to help implement a minimum flow or
147 level or a reservation.

148 4. Whether the project will be implemented by a consumptive
149 use permittee that has achieved the targets contained in a goal-
150 based water conservation program approved pursuant to s.
151 373.227.

152 5. The quantity of water supplied by the project as
153 compared to its cost.

154 6. Projects in which the construction and delivery to end
155 users of reuse water is a major component.



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156 7. Whether the project will be implemented by a
157 multijurisdictional water supply entity or regional water supply
158 authority.

159 8. Whether the project implements reuse that assists in the
160 elimination of domestic wastewater ocean outfalls as provided in
161 s. 403.086(9).

162 9. Whether the county or municipality, or the multiple
163 counties or municipalities, in which the project is located has
164 implemented a high-water recharge protection tax assessment
165 program as provided in s. 193.625.

166 10. Whether the project is a pilot project under s.
167 373.037.

168
169 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

170 And the directory clause is amended as follows:

171 Delete lines 2516 - 2517

172 and insert:

173 Section 21. Subsection (9) of section 373.703, Florida
174 Statutes, is amended, and subsection (10) is added to that
175 section, to read:

176
177 ===== T I T L E A M E N D M E N T =====

178 And the title is amended as follows:

179 Delete lines 3934 - 3946

180 and insert:

181 for the purpose of carrying out its powers; providing
182 an exception for certain pilot projects; amending s.
183 373.705, F.S.; revising the legislative intent;
184 requiring water management district governing boards



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185 to include certain information in their annual budget
186 submittals; providing first consideration for funding
187 assistance to certain water supply development
188 projects; requiring water management districts to
189 promote expanded cost-share criteria for additional
190 conservation practices; amending s. 373.707, F.S. ;
191 authorizing water management districts to provide
192 technical and financial assistance to certain self-
193 suppliers and to waive certain construction costs of
194 alternative water supply development projects
195 sponsored by certain water users; requiring the
196 governing board to give significant weight for project
197 funding to whether the project is a pilot project;
198 amending s. 373.709,