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576-02508-19

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Agriculture, Environment, and
General Government)

A bill to be entitled

An act relating to the C-51 reservoir project;
amending s. 373.4598, F.S.; revising the portions of
the C-51 reservoir project for which the South Florida
Water Management District may negotiate; revising
water storage and use requirements specified for the
project if state funds are appropriated for the
project; specifying that Phase II of the project may
be funded by appropriation, in addition to other
sources; authorizing the district to enter into
certain capacity allocation agreements and to request
a waiver for repayment of certain loans; authorizing
the Department of Environmental Protection to waive
such loan repayment under certain conditions;
specifying that the district is not responsible for
repayment of such waived loans; providing an effective
date.

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

Section 1. Paragraphs (c), (d), and (e) of subsection (9)
of section 373.4598, Florida Statutes, are amended, and
paragraph (f) is added to that subsection, to read:

373.4598 Water storage reservoirs.—

(9) C-51 RESERVOIR PROJECT.—

(c) ~~For Phase II of the C-51 reservoir project, The~~



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27 district may negotiate with the owners of the C-51 reservoir
28 project site for the acquisition of any portion of the project
29 not already committed to utilities for alternative water supply
30 purposes or to enter into a public-private partnership. The
31 district may acquire land near the C-51 reservoir through the
32 purchase or exchange of land that is owned by the district or
33 the state as necessary to implement ~~Phase II of~~ the project. The
34 state and the district may consider potential swaps of land that
35 is owned by the state or the district to achieve an optimal
36 combination of water quality and water storage. The district may
37 not exercise eminent domain for the purpose of implementing the
38 C-51 reservoir project.

39 (d) If state funds are appropriated for ~~Phase I or Phase II~~
40 ~~of~~ the C-51 reservoir project:

41 1. The district, to the extent practicable, must shall
42 operate the reservoir project to maximize the reduction of high-
43 volume Lake Okeechobee regulatory releases to the St. Lucie or
44 Caloosahatchee estuaries, in addition to maximizing the
45 reduction of harmful discharges providing relief to the Lake
46 Worth Lagoon. However, the operation of Phase I of the C-51
47 reservoir project must be in accordance with any operation and
48 maintenance agreement approved by the district;

49 2. In addition to any permitted amounts for water supply,
50 water made available by the reservoir project must shall be used
51 for natural systems in addition to any allocated amounts for
52 water supply; and

53 3. ~~Any~~ Water received from Lake Okeechobee may ~~not~~ be
54 available to support consumptive use permits only if such use is
55 in accordance with district rules.



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56 (e) Phase I of the C-51 reservoir project may be funded by
57 appropriation or through the water storage facility revolving
58 loan fund as provided in s. 373.475. Phase II of the C-51
59 reservoir project may be funded by appropriation, pursuant to
60 this section, pursuant to s. 373.475, as a project component of
61 CERP, or pursuant to s. 375.041(3)(b)4.

62 (f) The district may enter into a capacity allocation
63 agreement with a water supply entity for a pro rata share of
64 unreserved capacity in the water storage facility and may
65 request the department to waive repayment of all or a portion of
66 a loan issued pursuant to s. 373.475. The department may
67 authorize such waiver if, in its determination, it has received
68 reasonable value for such waiver. The district is not
69 responsible for repaying any portion of a loan issued pursuant
70 to s. 373.475 which is waived pursuant to this paragraph.

71 Section 2. This act shall take effect July 1, 2019.